

**TITLE I. GOVERNMENT CODE  
(Ord. No. 2015-2900 12-8-2015)**

**CHAPTER 100: GENERAL PROVISIONS**

**ARTICLE I. CITY INCORPORATION AND SEAL**

**SECTION 100.010: CITY OF THE FOURTH CLASS**

On the second (2nd) day of April, 1963, the Village of Greenwood elected to become a City of the Fourth Class under the laws of the State of Missouri. (R.O. 2012 §100.010; Ord. No. 1.013 §1-4, 7-1-63)

**SECTION 100.020: MUNICIPAL INCORPORATION**

The inhabitants of the City of Greenwood, as its limits now are or may hereafter be defined by law, shall be and continue a body corporate by the name of "The City of Greenwood" and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity and in all actions whatever; may receive and hold property, both real and personal, within such City and may purchase, receive and hold real estate within or without such City for the burial of the dead; and may purchase, hold, lease, sell or otherwise dispose of any property, real or personal, it now owns or may hereafter acquire; may receive bequests, gifts and donations of all kinds of property; and may have and hold one (1) common Seal and may break, change or alter the same at pleasure; and may do any act, exercise any power and render any service which contributes to the general welfare, and all courts of this State shall take judicial notice thereof. (RSMo. §79.010)

**SECTION 100.025: CITY SEAL**

- A. There shall be a common seal of the City of Greenwood.
- B. The device of the common seal shall be in a circle form. Inscribed thereon shall be the words, "City of Greenwood", following, in a circular form, the circumference; and the word "Seal" on the face of the disc.
- C. The City Clerk shall be the custodian of the common seal.

**ARTICLE II. GENERAL CODE PROVISIONS**

**SECTION 100.030: CONTENTS OF CODE**

This Code contains all ordinances of a general and permanent nature of the City of Greenwood, Missouri, and includes ordinances dealing with municipal administration, municipal elections, building and property regulation, business and occupations, health and sanitation, public order and similar subjects.

**SECTION 100.040: CITATION OF CODE**

This Code may be known and cited as the "Municipal Code of the City of Greenwood, Missouri".

**SECTION 100.050: OFFICIAL COPIES OF CODE**

At least three (3) copies of the published book shall be kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours.

**SECTION 100.060: ALTERING OR AMENDING CODE**

- A. It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Official Copy of the Code in any manner whatsoever which will cause the law of the City to be misrepresented thereby. Any person, firm or corporation violating this Section shall be punished as provided in Section 100.220 of this Code.
- B. This provision shall not apply to amendments, additions or deletions to this Code, duly passed by the Board of Aldermen, which may be prepared by the City Clerk for insertion in this Code.

**SECTION 100.070: NUMBERING OF CODE**

Each Section number of this Code shall consist of two (2) parts separated by a period; the figure before the period referring to the Chapter number, and the figure after the period referring to the position of the Section in the Chapter.

**SECTION 100.080: DEFINITIONS AND RULES OF CONSTRUCTION**

- A. In the construction of this Code and of all other ordinances of the City, the following definitions shall be observed, unless it shall be otherwise expressly provided in any Section or ordinance, or unless inconsistent with the manifest intent of the Board of Aldermen, or unless the context clearly requires otherwise:

*BOARD OF ALDERMEN:* The Board of Aldermen of the City of Greenwood, Missouri.

*CERTIFIED MAIL OR CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED:* Includes certified mail carried by the United States Postal Service or any parcel or letter carried by an overnight, express or ground delivery service that allows a sender or recipient to electronically track its location and provides a record of the signature of the recipient.

*CITY:* The words "*the City*" or "*this City*" or "*City*" shall mean the City of Greenwood, Missouri.

*COUNTY:* The words "*the County*" or "*this County*" or "*County*" shall mean the County of Jackson, and the County of Cass, Missouri.

*DAY:* A day of twenty-four (24) hours beginning at 12:00 Midnight.

*MAY:* Is permissive.

*MAYOR:* An officer of the City known as the Mayor of the Board of Aldermen of the City of Greenwood, Missouri.

*MONTH:* A calendar month.

*OATH:* Includes an affirmation in all cases in which an affirmation may be substituted for an oath, and in such cases the words "*swear*" and "*sworn*" shall be equivalent to the words "*affirm*" and "*affirmed*".

*OFFENSE:* Shall mean and be the same as ordinance violation and is punishable as provided in Section 100.220 of this Code.

*OWNER:* The word "*owner*", as applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or a part of such building or land.

*PERSON:* May extend and be applied to bodies politic and corporate, and to partnerships and other unincorporated associations.

*PERSONAL PROPERTY:* Includes money, goods, chattels, things in action and evidences of debt.

*PRECEDING, FOLLOWING:* When used by way of reference to any Section of this Code, shall mean the Section next preceding or next following that in which the reference is made, unless some other Section is expressly designated in the reference.

*PROPERTY:* Includes real and personal property.

*PUBLIC WAY:* Includes any street, alley, boulevard, parkway, highway, sidewalk or other public thoroughfare.

*REAL PROPERTY:* The terms "*real property*", "*premises*", "*real estate*" or "*lands*" shall be deemed to be co-extensive with lands, tenements and hereditaments.

*SHALL:* Is mandatory.

*SIDEWALK:* That portion of the street between the curb line and the adjacent property line which is intended for the use of pedestrians.

*STATE:* The words "*the State*" or "*this State*" or "*State*" shall mean the State of Missouri.

*STREET:* Includes any public way, highway, street, avenue, boulevard, parkway, alley or other public thoroughfare, and each of such words shall include all of them.

*TENANT, OCCUPANT:* The words "*tenant*" or "*occupant*", applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

*WRITTEN, IN WRITING AND WRITING WORD FOR WORD:* Includes printing,

lithographing, or other mode of representing words and letters, but in all cases where the signature of any person is required, the proper handwriting of the person, or his/her mark, is intended.

*YEAR*: A calendar year, unless otherwise expressed, and the word "*year*" shall be equivalent to the words "*year of our Lord*".

- B. *Newspaper*. Whenever in this Code or other ordinance of the City it is required that notice be published in the "official newspaper" or a "newspaper of general circulation published in the City", and if there is no newspaper published within the City, the said notice shall be published in a newspaper of general circulation within the City, regardless of its place of publication. Such newspaper shall not include an advertising circular or other medium for which no subscription list is maintained.

#### **SECTION 100.090: WORDS AND PHRASES—HOW CONSTRUED**

Words and phrases shall be taken in their plain or ordinary and usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

#### **SECTION 100.100: HEADINGS**

The headings of the Chapters and Sections of this Code are intended as guides and not as part of this Code for purposes of interpretation or construction.

#### **SECTION 100.110: CONTINUATION OF PRIOR ORDINANCES**

The provisions appearing in this Code, so far as they are in substance the same as those of ordinances existing at the time of the adoption of this Code, shall be considered as a continuation thereof and not as new enactments.

#### **SECTION 100.120: EFFECT OF REPEAL OF ORDINANCE**

No offense committed and no fine, penalty or forfeiture incurred, or prosecution commenced or pending previous to or at the time when any ordinance provision is repealed or amended, shall be affected by the repeal or amendment, but the trial and punishment of all such offenses and the recovery of the fines, penalties or forfeitures shall be had, in all respects, as if the provision had not been repealed or amended, except that all such proceedings shall be conducted according to existing procedural laws.

#### **SECTION 100.130: REPEALING ORDINANCE REPEALED—FORMER ORDINANCE NOTREVIVED—WHEN**

When an ordinance repealing a former ordinance, clause or provision is itself repealed, it does not revive the former ordinance, clause or provision, unless it is otherwise expressly provided; nor shall any ordinance repealing any former ordinance, clause or provision abate, annul or in anywise affect any proceedings had or commenced under or by virtue of the ordinance so repealed, but the same is as effectual and shall be proceeded on to final

judgment and termination as if the repealing ordinance had not passed, unless it is otherwise expressly provided.

**SECTION 100.140: SEVERABILITY**

It is hereby declared to be the intention of the Board of Aldermen that the Chapters, Sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, Section or Chapter of this Code shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, Sections and Chapters of this Code since the same would have been enacted by the Board of Aldermen without the incorporation in this Code of any such unconstitutional or invalid phrase, clause, sentence, paragraph or Section.

**SECTION 100.150: TENSE**

Except as otherwise specifically provided or indicated by the context, all words used in this Code indicating the present tense shall not be limited to the time of adoption of this Code but shall extend to and include the time of the happening of any act, event or requirement for which provision is made herein, either as a power, immunity, requirement or prohibition.

**SECTION 100.160: NOTICE**

Whenever notice may be required under the provisions of this Code or other City ordinance, the same shall be served in the following manner:

1. By delivering the notice to the person to be served personally or by leaving the same at his/her residence, office or place of business with some person of his/her family over the age of fifteen (15) years;
2. By mailing said notice by certified or registered mail to such person to be served at his/her last known address; or
3. If the person to be served is unknown or may not be notified under the requirements of this Section, then by posting said notice in some conspicuous place at least five (5) days before the act or action concerning which the notice is given is to take place. No person shall interfere with, obstruct, mutilate, conceal or tear down any official notice or placard posted by any City Officer, unless permission is given by said officer.

**SECTION 100.170: NOTICE—EXCEPTIONS**

The provisions of the preceding Section shall not apply to those Chapters of this Code wherein there is a separate definition of notice.

**SECTION 100.180: COMPUTATION OF TIME**

In computing any period of time prescribed or allowed by this Code or by a notice or order

issued pursuant thereto, the day of the act, event or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.

#### **SECTION 100.190: GENDER**

When any subject matter, party or person is described or referred to by words importing the masculine, females as well as males, and associations and bodies corporate as well as individuals, shall be deemed to be included.

#### **SECTION 100.200: JOINT AUTHORITY**

Words importing joint authority to three (3) or more persons shall be construed as authority to a majority of such persons unless otherwise declared in the law giving the authority.

#### **SECTION 100.210: NUMBER**

When any subject matter, party or person is described or referred to by words importing the singular number, the plural and separate matters and persons and bodies corporate shall be deemed to be included; and when words importing the plural number are used, the singular shall be included.

### **ARTICLE III. PENALTY**

#### **SECTION 100.220: GENERAL PENALTY**

- A. Except as hereinafter provided, whenever in this Code or any other ordinance of the City, or in any rule, regulation, notice or order promulgated by any officer or agency of the City under authority duly vested in him/her or it, any act is prohibited or is declared to be unlawful or an offense, misdemeanor or ordinance violation or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, misdemeanor or ordinance violation, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense, except that imprisonments may be in the City prison or workhouse instead of the County Jail.
- B. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.
- C. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing,

securing, aiding or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

D. Minor Traffic Violations

- a. Minor traffic violations are hereby defined as traffic ordinance violations that do not involve an accident or injury, that do not involve the operation of a commercial vehicle, and for which no points are assessed by the department of revenue or the department of revenue is authorized to assess one to four points to a person's driving record upon conviction. Minor traffic violations include amended charges for any minor traffic violation. The definition of minor traffic violations does not include violations for exceeding the speed limit by more than nineteen miles per hour or a violation occurring within a construction zone or a school zone.
- b. Fines. A person convicted of or who pled guilty to a minor traffic violation shall not be assessed a fine, if combined with the amount of court costs, totaling in excess of two hundred and twenty-five dollars for minor traffic violations.

E. Municipal Ordinance Violations

- a. Municipal Ordinance Violations are hereby defined as violations of Chapter 215 Nuisances, Title V Zoning Regulations, and Title V, Building Code, including but not limited to the penalties authorized by Sections 215.070.G; 400.380; 420.130; 430.150; and 500.097.
  - b. Fines. A person, general agent, occupant, lessee, or any other entity convicted of or that pled guilty to a municipal ordinance violation shall not be assessed a fine, if combined with the amount of court costs, for violations committed within a twelve-month period beginning with the first violation totaling in excess of: two hundred dollars (\$200) for the first violation, two hundred seventy-five dollars (\$275) for the second violations, three hundred and fifty dollars (\$350) for the third violation, and four hundred fifty dollars (\$450) for the fourth and any subsequent violations.
- F. The Municipal Judge may not sentence a defendant to confinement for failure to pay a fine for a minor traffic violation or municipal ordinance violation, as defined in Section 100.220.D(a) and 100.220.E(a) of this Code and Section 479.350 RSMo, unless such nonpayment violates terms of probation or unless the due process procedures mandated by Missouri Supreme Court Rule 37.65 or its successor rule are strictly followed by the Municipal Judge. (Ord. No. 2016-2915 9/30/2016)

## **CHAPTER 105: MAYOR AND BOARD OF ALDERMEN**

### **ARTICLE I. MAYOR AND BOARD OF ALDERMEN—GENERALLY**

#### **SECTION 105.010: ALDERMEN—QUALIFICATIONS**

- A. No person shall be an alderman unless he or she is at least eighteen years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected.
- B. *Number of Aldermen.* There shall be elected at the regular election, two (2) Aldermen from each of said Wards and that henceforth all elections of all Aldermen shall be by the described Wards in **SECTION 125.060**. (R.O. 2012 §110.030(B); RSMo. §79.070; Ord. No. 1.050 §§5,8, 10-7-91; RSMo. §79.070)

#### **SECTION 105.020: MAYOR—QUALIFICATIONS**

No person shall be Mayor unless he/she be at least twenty-five (25) years of age, a citizen of the United States, and a resident of the City at the time of and for at least one (1) year next preceding his/her election.

#### **SECTION 105.030: BOARD TO SELECT AN ACTING PRESIDENT—TERM**

The Board shall elect one (1) of their own number who shall be styled "*Acting President of the Board of Aldermen*" and who shall serve for a term of one (1) year.

#### **SECTION 105.040: ACTING PRESIDENT TO PERFORM DUTIES OF MAYOR—WHEN**

When any vacancy shall happen in the office of Mayor by death, resignation, removal from the City, removal from office, refusal to qualify, or from any other cause whatever, the Acting President of the Board of Aldermen shall, for the time being, perform the duties of Mayor, with all the rights, privileges, powers and jurisdiction of the Mayor, until such vacancy be filled or such disability be removed; or, in case of temporary absence, until the Mayor's return.

#### **SECTION 105.050: MAYOR AND BOARD—DUTIES**

The Mayor and Board of Aldermen shall have the care, management and control of the City and its finances and shall have power to enact and ordain any and all ordinances not repugnant to the Constitution and laws of this State, and such as they shall deem expedient for the good government of the City, the preservation of peace and good order, the benefit of trade and commerce, and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect and to



alter, modify or repeal the same.

#### **SECTION 105.060: MAYOR MAY SIT IN BOARD**

The Mayor shall have a seat in and preside over the Board of Aldermen but shall not vote on any question except in case of a tie, nor shall he/she preside or vote in cases when he/she is an interested party. He/she shall exercise a general supervision over all the officers and affairs of the City and shall take care that the ordinances of the City, and the State laws relating to such City, are complied with.

#### **SECTION 105.070: ORDINANCES—PROCEDURE TO ENACT**

The style of the ordinances of the City shall be: "Be it ordained by the Board of Aldermen of the City of Greenwood, as follows:" No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the Board of Aldermen shall vote for it, and the "ayes" and "nays" be entered on the journal. Every proposed ordinance shall be introduced to the Board of Aldermen in writing and shall be read by title or in full two (2) times prior to passage, both readings may occur at a single meeting of the Board of Aldermen. If the proposed ordinance is read by title only, copies of the proposed ordinance shall be made available for public inspection prior to the time the bill is under consideration by the Board of Aldermen. No bill shall become an ordinance until it shall have been signed by the Mayor, or person exercising the duties of the Mayor's office, or shall have been passed over the Mayor's veto as herein provided.

#### **SECTION 105.080: BILLS MUST BE SIGNED—MAYOR'S VETO**

Every bill duly passed by the Board of Aldermen and presented to the Mayor and by him/her approved shall become an ordinance, and every bill presented as aforesaid, but returned with the Mayor's objections thereto, shall stand reconsidered. The Board of Aldermen shall cause the objections of the Mayor to be entered at large upon the journal and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Mayor thereto notwithstanding?" The vote on this question shall be taken by "ayes" and "nays" and the names entered upon the journal, and if two-thirds ( $\frac{2}{3}$ ) of all the members-elect shall vote in the affirmative, the City Clerk shall certify the fact on the roll, and the bill thus certified shall be deposited with the proper officer and shall become an ordinance in the same manner and with like effect as if it had received the approval of the Mayor. The Mayor shall have power to sign or veto any ordinance passed by the Board of Aldermen; provided, that should he/she neglect or refuse to sign any ordinance and return the same with his/her objections, in writing, at the next regular meeting of the Board of Aldermen, the same shall become a law without his/her signature.

#### **SECTION 105.090: BOARD TO KEEP JOURNAL OF PROCEEDINGS**

The Board of Aldermen shall cause to be kept a journal of its proceedings, and the "ayes" and "nays" shall be entered on any question at the request of any two (2) members. The Board of Aldermen may prescribe and enforce such rules as it may find necessary for the expeditious transaction of its business.

**SECTION 105.100: BOARD SHALL PUBLISH SEMI-ANNUAL STATEMENTS**

The Board of Aldermen shall semi-annually each year, at times to be set by the Board of Aldermen, make out and spread upon their records a full and detailed account and statement of the receipts and expenditures and indebtedness of the City for the half year ending with the last day of the month immediately preceding the date of such report, which account and statement shall be published in some newspaper in the City.

**SECTION 105.110: NO MONEY OF CITY TO BE DISBURSED UNTIL STATEMENT IS PUBLISHED—PENALTY**

In the event the financial statement of the City is not published as required by Section 105.100, the treasurer of the City shall not pay out any money of the City on any warrant or order of the Board of Aldermen after the end of the month in which such financial statement should have been published until such time as such financial statement is published. Any treasurer violating the provisions of this Section shall be deemed guilty of an ordinance violation.

**SECTION 105.120: BOARD MAY COMPEL ATTENDANCE OF WITNESSES—MAYOR TO ADMINISTER OATHS**

The Board of Aldermen shall have power to compel the attendance of witnesses and the production of papers and records relating to any subject under consideration in which the interest of the City is involved and shall have power to call on the proper officers of the City, or of the County in which such City is located, to execute such process. The officer making such service shall be allowed to receive therefor such fees as are allowed by law in the Circuit Court for similar services, to be paid by the City. The Mayor or Acting President of the Board of Aldermen shall have power to administer oaths to witnesses.

**SECTION 105.130: MAYOR TO SIGN COMMISSIONS**

The Mayor shall sign the commissions and appointments of all City Officers elected or appointed in the City and shall approve all official bonds unless otherwise prescribed by ordinance.

**SECTION 105.140: MAYOR SHALL HAVE THE POWER TO ENFORCE LAWS**

The Mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the City, and he/she shall cause all subordinate officers to be dealt with promptly for any neglect or violation of duty; and he/she is hereby authorized to call on every male inhabitant of the City over eighteen (18) years of age and under fifty (50) to aid in enforcing the laws.

**SECTION 105.150: MAYOR—COMMUNICATIONS TO BOARD**

The Mayor shall, from time to time, communicate to the Board of Aldermen such measures as may, in his/her opinion, tend to the improvement of the finances, the Police, health, security, ornament, comfort and general prosperity of the City.

**SECTION 105.160: MAYOR MAY REMIT FINE—GRANT PARDON**

The Mayor shall have power to remit fines and forfeitures and to grant reprieves and pardons for offenses arising under the ordinances of the City; but this Section shall not be so construed as to authorize the Mayor to remit any costs which may have accrued to any officer of said City by reason of any prosecution under the laws or ordinances of such City.

**ARTICLE II. BOARD OF ALDERMEN MEETINGS**

**SECTION 105.170: REGULAR MEETINGS—HELD WHEN**

- A. The Board of Aldermen of the City of Greenwood shall meet in regular session on the second (2nd) and fourth (4th) Tuesday of each month. The meetings shall convene at 7:00 P.M.
- B. If the second (2nd) or fourth (4th) Tuesdays of any month in which a regular meeting is scheduled shall fall on a recognized holiday, then such regular meeting shall be held as determined by the Board of Aldermen. (R.O. 2012 §105.010; Ord. No. 1.080 §3, 9-14-81; Ord. No. 1.080A §1, 5-17-82; Ord. No. 1.080B §1, 8-17-92; Ord. No. 94-07-01 §105.010, 7-11-94; Ord. No. 97-12-01-03 §1, 12-1-97; Ord. No. 2002-07-02-03 §1, 7-2-02; Ord. No. 2011-05-23-02 §1, 5-23-11)

**SECTION 105.180: MEETINGS HELD AT CITY HALL—SMOKING PROHIBITED**

- A. The place of all regular meetings of the Board of Aldermen of the City of Greenwood shall be at Greenwood City Hall located at 709 W. Main, Greenwood, Missouri.
- B. The Board of Aldermen, accepting a resolution by the State of Missouri does hereby prohibit smoking in the City Hall during all regular meetings of the Board of Aldermen. (R.O. 2012 §105.020; Ord. No. 1.080 §§2,4, 9-14-81; Ord. No. 97-08-04-07 §§2—3, 8-4-97)

**SECTION 105.190: SPECIAL MEETINGS**

Special meetings may be called by the Mayor or by any two (2) members of the Board by written request, including email correspondence, filed with the City Clerk for a time not earlier than 24 hours after notice is given to all members of the Board of Aldermen. It shall be the duty of the City Clerk, immediately upon receipt of the request for the meeting, to make diligent effort to notify each member of the Board and the Mayor in person, either by telephone or otherwise, of such special meeting. Failure to comply with the requirements of this Section shall not invalidate any action taken at a special meeting of the Board of Aldermen. (R.O. 2012 §105.030; Ord. No. 1.080 §5, 9-14-81; Ord. No. 2006-03-13-05 §1, 3-13-06)

**SECTION 105.200: QUORUM MUST BE PRESENT**

At the hour appointed, the Mayor, or in his/her absence the Acting President of the Board of Aldermen, shall call the Board to order, the Clerk shall call the roll of members and announce whether or not a quorum is present. A majority of the members elected to the

Board shall constitute a quorum. If a quorum not be present, a smaller number may lawfully adjourn the meeting from day to day until a quorum is present.

**SECTION. 105.210 PROCEDURE AND CONDITIONS FOR PRIVATE CITIZEN TO ADDRESS BOARD.**

A. Any person desiring to address the Board shall first obtain the recognition of the presiding officer. The following rules shall govern communications and recognition.

1. Each person addressing the Board shall give his name and address in an audible tone of voice for the records and, unless further time is granted by the Board, shall limit his/her address to four (4) minutes.
2. All remarks shall be addressed to the Board as a body and not to any member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the presiding officer. No question shall be asked of a member of the Board except through the presiding officer.
3. *Written communications.* Interested persons, or their representatives, may address the Board by written communications in regard to any matter concerning the City's business by delivering a copy of such communication to the City Clerk, either before the Board meeting commences or at a recess of such Board meeting, or by reading the written communication themselves.
4. *Oral communications.* Interested persons, or their representatives, may address the Board by oral communications with regard to any matter concerning the City business or any matter over which the Board of Alderman has control; provided, however, that preference shall be given to those persons who may have notified the city clerk in advance of their desire to speak in order that the same may appear on the agenda of the Board of Aldermen.

**SECTION. 105.220 ADDRESSING BOARD AFTER MOTION IS MADE.**

After a motion is made by a Board member, no person shall address the Board without first securing the permission of the presiding officer to do so.

**SECTION. 105.230 DECORUM REQUIRED OF BOARD OF ALDERMEN AND OTHER PERSONS.**

- A. While the Board is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Board, nor disturb any member while speaking or refuse to obey the orders of the Board or its presiding officer, except as otherwise provided in this Chapter.
- B. Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Board shall be forthwith, by the presiding officer, barred from further audience before the Board during the meeting, unless permission to continue be granted by a majority vote of the Board.

## **CHAPTER 110: ADMINISTRATION**

### **ARTICLE I. ELECTED AND APPOINTED OFFICIALS-GENERALLY**

#### **SECTION 110.010: ELECTED OFFICERS—TERM OF OFFICE**

All elected officials of the City of Greenwood shall serve for a term of two (2) years or until they resign or become disqualified for any reason. (R.O. 2012 §110.010; Ord. No. 1.050 §9, 10-7-91)

#### **SECTION 110.020: ELECTED OFFICERS**

The Mayor and members of the Board of Aldermen are hereby declared to be the only officers of the City of Greenwood to be elected by the people.

#### **SECTION 110.030: ANY ELECTED OFFICE-QUALIFICATIONS.**

All officers elected to offices or appointed to fill a vacancy in any elective office under the city government shall be voters under the laws and constitution of this state and the ordinances of the city except that appointed officers need not be voters of the city. All officers, except appointed officers, shall be residents of the city.

#### **SECTION 110.040: COMPENSATION**

- A. The Mayor and members of the Board of Aldermen shall be compensated in a reasonable amount as determined by the Board of Aldermen by ordinance. However, such amount shall not be changed effective during the term of the Mayor or Aldermen. The Mayor is authorized to participate in the City's health insurance program on the same terms and conditions as apply to City's employees, effective with the Mayoral term starting April 2016. Each Alderman is authorized to participate in the City's health insurance program on the same terms and conditions as apply to the City's employees, effective with the Alderman terms starting April 2016 and April 2017, as the case may be.
- B. The Board of Aldermen hereby sets the compensation to be paid to the Mayor at twelve hundred dollars \$1200.00 per month, effective with the Mayoral term starting April, 2016. (Ord. No. 2016-2905 3-8-2016)
- C. The Board of Aldermen hereby sets the compensation to be paid to Aldermen at three hundred dollars (\$300.00) per month, effective with the Aldermen terms starting April, 2012 and April, 2013, respectively. (R.O. 2012 §110.031; Ord. No. 2011-12-08-01 §§1—3, 12-8-11)

#### **SECTION 110.050: APPOINTIVE OFFICERS**

The Mayor, with the consent and approval of the majority of the members of the Board of Aldermen, shall have power to appoint a treasurer, city attorney, city assessor, street commissioner and night watchman and such other officers as he/she may be authorized by ordinance to appoint, and if deemed for the best interests of the city, the Mayor and Board of

Aldermen may, by ordinance, employ special counsel to represent the City, either in a case of a vacancy in the office of City Attorney or to assist the City Attorney, and pay reasonable compensation therefor, and the person elected marshal may be appointed to and hold the office of street commissioner.

#### **SECTION 110.060: VACANCIES IN CERTAIN OFFICES—HOW FILLED**

If a vacancy occurs in any elective office, the Mayor or the person exercising the duties of the Mayor shall cause a special meeting of the Board of Aldermen to convene where a successor to the vacant office shall be selected by appointment by the Mayor with the advice and consent of a majority of the remaining members of the Board of Aldermen. If the vacancy is in the office of Mayor, nominations of a successor may be made by any member of the Board of Aldermen and selected with the consent of a majority of the members of the Board of Aldermen. The Board of Aldermen may adopt procedures to fill vacancies consistent with this Section. The successor shall serve until the next regular municipal election. If a vacancy occurs in any office not elective, the Mayor shall appoint a suitable person to discharge the duties of such office until the first (1st) regular meeting of the Board of Aldermen thereafter, at which time such vacancy shall be permanently filled.

#### **SECTION 110.070: CITY CLERK**

A. *Clerk Of Board Of Aldermen.*

1. The City Clerk shall be the Clerk of the Board of Aldermen of the City of Greenwood and shall serve in this capacity and as otherwise provided in this Section.
2. The City Clerk shall be the official title of the Clerk for the Board of Aldermen.

B. *Election—Duties.* The Board of Aldermen shall appoint a Clerk for such Board, to be known as "the City Clerk", whose duties and term of office shall be fixed by ordinance. Among other things, the City Clerk shall keep a journal of the proceedings of the Board of Aldermen. He/she shall safely and properly keep all the records and papers belonging to the City which may be entrusted to his/her care; he/she shall be the general accountant of the City; he/she is hereby empowered to administer official oaths and oaths to persons certifying to demands or claims against the City.

C. *Term Of Office.* The term of office shall be indefinite. The performance of the individual appointed to this office and the compensation shall be reviewed annually following the date of appointment.

D. *Powers And Authority.* The City Clerk of the City of Greenwood shall have all the powers and authority provided by the laws of the State of Missouri.

E. *Compensation.* The compensation paid to the City Clerk shall be established by the Board of Aldermen. (R.O. 2012 §110.050; Ord. No. 1.110A §§1—9, 4-19-82; Ord. No. 2007-05-22-01 §§3—4, 5-22-07; RSMo. §79.320)

#### **SECTION 110.080: CITY COLLECTOR**

A. *Creation Of Office.* The office of the City Collector of the City of Greenwood is hereby created.

- B. *Official Title.* The City Collector shall be the official title of the Collector of the City of Greenwood.
- C. *Qualifications.* The qualifications of the person to be appointed to the Office of the City of Collector shall be:
  - 1. The person be a qualified voter under the laws and Constitution of this State, and
  - 2. The person at the time of the appointment is not in arrears for any unpaid City taxes, and
  - 3. The person is not in forfeiture or defalcation in office.
- D. *Term Of Office.* The term of office shall be indefinite. The performance of the individual appointed to this office and the compensation shall be reviewed annually following the date of appointment.
- E. *Powers And Authority.* The City Collector shall have all powers and authority provided by the laws of the State of Missouri.
- F. *Compensation.* The compensation paid to the City Collector shall be established by the Board of Aldermen. (R.O. 2012 §110.060; Ord. No. 1.062 §§1—11, 2-6-84; Ord. No. 1.062-C §§(C4,K), 9-11-89; Ord. No. 2007-05-22-01 §§5—6, 5-22-07)

**SECTION 110.090. DUTIES OF THE TREASURER.**

The Treasurer shall keep such records and make such reports as may be required by State Statute, the ordinances or the Board of Aldermen.

**SECTION 110.100. DUTIES OF THE CITY ENGINEER.**

- A. In order to comply with safe and prudent building standards, an appointment shall be made for the position of City Engineer and/or the services of an engineering firm acting on behalf of the City in said capacity.
- B. An engineering firm acting on behalf of the city may be competitively selected by the Board of Aldermen. The person or firm shall be licensed in the State of Missouri. The term of the agreement will continue until terminated by either party.
- C. The City Engineer shall advise the City in engineering matters as requested by the Mayor and oversee the retention and supervision of other engineers retained for specialized work.
- D. Any and all fees and/or expenses incurred by the City in connection with the utilization of the services of the city engineer, or that of a third party contractor acting on behalf of the city in said capacity, shall be reimbursed to the city by the party for which the services were incurred, subject to a fifteen percent (15%) City administrative fee.

**SECTION 110.110. DUTIES OF CITY ATTORNEY.**

The City Attorney shall act as counselor for the Mayor and Board of Aldermen on all City matters, attend all meetings of the Board of Aldermen when requested to attend same by the Mayor, any member of the Board of Aldermen. He/she shall represent the City in all matters of a civil or police nature in which the City may be interested, draw all ordinances and legal documents and oversee the retention and supervision of outside counsel in cases of specialized work.

**SECTION 110.115. DIRECTOR OF PLANNING AND ZONING DUTIES.**

- A. The duties of the Director of Planning and Zoning will include, but not limited to:
  - 1. Preparing all building permits, calculation of fees and collection of same.
  - 2. Performing all building inspections.
  - 3. Advising the contractor of his/her findings in writing; advising when failure of an inspection occurs as well as charging the appropriate fee for reinspection after correction of any/all defect(s) found during the initial inspection.
  - 4. Said Director will serve as a non-voting permanent member of the Planning and Zoning Board. In such capacity, the Director shall be responsible for all notices and correspondence required by law, and as such member will work with the City Engineer on all matters relating to said topic.
  - 5. Said Director will be responsible for coordinating work by the Public Works Department with the requirements arising from the decisions of the Planning and Zoning Commission, as well as new development within the city limits.
  - 6. Said Director shall be responsible for keeping the map of the city of Greenwood up to date, including the recording of new plats, the numbering of new housing additions and all other such related duties.
  - 7. Said Director shall serve in a full time capacity and shall be hired/fired by the Board of Aldermen.
  - 8. Any and all other such duties as shall from time to time be deemed necessary by the Mayor
  
- B. Said Director shall be compensated in such amount as established by the Board of Aldermen. (Ord. NO. 95-08-074 ~1-3, 8-7-95)

**SECTION 110.120 OPEN MEETINGS AND RECORDS—FEES**

- A. The City Clerk be and hereby is appointed custodian of the records of the City of Greenwood, Missouri, and that such custodian is located at City Hall, City Clerk’s office, 709 W. Main Street, Greenwood, Missouri 64034.
- B. Said custodian shall respond to all requests for access to or copies of a public record within the time period provided by Statute except in those circumstances authorized by Statute.
- C. The fees to be charged for access to or furnishing copies of records shall be as hereafter



provided, a fee that does not exceed ten cent (\$.10) per page for a paper copy not larger than nine (9) by fourteen (14) inches, with the hourly fee for duplicating time not to exceed the average hourly rate of pay for clerical staff of the City of Greenwood, Research time may be charged at the actual cost of research time. Based upon the scope of the request, the City shall produce the copies using employees that result in the lowest amount of charges for search, research and duplication time. Prior to producing copies of the requested records, the person requesting the records may request that an estimate of the cost be provided. Fees for records maintained on computer facilities, recording tapes or disks, videotapes or films, pictures, maps, slides, graphics, illustrations or similar audio or visual items or devices, and for paper copies larger than nine (9) by fourteen (14) inches shall include only the cost of copies, staff time, not to exceed the average hourly rate as described above, and the cost of the disk, tape or other medium used for duplication. Fees for maps, blueprints or plats that require expertise to duplicate may include the actual rate of compensation for trained personnel. If programming is required beyond the customary and usual level to comply with the request for records or information, the fees may include the actual costs of such programming.

- D. The public policy of the City of Greenwood that meetings, records, votes, actions and deliberations of this body shall be open to the public unless otherwise provided by law. All records which are permitted to be closed records by reason of the Sunshine Law, or by any other statute of Missouri, or by any statute or regulation of the United States government, are and shall be maintained as closed records.
  
- E. The City of Greenwood, Missouri shall comply with Chapter 610 RSMo, the Sunshine Law, as now existing or hereafter amended. (ord. No. 97-08-04-06, 1-5, 8-4-97; Ord. No. 99-09-20-03 1-5, 9-20-99; Ord. No. 204-08-09-01 1, 8-9-04)

## **CHAPTER 115: CONFLICTS OF INTEREST**

### **SECTION 115.010: DECLARATION OF POLICY**

The proper operation of Municipal Government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City. (R.O. 2012 §115.010; Ord. No. 1.064 §1, 9-9-91)

### **SECTION 115.020: CONFLICTS OF INTEREST**

The Mayor or any member of the Board of Aldermen who has a "substantial personal" or "private interest", as defined by State law, in any bill shall disclose on the records of the Board of Aldermen the nature of his/her interest and shall disqualify himself/herself from voting on any matters relating to this interest. (R.O. 2012 §115.020; Ord. No. 1.064 §2, 9-9-91)

### **SECTION 115.030: DISCLOSURE REPORTS**

Each elected official shall disclose in writing the following information by May first (1) if any such transactions were engaged in during the previous calendar year.

1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars (\$500.00), if any, that such person had with the City, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City; and
2. The date and identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
3. The Mayor also shall disclose in writing by May first (1st) for the previous calendar year the following information:
  - a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement.
  - b. The name and address of each sole proprietorship that he/she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of outstanding stock or limited partnership units; and the name of any publicly traded

corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests.

- c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver. (R.O. 2012 §115.030; Ord. No. 1.064 §3, 9-9-91; Ord. No. 2005-03-14-06, 3-14-05; Ord. No. 2008-08-25-03 §1, 8-25-08; Ord. No. 2010-08-09-06 §1, 8-9-10; Ord. No. 2011-08-23-01 §1, 8-23-11)

#### **SECTION 115.040: FILING OF REPORTS**

The reports shall be filed with the City Clerk and with the Secretary of State prior to January 1, 1993, and thereafter with the Ethics Commission. The reports shall be available for public inspection and copying during normal business hours. (R.O. 2012 §115.040; Ord. No. 1.064 §4, 9-9-91)

#### **SECTION 115.050: REPORTS—WHEN FILED**

The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:

1. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment.
2. Every other person required to file a financial interest statement shall file the statement annually not later than May first (1st) and the statement shall cover the calendar year ending the immediately preceding December thirty-first (31st); provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December thirty-first (31st) of the covered year until the date of filing of the financial interest statement. (R.O. 2012 §115.050; Ord. No. 1.064 §5, 9-9-91)

## **CHAPTER 125: ELECTIONS**

### **ARTICLE I. GENERAL PROVISIONS**

#### **SECTION 125.010: CONFORMANCE OF CITY ELECTIONS WITH STATE LAW**

All City elections shall be conducted and held in conformance with the provisions of Chapter 115, RSMo, and any other applicable law.

#### **SECTION 125.020: DATE OF MUNICIPAL ELECTION**

- A. A municipal election for the qualified voters of this City shall be held on the first (1st) Tuesday after the first (1st) Monday in April of each year.
- B. On the first (1st) Tuesday after the first (1st) Monday in April of even-numbered years, a municipal election of the qualified voters of the City of Greenwood shall be held for the purpose of electing a Mayor who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified.
- C. On the first (1st) Tuesday after the first (1st) Monday in April of odd-numbered years, a municipal election of the qualified voters of the City of Greenwood shall be held for the purpose of electing one (1) Alderman from each ward who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified.
- D. On the first (1st) Tuesday after the first (1st) Monday in April of even-numbered years, a municipal election of the qualified voters of the City of Greenwood shall be held for the purpose of electing one (1) Alderman from each ward who shall hold his/her office for a term of two (2) years and until his/her successor is elected and qualified. (RSMo. §79.050)

#### **SECTION 125.030: DECLARATION OF CANDIDACY—DATES FOR FILING**

Any person who desires to become a candidate for an elective City office at the general City election shall file with the City Clerk, not prior to the hour of 8:00 A.M., on the sixteenth (16th) Tuesday prior to, nor later than 5:00 P.M., on the eleventh (11th) Tuesday prior to the next City municipal election, a written declaration of his/her intent to become a candidate at said election. The City Clerk shall keep a permanent record of the names of the candidates, the offices for which they seek election, and the date of their filing, and their names shall appear on the ballots in that order. (RSMo. §115.127.5, 2003)

#### **SECTION 125.040: DECLARATION OF CANDIDACY—NOTICE TO PUBLIC**

The City Clerk shall, on or before the sixteenth (16th) Tuesday prior to any election at which City offices are to be filled by said election, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing, and the closing filing date of the election. Such notification may be accomplished by legal notice published in at least one (1) newspaper of general circulation in the City. (RSMo. §115.127.5, 2003)

## **SECTION 125.050: NOTICE OF ELECTIONS**

In City elections, the City Clerk shall notify the Jackson County Board of Election Commissioners and Cass County Clerk prior to 5:00 P.M. on the tenth (10th) Tuesday prior to any City election except as noted in Section 115.125.1, RSMo. The notice shall be in writing, shall specify that the Board of Aldermen is calling the election, the purpose of the election, the date of the election, and shall include a certified copy of the legal notice to be published including the sample ballot. The notice and any other information required by this Section may, with the prior notification to the election authority receiving the notice, be accepted by facsimile transmission prior to 5:00 P.M. on the tenth (10th) Tuesday prior to the election, provided that the original copy of the notice and a certified copy of the legal notice to be published shall be received in the office of the election authority within three (3) business days from the date of the facsimile transmission. (RSMo. §115.125)

## **ARTICLE II. WARDS**

### **SECTION 125.060: WARDS**

A. *Ward 1.* Shall consist of and shall be:

All that part of Section 26, Section 27, Section 28, Section 33, Section 34, and Section 35, Township 47 North, Range 31 West, Fifth Principal Meridian, City of Greenwood, Jackson County, Missouri, and all that part of Section 3, Township 46 North, Range 31 West, Fifth Principal Meridian, City of Greenwood, Jackson County, Missouri, described as:

Beginning at the Northwest corner of said Section 28; thence East, along the North line of Section 28, also along the North line of said Section 27, also along the North line of said Section 26, to the East line of the West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 26; thence South, along said East line, also along the East line of the West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 26, to a point on the North line of the Northeast  $\frac{1}{4}$  of said Section 35, also the centerline of Missouri State Highway 150; thence East, along said North Line, to the East line of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 35; thence South, along said East line, to the North line of the South 726 feet of the Northeast  $\frac{1}{4}$  of Section 35; thence West, along said North line, to the West line of the Northeast  $\frac{1}{4}$  of Section 35; thence South, along said West line, to the Northwest corner of the Southeast  $\frac{1}{4}$  of Section 35; thence East, along the North line of Southeast  $\frac{1}{4}$  of Section 35, to the East line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 35; thence South, along said East line, to the South line of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 35; thence West, along said South line, to the East line of the Southwest  $\frac{1}{4}$  of Section 35; thence South, along said East line, to the Southeast corner of the Southwest  $\frac{1}{4}$  of Section 35; thence West, along the South line of the Southwest  $\frac{1}{4}$  of Section 35, also along the South line of said Section 34, to a point in the centerline of Airport Road, as it now exists; thence Southeasterly, along said centerline, also the Easterly line of a tract described by deed document #139366 in Book 1699 at Page 97 in the office of the Recorder of Deeds, Cass County, Missouri to a point in a line parallel with and 69 feet South of the North line of said Section 3; thence West, along said line, 958.32 feet to the Southeast corner of said tract; thence North, along the West line of said tract, 69 feet to the South line of Section 34; thence West, along said South line, to the Southwest corner of Section 34; thence North, along the East line of said Section 33, 3,980 feet to the South line of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 33; thence West, along said South line, 1,330 feet to the centerline of Allendale Lake Road; thence North, along said centerline, 269 feet to the centerline of West Huntington Drive; thence West, along said centerline to the centerline of South Huntington

Drive; thence South, along said centerline, to the centerline of Allendale Drive; thence West, along said centerline to the centerline of 20th Avenue South; thence North, along said centerline to a prolongation of the North line of Lot 56, "Cheyenne Estates 2nd Plat Lots 49 thru 101", as recorded in Book 56, on Page 16, in the Office of the Recorder of Deeds, Jackson County, Missouri, said Lot 56 having common address 700 20th Avenue South; thence West, along said North line, to the East line of "Tract 1" as recorded in a Certificate of Survey in Book 22, Page 73, in the Office of the Recorder of Deeds, Jackson County, Missouri, said Tract 1 having common address 707 Doc Henry Road; thence South, along said East line, to the Southeast corner of said Tract 1; thence West, along the South line of said Tract 1, to the West line of said Section 33, also the centerline of Doc Henry Road; thence North, along said West line, also along the West line of said Section 28, to the Point of Beginning.

B. *Ward 2.* Shall consist of and shall be:

All that part of Section 33, Township 47 North, Range 31 West, Fifth Principal Meridian, City of Greenwood, Jackson County, Missouri, and all that part of Section 3 and Section 4, Township 46 North, Range 31 West, Fifth Principal Meridian, City of Greenwood, Cass County, Missouri, described as:

Beginning at the Southwest corner of said Section 33; thence North, along the West line of Section 33, also the centerline of Doc Henry Road, to the South line of "Tract 1" as recorded in a Certificate of Survey in Book 22, Page 73, in the Office of the Recorder of Deeds, Jackson County, Missouri, said Tract 1 having common address 707 Doc Henry Road; thence East; along said South line, to the Southeast corner of said Tract 1; thence North, along the East line of said Tract 1 to the North line of Lot 56, "Cheyenne Estates 2nd Plat Lots 49 thru 101", as recorded in Book 56, on Page 16, in the Office of the Recorder of Deeds, Jackson County, Missouri, said Lot 56 having common address 700 20th Avenue South; thence East, along said North line and a prolongation thereof, to the centerline of 20th Avenue South; thence South, along said centerline, to the centerline of Allendale Drive; thence East, along said centerline, to the centerline of South Huntington Drive; thence North, along said centerline, to the centerline of West Huntington Drive; thence East, along said centerline, to the centerline of Allendale Lake Road; thence South, along said centerline, 269 feet to the South line of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 33; thence East, along said South line, 1,330 feet to the East line of Section 33; thence South, along said East line, to the Southeast corner of Section 33; thence East, along the South line of said Section 34, also the North line of said Section 3, to the West line of a tract described by deed document #139366 in Book 1699 at Page 97 in the office of the Recorder of Deeds, Cass County, Missouri; thence South, along said West line, 69 feet to the South line of said tract; thence East, along said South line and parallel with the North line of Section 3, 958.32 feet to a point on the centerline of Airport Road, as it now exists; thence Southeasterly, along said centerline, to a point 660 feet south of the North line of Section 3; thence West, parallel with said North line, 404.35 feet to a point on the East line of Lot 2 of the Northwest  $\frac{1}{4}$  of Section 3; thence South, along said East line, 312.51 feet to the Southeast corner of the North 60 acres of said Lot 2; thence West, along the South line of said North 60 acres, 2,682.63 feet to a point on the East line of the Northeast  $\frac{1}{4}$  of said Section 4; thence South, along said East line, 117.68 feet to an iron pipe; thence along the Southerly line of "Allendale Lake Meadows Lots 1 through 75 and Tracts A, C, D, E and I", as recorded in Book 20 of Plats, on Page 76, in the Office of the Recorder of Deeds, Cass County, Missouri, and a prolongation thereof, the following four (4) courses: 1) North 84 degrees 14 minutes 08 seconds West, 1,143.90 feet; 2) North 38 degrees 45 minutes 35 seconds West, 162.96 feet; 3) North 50 degrees 10 minutes 57 seconds West, 76.20 feet; and 4) North 87 degrees 26 minutes 53 seconds West, 25.00 feet to a point on the West line of the East  $\frac{1}{2}$  of Government Lot 2 in the Northeast  $\frac{1}{4}$  of Section 4; thence North 02 degrees 33 minutes 07

seconds East, along said West line, 854.28 feet to a point on the South line of said Section 33; thence West, along said South line, to the Point of Beginning. (R.O. 2012 §100.040; Ord. No. 1.050 §7, 10-7-91; Ord. No. 2001-09-04-04 §1, 9-4-01; Ord. No. 2002-01-08-02 §1, 1-8-02; Ord. No. 2003-11-10-01 §1, 11-10-03; Ord. No. 2007-11-26-01 §1, 11-26-07)

**CHAPTER 130: COURTS—MUNICIPAL COURT  
AND YOUTH COURT**

*Cross Reference—As to city hall being secure area with no weapons allowed, see §210.155.*

**ARTICLE I. MUNICIPAL COURT AND MUNICIPAL JUDGE**

**SECTION 130.010: MUNICIPAL COURT—ESTABLISHMENT**

There is hereby established in this City a Municipal Court, to be known as the "Greenwood Municipal Court, a Division of the 16th Judicial Circuit Court of the State of Missouri". (R.O. 2012 §130.010; Ord. No. 2.702, 9-14-92)

**SECTION 130.020: JURISDICTION**

Violations of municipal ordinances shall be heard and determined only before divisions of the Circuit Court as hereinafter provided in this Chapter. *"Heard and determined"*, for purposes of this Chapter, shall mean any process under which the court in question retains the final authority to make factual determinations pertaining to allegations of a municipal ordinance violation. (RSMo. §479.010)

**SECTION 130.030: SELECTION AND COMPENSATION OF JUDGE**

The Judge of the City's Municipal Court shall be known as a Municipal Judge of the 16th Judicial Circuit Court, and shall be appointed to his/her position by the Mayor, subject to confirmation by a majority of the Board of Aldermen. He/she shall be compensated in such amount as shall be determined by the Board of Aldermen in their adoption of the annual budget. (R.O. 2012 §130.030; Ord. No. 2.702, 9-14-92)

**SECTION 130.040: MUNICIPAL JUDGE—QUALIFICATIONS FOR OFFICE**

The Municipal Judge shall possess the following qualifications before he/she shall take office:

1. He/she must be a licensed attorney, qualified to practice law within the State of Missouri.
2. He/she need not reside within the City.
3. He/she must be a resident of the State of Missouri.
4. No person shall serve as Municipal Judge after that person has reached that person's seventy-fifth (75th) birthday.
5. He/she may serve as Municipal Judge for any other Municipality.
6. He/she may not hold any other office within the City Government.



7. The office of Municipal Judge shall be considered a part-time position, and as such the Municipal Judge may accept (within the requirements of the Code of Judicial Conduct, Missouri Supreme Court Rule 2) other employment. (R.O. 2012 §130.040; Ord. No. 2.702, 9-14-92; RSMo. §479.020.7)

### **SECTION 130.050: MUNICIPAL JUDGE—POWERS AND DUTIES**

The Municipal Judge shall be and is hereby authorized to:

1. Establish a Violations Bureau as provided for in the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and Section 479.050, RSMo.
2. Administer oaths and enforce due obedience to all orders, rules and judgments made by him, and may fine and imprison for contempt committed before him/her while holding Court, in the same manner and to the same extent as a Circuit Judge.
3. Commute the term of any sentence, stay execution of any fine or sentence, suspend any fine or sentence, and make such other orders as the Municipal Judge deems necessary relative to any matter that may be pending in the Municipal Court.
4. Make and adopt such rules of practice and procedure as are necessary to implement and carry out the provisions of this Chapter, and to make and adopt such rules of practice and procedure as are necessary to hear and decide matters pending before the Municipal Court and to implement and carry out the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts. Any and all rules made or adopted hereunder may be annulled or amended by an ordinance limited to such purpose; provided that such ordinance does not violate or conflict with the provisions of the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts, or State Statutes.
5. The Municipal Judge shall have such other powers, duties and privileges as are or may be prescribed by the laws of this State, this Code or other ordinances of this City.
6. The issuance of administrative search warrants relating to violations of Greenwood City Code ("Code") and relating to enforcement thereof shall conform to and be governed by the following provisions:
  - a. An "*administrative search warrant*" is a written order of the Municipal Court of the City of Greenwood commanding the search of property to determine the existence of violations of specific provisions contained within the Code and to permit abatement of nuisances and enforcement of violations of said Code provisions.
  - b. Any public official, Police Officer, Code Enforcement Officer, special counsel or the prosecuting attorney may make an application for the issuance of an administrative search warrant. The application may be made on a form prepared by the Court Clerk and shall:
    - (1) Be in writing;
    - (2) State the time and date of the making of the application;
    - (3) Identify the property which is to be searched in sufficient detail and

particularity that the Police Officer executing the warrant can readily ascertain it;

- (4) Identify the City Code violation in sufficient detail and particularity that the Police Officer executing the warrant can readily ascertain it;
  - (5) State facts sufficient to show reasonable suspicion for the issuance of the administrative search warrant;
  - (6) Be verified by the signed oath or affirmation of the applicant;
  - (7) Be filed in the Municipal Court.
- c. The application may be supplemented in writing as necessary to assist the Municipal Judge in determining whether there is reasonable suspicion for the issuance of an administrative search warrant and to fill out any deficiencies in the description of the property to be searched or in the Code violation(s) on the property. Oral testimony shall not be considered.
- d. The Municipal Judge or acting Municipal Judge shall review the application and any written supplementation to determine whether sufficient facts have been stated to justify the issuance of an administrative search warrant. If it appears that there is reasonable suspicion to believe that a violation of the Code provision exists on the property described, an original and two (2) copies of the administrative search warrant shall be issued.
- e. The application and any written supplementation and a copy of the warrant shall be retained in the records of the Municipal Court.
- f. The administrative search warrant shall:
- (1) Be in writing;
  - (2) Be directed to a Police Officer of the City of Greenwood;
  - (3) State the time and date the warrant is issued;
  - (4) Identify the property which is to be searched in sufficient detail and particularity such that the Police Officer executing the warrant can readily ascertain it;
  - (5) Identify the Code violation in sufficient detail and particularity such that the Police Officer executing the warrant can readily ascertain it;
  - (6) Be signed by the Municipal Judge or Acting Municipal Judge;
  - (7) Be executed by a Police Officer of the City of Greenwood by conducting the search commanded and/or bating the nuisance or Code violation;
  - (8) Be executed between the hours of 8:00 A.M. and 5:00 P.M. except in the case of an emergency threatening immediate damage or harm to life or property;
  - (9) Be executed as soon as practicable and shall expire if it is not executed and returned within ten (10) days after the date of the making of the application;

and

- (10) After execution of the administrative search warrant, the warrant with a return thereon, signed by the Police Officer executing the warrant, shall be filed in Municipal Court. The return shall show the date and manner of execution, the name of the possessor and the name of the owner of the property, when they are not the same person, if known.
- g. An administrative search warrant shall be deemed invalid:
- (1) If it was not issued and signed by the Municipal Judge or Acting Municipal Judge; or
  - (2) If it was issued without a written application in compliance with this Code Section having been filed and verified; or
  - (3) If it was issued without reasonable suspicion; or
  - (4) If it does not describe the property to be searched and/or the nuisance or Code violation with sufficient certainty; or
  - (5) If it is not executed and returned within the time prescribed. (R.O. 2012 §130.050; Ord. No. 2005-07-25-03 §1, 7-25-05)

#### **SECTION 130.060: MUNICIPAL JUDGE—TERM OF OFFICE**

The appointment to the position of Municipal Judge shall be for a period of two (2) years and shall begin on July first (1st) of each even-numbered year or until a successor is appointed by the Mayor and approved by confirmation of a majority of the full authorized membership of the Board of Aldermen. If for any reason the office of Municipal Judge becomes vacant, the successor Judge shall complete the unexpired term of that office, even if it is for less than two (2) years. (R.O. 2012 §130.060; Ord. No. 2.702, 9-14-92; Ord. No. 2008-01-28-06 §1, 1-28-08)

#### **SECTION 130.070: VACATION OF OFFICE**

The Municipal Judge shall vacate his/her office under the following circumstances:

1. Upon removal from office by the State Commission on the Retirement, Removal and Discipline of Judges, as provided in Missouri Supreme Court Rule 12; or
2. Upon attaining his/her seventy-fifth (75th) birthday; or
3. If he/she should lose his/her license to practice law within the State of Missouri. (R.O. 2012 §130.070; Ord. No. 2.702, 9-14-92)

#### **SECTION 130.080: SUPERINTENDING AUTHORITY**

The Municipal Court of the City shall be subject to the rules of the Circuit Court of which it is a part, and to the rules of the Missouri Supreme Court as adopted from time to time. (R.O. 2012 §130.080; Ord. No. 2.702, 9-14-92)

**SECTION 130.090: VIOLATIONS BUREAU**

The Municipal Judge shall establish a Violations Bureau and the City shall provide all expenses incident to the operation of the same. The Court Administrator is hereby designated as the Violations Clerk for said Bureau, if established. (R.O. 2012 §130.090)

**SECTION 130.100: TEMPORARY MUNICIPAL JUDGE**

If the Municipal Judge be absent, sick or disqualified from acting, the Court Administrator may request the Presiding Judge of the Circuit Court to designate a special Municipal Judge as provided for by law, or in cases of circumstances making it impossible to reach the Presiding Judge of the Circuit Court in a timely manner, the Mayor may designate some competent, eligible person to act as Municipal Judge until the Presiding Judge of the Circuit Court can designate a special Municipal Judge as provided for by law. (R.O. 2012 §130.100; Ord. No. 2008-01-28-06 §2, 1-28-08)

**SECTION 130.110: CLERK OF MUNICIPAL COURT**

The Mayor, with the approval of the Board of Aldermen, shall appoint and discharge a Clerk for the Municipal Court and such other non-judicial personnel as may be required. The duties of said Clerk shall be as follows:

1. To collect such fines for violations of such offenses as may be described and the Court costs thereof.
2. To take oaths and affirmations.
3. To accept signed complaints and allow the same to be signed and sworn to or affirmed before him/her.
4. Sign and issue subpoenas requiring the attendance of witnesses and sign and issue subpoenas duces tecum.
5. Accept the appearance, waiver or trial and plea of guilty and payment of fine and costs in Violation Bureau cases or as directed by the Municipal Judge; generally sit as Violation Clerk of the Violation Bureau.
6. Perform all other duties as provided for by ordinance, by rules of practice and procedure adopted by the Municipal Judge and by the Missouri Rules of Practice and Procedure in Municipal and Traffic Courts and by Statute.
7. Maintain, properly certified by the City Clerk, a complete copy of the ordinances of the City which shall constitute prima facie evidence of such ordinance before the Court. Further, to maintain a similar certified copy on file with the Clerk serving the Circuit Court of this County. (R.O. 2012 §130.110; Ord. No. 2007-05-22-01 §10, 5-22-07)

**SECTION 130.120: TIME, PLACE AND DAY OF COURT**

- A. The Municipal Court shall meet on the first (1st) Tuesday of each month at 6:00 P.M. at the

Greenwood City Hall, 709 West Main Street, Greenwood, Missouri, or such other suitable meeting place or alternate date or time as designated by the Municipal Judge. If the first (1st) Tuesday of any month should fall on a legal holiday, an alternate date shall be set at the discretion of the Municipal Judge.

- B. The Board of Aldermen of the City of Greenwood, Missouri, having previously accepted a resolution by the General Assembly of the State of Missouri, does hereby prohibit smoking in the City Hall during sessions of the Municipal Court of the City of Greenwood, Missouri. (R.O. 2012 §130.120; Ord. No. 95-10-02 §§2–3, 10-2-95; Ord. No. 2012-02-28-03 §1, 2-28-12)

### **SECTION 130.130: CORRECTIVE DRIVING SCHOOL PROGRAM**

- A. There is need for a Corrective Driving School program for violators in the Municipal Court of the City of Greenwood, Missouri.
- B. The Municipal Judge of the City of Greenwood can sentence an individual to Corrective Driving School as a portion of that individual's sentencing, as stated within the provisions of Section 302.302, RSMo. (Supp. 1984).
- C. The City of Greenwood shall be authorized to use any duly authorized agent.
- D. All fees charged by the Corrective Driving School shall be paid by the defendant, and such fees paid by the defendant will be paid directly to the Corrective Driving School, or other duly authorized agent.
- E. The duly authorized agent will handle all paperwork, and return a copy of the completed and signed documentation to the Greenwood Municipal Court upon completion of the Corrective Driving School course. (R.O. 2012 §130.130; Ord. No. 2.702 §§1–5, 3-2-87)

### **SECTION 130.140: MUNICIPAL COURT COSTS**

In all Municipal Court cases, offenders, except where nullified by the Municipal Court Judge, are expected to pay Court costs of twenty-four dollars fifty cents (\$26.50) for moving and non-moving traffic violations or other cases where deemed necessary:

1. The Board of Aldermen wishes to follow Missouri State Statutes and establish the following division of Municipal Court costs:
  - a. Seven dollars fifty cents (\$7.50) per case assessed and specified for funding for Crime Victims' Compensation Fund pursuant to Section 595.045, RSMo., except in cases regulated by Section 595.045, RSMo., with seven dollars thirteen cents (\$7.13) being returned to the State Department of Revenue and thirty-seven cents (\$.37) to the City Treasurer,
  - b. An additional twelve dollars (\$12.00) per case assessed and specified for placement in the Clerk Court Fee Fund pursuant to Section 488.012, RSMo., of which one dollar (\$1.00) per case shall be specified for Municipal Judge and Clerks of the Municipal Court's Judicial Education and Training (JEF) Fund pursuant to Section 479.260, RSMo.,
  - c. An additional one dollar (\$1.00) per case assessed and specified for use in the

Police Officers Standards and Training Fund Surcharge (POST) to be forwarded to the Missouri Department of Public Safety for non-moving and moving traffic violations pursuant to Section 590.140, RSMo.,

- d. An additional two dollars (\$2.00) per case assessed and specified for placement in the Law Enforcement Training (LET) Fund for non-moving and moving traffic violations pursuant to Section 590.140, RSMo., and
- e. An additional four dollars (\$4.00) per case assessed and specified for a Domestic Shelter Violence Fund pursuant to Section 488.607, RSMo. (Ord. No.2014-2873 8/12/2014)

<b>SURCHARGE CATEGORY</b>	<b>ORDINANCE VIOLATIONS, MOVING AND NON-MOVING TRAFFIC FEES</b>	<b>CODE</b>
Clerk Fee, including \$1.00 for Judicial Education and Training Fund (JEF)	\$12.00	341
Crime Victims' Compensation Fund (CVC)	7.50	344
Police Officers Standards and Training Fund (POST)	1.00	337
Law Enforcement Training Fund (LET)	2.00	338
Domestic Shelter Violence Fund	4.00	334
<b>TOTAL</b>	<b>\$26.50</b>	

(R.O. 2012 §130.140; Ord. No. 2.701 §§3—4, 1-21-91; Ord. No. 93-11-01, 11-2-93; Ord. No. 96-10-10-07 §1, 11-4-96; Ord. No. 97-08-04-05 §1, 8-6-97; Ord. No. 99-08-02-01 §1, 8-2-99; Ord. No. 2001-09-04-02 §1, 9-4-01; Ord. No. 2004-02-096-05, 2-9-04; Ord. No. 2005-03-14-07 §1, 3-14-05; Ord. No. 2012-02-28-03 §2, 2-28-12; Ord. No. 2014-2873, 8-12-14)

**SECTION 130.150: REIMBURSEMENT OF COSTS FOR ALCOHOL AND DRUG-RELATED OFFENSE**

- A. Upon a pleas of guilty, finding of guilty or conviction for violation of the provisions of any alcohol or drug related traffic offenses, the Court may, in addition to imposition of any penalties provided by law, order the person to reimburse Law Enforcement Authorities for the costs associated with such arrest.
- B. Such costs shall include the reasonable cost of making the arrest including the cost of any chemical tests to determine the alcohol or drug content of the person's blood, and the cost of processing, charging, booking and holding such person in custody.
- C. Law Enforcement Authorities may establish a schedule of such costs for submission to the Court; however, the court may order costs reduced if it determines that the schedule of costs is excessive given the circumstances for the case of for good cause shown.
- D. These fees shall be calculated as additional costs by the Municipal Court and shall be collected by the court in the same manner as other costs and fees are collected and remitted

to the City Collector.

- E. The City Collector shall retain these fees in a separate fund known as the "DWI/Drug Enforcement Fund". Monies within the "DWI/Drug Enforcement Fund" shall be appropriated by the City Council to Law Enforcement Authorities from such fund in amounts equal to those costs to incurred and shall be specifically used to enhance and support the enforcement and prosecution of alcohol and drug related traffic laws within the City. (R.O. 2012 §130.150; Ord. No. 2.802 §1, 11-2-92)

## **ARTICLE II. YOUTH COURT**

### **SECTION 130.160: YOUTH COURT PROGRAM—ESTABLISHMENT**

- A. There is a need for a Juvenile Youth Court program for Juvenile offenders in the City of Greenwood, Missouri.
- B. Juvenile offenders up to the age of seventeen (17), can be referred to the Eastern Jackson County Youth Court, with the permission of their parents, or legal guardian.
- C. The City of Greenwood shall be authorized to use the Eastern Jackson County Youth Court, as the Youth Court for the City of Greenwood.
- D. The City of Greenwood shall have two (2) representatives on the Board of Directors, of the Eastern Jackson County Youth Court, and these representatives shall be, one (1) Alderman of the Greenwood Board of Aldermen, and one (1) member of the Greenwood Police Department.
- E. The Eastern Jackson County Youth Court, or duly authorized agent will handle all paperwork, and return a copy of the completed and signed documentation to the Chief of Police of the Greenwood Police Department, or his/her duly authorized agent.
- F. The Greenwood Board of Aldermen shall set up a budget to assist the Eastern Jackson County Youth Court operations but, not to exceed one thousand five hundred dollars (\$1,500.00) per year.  
(R.O. 2012 §130.160; Ord. No. 1.400 §§1—6, 5-7-90)

## **CHAPTER 135: BOARDS AND COMMITTEES**

### **ARTICLE I. PARK AND RECREATION BOARD**

#### **SECTION 135.010: PARK AND RECREATION BOARD—GOVERNANCE—DUTIES**

- A. There shall be a Park and Recreation Board which shall serve as an advisory board to the Board of Aldermen. The Park and Recreation Board shall consist of seven (7) members who shall be appointed by the Mayor, subject to the consent of the Board of Aldermen. At least four (4) of the members appointed to the Park and Recreation Board must be residents of the City of Greenwood, Missouri. No member of the municipal government shall be a member of said Board.(Ord. No. 2014-2872, 8/12/2014)
- B. The members shall serve for a term of two (2) years each, or until their successors are appointed and qualified; provided that the first (1st) incumbents shall be appointed and hold office for staggered terms of two (2) (four (4) of the seven (7) positions), and one (1) (three (3) of the seven (7) positions) years, respectively. The members shall annually elect from its membership a president and such other officers it deems necessary, and may adopt by-laws for its guidance and proceedings. Members shall serve without compensation.
- C. The Mayor may, by and with the consent of the Board, remove any member of the Park and Recreation Board for good cause.
- D. Vacancies occasioned by removal, resignation or otherwise shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office.
- E. The Park and Recreation Board shall:
  - 1. Survey and make plans for the development and maintenance of facilities and activities for an adequate municipal park system.
  - 2. Recommend a budget based upon monies received pursuant to the City's sales tax for park purposes and submit it to the Board of Aldermen on an annual basis.
  - 3. Make recommendations to the Board of Aldermen on the improvement, care, maintenance, and operation of the City's parks.
  - 4. Develop a long-term plan for the City's parks and submit it to the Board of Aldermen for its approval.
  - 5. Develop, organize, and administer recreational activities, events, sports, and games.
  - 6. The president of the Park and Recreation Board shall present to the Board of Aldermen an annual report. Such report shall be presented at the first (1st) Board meeting in May of each year and shall consist of such statistics, information and suggestions as the president may deem to be of general interest. (R.O. 2012 §135.010; Ord. No. 2012-05-16-03 §2, 5-16-12)



**CHAPTER 140: AMERICAN NATIONAL STANDARDS FOR  
TREE CARE OPERATIONS**

*Editor's Note—Ord. no. 2003-06-09-04 §1, adopted June 9, 2003, adopted the  
american national standards for tree care operations for the city of  
Greenwood. Said standards can be found on file in the city offices.*

## **CHAPTER 145: VOLUNTEERS**

### **SECTION 145.010: DEFINITION**

As used in this Chapter, the following term shall have the prescribed meaning:

*VOLUNTEER*: A person who, of his/her free will, provides services to the City without receiving monetary or material compensation, except that an appointee to a City board or commission shall not be considered a volunteer for the purposes of this Chapter. (R.O. 2012 §145.010; Ord. No. 2010-08-23-04 §1, 8-23-10)

### **SECTION 145.020: AUTHORITY TO PERMIT VOLUNTEERS TO PROVIDE SERVICES**

- A. The Mayor or the Board of Aldermen shall have authority to designate those City activities, programs, workplaces and facilities for, or at, which volunteers can be utilized, to designate a person as a volunteer and to terminate a volunteer's services.
- B. With regard to the City's public parkland, the Park and Recreation Board shall have authority to designate those City activities, programs, workplaces and facilities for, or at, which volunteers can be utilized, to designate a person as a volunteer and to terminate a volunteer's services. (R.O. 2012 §145.020; Ord. No. 2010-08-23-04 §1, 8-23-10)

### **SECTION 145.030: USE OF VOLUNTEERS TO REPLACE CITY EMPLOYEES PROHIBITED**

Volunteer services cannot be used in a manner that would result in an existing City employee losing his or her employment with the City, nor can City employees volunteer in their existing job positions. (R.O. 2012 §145.030; Ord. No. 2010-08-23-04 §1, 8-23-10)

### **SECTION 145.040: HOLD HARMLESS**

Volunteers shall agree to indemnify and hold harmless the City of Greenwood, its officers, employees and agents, based upon a form to be provided by the City. (R.O. 2012 §145.040; Ord. No. 2010-08-23-04 §1, 8-23-10)

### **SECTION 145.050: MINORS AS VOLUNTEERS**

Volunteers who have not yet attained the age of eighteen (18) years must have written consent of a parent or legal guardian before being assigned to any volunteer services. Students volunteering for service learning credit hours for their school must submit their school name and contact information before being assigned to any volunteer services. (R.O. 2012 §145.050; Ord. No. 2010-08-23-04 §1, 8-23-10)

## **SECTION 145.060: FAMILY MEMBERS OF CITY EMPLOYEES**

Family members of City employees and elected and appointed officials of the City may provide services to the City as a volunteer, except when to do so may create a conflict of interest.

(R.O. 2012 §145.060; Ord. No. 2010-08-23-04 §1, 8-23-10)

## **SECTION 145.070: CONFLICTS OF INTEREST**

- A. Volunteers must recognize the importance of acting in a manner that merits public trust and confidence. Each volunteer must act in all matters in a manner that will safeguard the reputation and integrity of the City and will preserve and strengthen public confidence. Volunteers must refrain from engaging in any transaction in which personal interests conflict, potentially conflict or appear to conflict with those of the City.
- B. An actual or potential conflict of interest occurs when a volunteer is in a position to influence a decision that may result in a personal gain for the volunteer or for a relative or business partner as a result of City business dealings. For the purposes of this Section, a relative is a person who is related by blood or marriage, or whose relationship with the volunteer is similar to that of persons who are related by blood or marriage.
- C. No volunteer shall accept payment of any kind (including gifts, cash, discounts, concessions, services or other similar item or benefits) for services rendered as part of his or her volunteer service, except as may be authorized in Section 145.130.
- D. No volunteer shall, when acting on his or her own behalf or when acting on behalf of another person, business or organization, attempt to influence the City's position on any issue, matter or transaction nor participate in any discussions pertaining to a related organization.
- E. No volunteer shall use any information learned or acquired while serving as a volunteer, not otherwise available to the public, for the purposes of financial or other gain or advantage for the volunteer, a family member, or another business, charitable, religious or other organization or for any other purpose not specifically approved by the City.
- F. No volunteer shall prevent or hinder the City from seeking competitive bids or proposals or shall attempt to divert business or personnel from the City.
- G. No volunteer shall use City stationery or any title of the City or refer to the City or misidentify himself or herself as an employee in connection with any matter or to express an opinion on the City's behalf without authorization from the person or board that authorized his or her volunteer status. (R.O. 2012 §145.070; Ord. No. 2010-08-23-04 §1, 8-23-10)

## **SECTION 145.080: CRIMINAL BACKGROUND RECORDS CHECK**

All volunteers must, at the request of the Mayor or Board of Aldermen, submit to a criminal background check to determine the person's fitness for volunteer service based upon the results of the criminal background check. (R.O. 2012 §145.080; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.090: CONFIDENTIALITY**

Volunteers are responsible for maintaining the confidentiality of all confidential or privileged information and documents to which they have or have had access while serving as volunteers. (R.O. 2012 §145.100; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.100: VOLUNTEER DIRECTION**

Each volunteer who is accepted must have a City employee or City elected or appointed official assigned to provide daily supervision and direction for that volunteer. The assigned person shall i) be responsible for day-to-day management and guidance of the volunteer, ii) provide the necessary equipment, clothing, tools, gear, and materials for the task, iii) be available to the volunteer for consultation and assistance, and iv) provide a copy of this Chapter to the volunteer prior to work being performed. (R.O. 2012 §145.110; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.110: DRESS CODE**

A volunteer must dress appropriately for the conditions and performance of the volunteer's duties. A volunteer that serves in a capacity of a presenter, speaker or other face-to-face contact with members of the public will wear a "Volunteer" identification badge upon request. A volunteer who works as support in an office situation will dress according to the standards of the particular office to which he or she is assigned. Individual volunteers will be informed of the dress standard for their duties at the time of assignment. (R.O. 2012 §145.120; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.120: VOLUNTEER CANNOT DIRECT AND/OR SUPERVISE**

A volunteer does not have the authority to give direction to any City employee or City elected or appointed official or other City volunteers. (R.O. 2012 §145.130; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.130: REIMBURSEMENT OF EXPENSES**

Volunteers may be eligible for reimbursement of pre-approved, actual out-of-pocket expenses incurred while engaging in volunteer service. All actual out-of-pocket expenses for which reimbursement is sought must be supported by receipts. (R.O. 2012 §145.140; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.140: COMPUTER AND INTERNET USAGE**

The City may provide a volunteer access to computers and the Internet to assist a volunteer in performing his or her duties. However, no volunteer shall be granted access to the City's electronic communication system or any other access to confidential information or documents. (R.O. 2012 §145.150; Ord. No. 2010-08-23-04 §1, 8-23-10)

**SECTION 145.150: TERMINATION OF VOLUNTEER'S SERVICES**

A person's ability to serve as a volunteer can be terminated by the person or board

authorized by Section 145.020 to designate the person as a volunteer at any time and for any reason without any showing of cause to the volunteer. (R.O. 2012 §145.160; Ord. No. 2010-08-23-04 §1, 8-23-10)

## **CHAPTER 150: FINANCE AND TAXATION**

### **ARTICLE I. FISCAL YEAR**

#### **SECTION 150.010: FISCAL YEAR ESTABLISHED**

The fiscal year for the City of Greenwood shall begin July first (1st) of each year.

### **ARTICLE II. BUDGET**

#### **SECTION 150.020: BUDGET REQUIRED—CONTENTS—EXPENDITURES NOT TO EXCEED REVENUES**

- A. Prior to the commencement of each fiscal year, a budget for the City shall be prepared and the same will be presented to and approved by the Board of Aldermen.
- B. The annual budget shall present a complete financial plan for the ensuing fiscal year and shall include at least the following information:
  - 1. A budget message describing the important features of the budget and major changes from the preceding year;
  - 2. Estimated revenues to be received from all sources for the budget year, with a comparative statement of actual or estimated revenues for the two (2) years next preceding, itemized by year, fund and source;
  - 3. Proposed expenditures for each department, office, commission, and other classification for the budget year, together with a comparative statement of actual or estimated expenditures for the two (2) years next preceding, itemized by year, fund, activity and object;
  - 4. The amount required for the payment of interest, amortization and redemption charges on the debt of the City; and
  - 5. A general budget summary.
- C. In no event shall the total proposed expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year; provided, that nothing herein shall be construed as requiring the City to use any cash balance as current revenue or to change from a cash basis of financing its expenditures. (RSMo. §67.010)

#### **SECTION 150.030: BUDGET OFFICER**

- A. The budget shall be prepared under the direction of a Budget Officer. Except as otherwise provided by law or ordinance, the Budget Officer shall be designated by the Board of Aldermen of the City. All officers and employees shall cooperate with and provide to the Budget Officer such information and such records as he/she shall require in developing the budget. The Budget Officer shall review all the expenditure requests and revenue estimates,

after which he/she shall prepare the proposed budget as defined herein.

- B. After the Budget Officer has prepared the proposed budget, he/she shall submit it, along with such supporting schedules, exhibits, and other explanatory material as may be necessary for the proper understanding of the financial needs and position of the City, to the Board of Aldermen. He/she shall submit at the same time complete drafts of such orders, motions, resolutions or ordinances as may be required to authorize the proposed expenditures and produce the revenues necessary to balance the proposed budget. (RSMo. §67.020)

**SECTION 150.040: BOARD OF ALDERMEN MAY REVISE BUDGET, LIMITS—APPROVAL**

The Board of Aldermen may revise, alter, increase or decrease the items contained in the proposed budget, subject to such limitations as may be provided by law; provided, that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year. Except as otherwise provided by law, the Board of Aldermen shall, before the beginning of the fiscal year, approve the budget and approve or adopt such orders, motions, resolutions or ordinances as may be required to authorize the budgeted expenditures and produce the revenues estimated in the budget. (RSMo. §67.030)

**SECTION 150.050: INCREASE OF EXPENDITURE OVER BUDGETED AMOUNT TO BE MADE ONLY ON FORMAL RESOLUTION**

After the City has approved the budget for any year and has approved or adopted the orders, motions, resolutions or ordinances required to authorize the expenditures proposed in the budget, the City shall not increase the total amount authorized for expenditure from any fund, unless the Board of Aldermen adopts a resolution setting forth the facts and reasons making the increase necessary and approves or adopts an order, motion, resolution or ordinance to authorize the expenditures. (RSMo. §67.040)

**ARTICLE III. PURCHASING AND CONTRACTS**

**SECTION: 150.060 PURCHASING POLICY**

- A. *Scope.* The Board of Aldermen has the responsibility of approving and establishing the expenditure levels for the City and its departments, through the adoption of the annual budget. The Board of Aldermen realizes that authority must be delegated to the Mayor and Department Directors in order to efficiently carry on the daily affairs of the City, provided that there are basic internal controls.
- B. *Definitions.*
  - 1. "Department Director" means the Chief of Police, City Clerk, Municipal Court Clerk, Public Works Director, and Building/Zoning Director and Accounting/Utility Supervisor.
  - 2.
  - 3. "Purchase Order" means a form used to document all necessary information to indicate that a financial obligation exists.

C. *Procedure & Guidelines:* The following procedures and guidelines shall be followed prior to making any purchase, unless otherwise provided:

1. A completed Purchase Order is required before any purchases are made. The Department Director should note on each Purchase Order what budget line item the Purchase Order shall be paid from.
2. The Department Director is responsible for ensuring that the expenditure is contained within the budget and that unencumbered funds are available before the purchase is made.
3. If the purchase price is:
  - i. Less than \$500.00, then the Department Director or the Mayor may approve the purchase and shall forward a copy of the Purchase Order to the Accounting/Utility Supervisor.
  - ii. More than \$500.01 but less than \$2,500.00, then the Department Director must obtain approval from the Mayor or the Board of Aldermen and shall forward a copy of the Purchase Order to the Accounting/Utility Supervisor.
  - iii. More than \$2,500.01 but less than \$10,000.00, then the Department Director must obtain:
    - a) If possible, at least three price quotations; and
    - b) Approval from a majority of the voting members of the Board of Aldermen present at a meeting.
  - iv. More than \$10,000.01, then the Department Director must institute a competitive bidding process, and such bid shall be awarded to the lowest and best bidder as determined by the Board of Aldermen.

D. *Miscellaneous.*

1. *Emergency Purchases.* In case of an emergency which requires immediate purchase of supplies or services and time is of the essence, the Mayor shall be empowered to authorize the purchase or to secure the services needed without complying with the procedures as set forth in this Section. This provision shall also apply to any natural disaster or civil emergency requiring an immediate response on the part of the City. A full report of the circumstances requiring an emergency purchase shall be provided to the Board of Aldermen at its next meeting each time an emergency purchase is made.
2. *Professional Services.* This Section shall not apply to professional services.



3. *Cooperative Purchasing.* This Section, and the requirements herein, shall not apply to purchases made through or with the State of Missouri or any other governmental jurisdiction which operated a cooperative procurement program and will allow the City to purchase goods or services that the jurisdiction has made available following the completion of its own internal purchasing procedures.
4. *City Businesses.* An attempt should be made to make purchases at a Greenwood based business. If the price at a Greenwood based business is three percent (3%) higher than the price of a comparable product at a business outside the City limits, then the purchase can be made at the business outside of Greenwood.
5. If State law requires that a certain procurement process be followed in a particular situation, then State law shall govern.
6. In the event that there is only one (1) firm or company or individual capable of providing a particular service or commodity and said services or commodities cannot be secured from other persons or companies, then the requirements contained herein shall not be applicable. Exclusive service purchases for amounts exceeding five thousand dollars (\$25,000) must be pre-approved by the Board of Aldermen.
7. Notwithstanding any of the provisions of this Section but subject to any applicable State law, the City may, upon concurrence of a majority vote of the members of the Board of Aldermen, extend any contract for the purchase of goods or services without utilizing the procedures as herein described, when, in the opinion of the Board of Aldermen, such extension is deemed to be in the best interest of the City.
8. Public improvement projects in excess of \$10,000.00 are subject to City Code Section 100.035. (Ord. No. 2014-05-13-07, 5/13/2014; Ord. No. 2014-3875, 9/23/2014)

## **SECTION: 150.070 PUBLIC CONTRACTS**

All public projects of whatever character which may be contracted by the City of Greenwood shall be let out to the lowest and/or most responsible bidder.

1. *Advertise for bids.* Whenever the Board of Aldermen or Park Board shall have or cause work to be done in any part of the City in excess of ten thousand dollars (\$10,000.00), it shall be the duty of the City Clerk or his/her designated representative to advertise for bids at least one (1) days in any newspaper circulated in the City of Greenwood that sealed proposals will be received in his/her office during that space of time for doing said work, giving a general description of the work, and giving notice that full plans and specifications can be seen at his/her office, which plans and specifications shall have been furnished by the City Clerk or his/her designated representative at or prior to the time of ordering such advertisement for proposals. Such notice shall also contain the statement of the fact that the City reserves the right to reject any or all proposals.
2. *Form of bid—opening of bids.* The City Clerk or his/her designated representative shall note on the back of each proposal the time of receiving the same and shall file the same

in his/her office for reference. No proposal shall be filed by him/her unless it is securely sealed, and all such proposals shall have an endorsement on the back thereof "Proposals for public work" and directed to the Board of Aldermen. On the date designated for the bids to be opened, the City Clerk or his/her designated representative and at least one (1) other disinterested party shall open the bids and cause the bids to be entered on a bid sheet listing the bidder's name and amount of his/her bid. The bids and the bid sheet shall then be certified by the Mayor or his/her designated representative to the Board of Aldermen.

3. *Contract awarded.* After the time shall have expired for receiving proposals, the Board of Aldermen shall convene and examine the proposals made and shall award the contract to the lowest and/or best bidder; provided, the Board of Aldermen may reject any or all bids.
4. *Bond.* Every proposal and bid that exceeds ten thousand dollars (\$10,000.00) for public work shall be accompanied by a good and sufficient bid bond or cashier's check equal to a percentage of the bid based upon said contract. Upon being awarded a contract, the lowest and/or best bidder shall provide a surety bond conditioned upon the faithful performance of the contract of said work and good for one (1) year after the work is completed. Said bond shall be equal to the entire amount of money to be paid for such work.
5. *Contract.* Whenever any contract shall be awarded and bond filed as herein provided, the City Attorney shall draw up the terms of the contract in duplicate, which said contract shall embody all the particulars specified in the proposals and shall further bind the contractor to perform the work in a good and workmanlike manner. Such contracts shall be signed in duplicate by the Mayor and attested by the City Clerk, under the Seal of the City, and by the contractors under their hands and seals. One (1) copy of such contract shall be delivered to the contractor, and the other held in the office of the Mayor or his/her designated representative.
6. *Inspection and payment.* No such work shall be received or paid for until it shall have been examined by the City and shall have been approved by them as constructed according to contract, and these conditions shall be embraced in every contract entered into.
7. *General purchasing policy.* All City staff and the Park Board will attempt to make purchases at a Greenwood based business first. If the price of a product or service at a Greenwood based business is three percent (3%) higher than the price of a comparable product at a business outside the City limits of Greenwood, the City employee or Park Board member may then purchase the product at the business outside of Greenwood.
8. *Emergency spending procedures.* When emergencies arise, the City Clerk or his/her designated representative shall be authorized to spend the funds necessary to restore essential services for the general safety and health of the citizens of Greenwood. The City Clerk or his/her designated representative shall give a full report at the next Board of Aldermen meeting, either a study session or a regular business session. (R.O. 2012 §100.035; Ord. No. 2002-11-12-01 §1, 11-12-02; Ord. No. 2005-03-14-06, 3-14-05; Ord. No. 2014-2877, 10/28/2014)

#### **SECTION 150.080: DELINQUENT DEBTS OWED TO THE CITY**

- A. Any and all late fees required to be paid pursuant to the provisions of the City Code shall be

deemed delinquent if not paid on the date such payment is due. All persons delinquent in the payment of such late fees, in addition to the late fees found to be due, shall be required to pay such late fee plus an additional ten percent (10%) penalty of such late fee for the first (1st) month or fraction thereof past due and an additional one and a half percent (1.5%) of such late fee due for each additional month such delinquency shall thereafter continue, not to exceed a maximum of eighteen percent (18%) per year. The penalty provided for in this Section shall be in addition to any other penalty prescribed by ordinance.

- B. All payments received after late fees are assessed will be applied to the late fee first with the balance being applied toward the original billing amount.
- C. The amount of any unpaid fee, the payment of which is required under the City Code, shall constitute a debt due to the City.
- D. At the request of the City, a civil suit in the name of the City may be instituted in order to recover any unpaid fee.
- E. No civil judgment or any act by the City or the violator shall bar or prevent prosecution in the City's Municipal Court of each and every violation of the City Code. (R.O. 2012 §100.080; Ord. No. 2005-03-14-03 §1, 3-14-05; Ord. No. 2006-06-12-04 §1, 6-12-06; Ord. No. 2006-09-11-02 §§1–2, 9-11-06)

#### **SECTION150.090: COLLECTION OF EXPENSES INCURRED BY THE CITY**

- A. The Accounting Utility Supervisor shall keep an itemized account of the expenses incurred by the City in connection with the collection of delinquent debt owed to the City. An invoice for the collection expenses, including, but not limited to, attorneys' fees and collection company costs, shall be issued to the party for which such expenses were incurred. Any and all unpaid expenses shall constitute a debt owed to the City.
- B. When a check offered in payment for any fee, tax, fine or cost charged by the City is returned without a payment, a returned check charge of twenty-five dollars (\$25.00) may be imposed for the processing and collection of returned, unpaid checks. The City may refuse to accept from any person an offered check if such person had previously offered two (2) checks to the City that had been returned unpaid, and instead may require cash or a form of a certified or cashier's check. (R.O. 2012 §100.090; Ord. No. 2005-03-14-04 §1, 3-14-05; Ord. No. 2007-07-09-05 §1, 7-9-07; Ord. No. 2008-07-28-01 §1, 7-28-08)

#### **SECTION 150.100 . DISPOSITION OF SURPLUS SUPPLIES, MATERIALS AND EQUIPMENT.**

- ~~A. All using departments shall submit to the Department Director reports showing stock of all supplies, materials and equipment which are no longer used or which have become obsolete, worn out or scrapped.~~
- ~~B. The Department Director shall have the authority to transfer surplus supplies, materials and equipment to other using departments, or he/she shall have the authority to exchange such personal property on new supplies, materials and equipment.~~
- ~~C. Surplus, unusable or obsolete supplies, materials and equipment whose estimated value is in excess of five thousand dollars (\$5,000.00) shall be sold by formal written bids or public auction to the best responsible bidder after due notice.~~

~~D. Sales of surplus, obsolete or unusable personal property valued at less than five thousand dollars (\$5,000.00) shall be made in the open market and in accordance with procedure set forth for open market purchases. Sale of these items may also be made by public auction.~~

- A. **Approval to Dispose of Assets.** The Mayor or his/her designee shall give final approval in writing before any City asset is disposed of or transferred from a City Department.
- B. **Surplus Assets.** When an item no longer is needed by a City department, the respective Department Head should attempt to dispose of the item according to the following steps, in priority order:
  - a. Redistribute the item within the City to another department.
  - b. Trade or sell the item “as is” through available markets approved by the Mayor, including but not limited to online or live auctions.
  - c. Give the item to another local governmental agency or local non-profit agency.
  - d. Items which are damaged or have a nominal value may be recycled or disposed as waste.
- C. **Limitations.** Any asset which, at the time of purchase, cost the City the amount of \$2,500 or more must be declared surplus by the Board of Aldermen prior to disposal.
- D. **Prohibitions.** Under no circumstances will any employee, or family-member of an employee, have access to or ownership of any asset that is being disposed of in accordance with this policy unless such asset is being offered for sale to the general public and the process for such sale is open to any individual intending to proffer a bid on such asset.
- E. **Documents.** All documents will be disposed of in accordance with State policies governing the same. Any document which has or appears to have, historical value will be separated for further examination.
- F. **Computing Technology.** Regardless of how computing equipment is disposed of, all data residing on any computer or other electronic storage device will be removed from the equipment prior to disposal.
- G. **Other Fixed Assets.** Prior to disposing of City assets, each Department Head will determine whether such asset is part of the City’s ongoing fixed asset inventory. If so, a complete description of the asset being disposed of will be sent to the City Clerk or his/her designee. (Ord. No. 2016-2908, 6/14/16)

**SECTION 150.110: CONFLICTS OF INTEREST.**

- A. No officer or employee of the City shall participate in a contract for supplies or services when that person knows that:

1. The officer or employee or any member of the officer's or employee's immediate family has a financial interest pertaining to the contract; or
2. A business or organization in which the officer or employee, or any member of the officer's or employee's immediate family, has a financial interest pertaining to the contract.
3. Any contract in which any officer or employee of the City has a financial interest, directly or indirectly, shall be void, except when the contract is awarded as a result of open bidding.

B. Every officer and employee of the City shall not directly or indirectly solicit any gift or accept or receive any gift, whether in the form of money, services, loans, promises or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their official duties or was intended as a reward for any official action on their part.

**SECTION 150.120: TRAVEL REGULATIONS AND REIMBURSEMENTS.**

A. *Scope Of Regulations.* These regulations are applicable to all travel expenses incurred on behalf of the City by employees and officials. Where these regulations do not adequately cover a travel situation, the Department Director shall adopt such rules and regulations as may be necessary.

B. *Use Of Private Vehicles.* Private vehicles may be used for travel on City business when so authorized. Reimbursement shall be equivalent to the standard mileage rate allowed for business use by the Internal Revenue Service, plus tolls and parking.

C. *Use Of Commercial Carriers.* Commercial airfares shall be limited to "coach" or "economy" fares when such services are available. Reimbursement shall be equivalent to the cost of the fare, plus associated airport parking and/or ground transportation.

D. *Alternative Travel Arrangements.* The Department Director in advance of the travel may approve alternative arrangements for out-of-state travel. Alternative travel payments shall be limited to the reimbursement of actual expenses in an amount not greater than (B) or (C) above.

**ARTICLE IV. LEVY OF TAXES**

**SECTION 150.130: BOARD TO PROVIDE FOR LEVY AND COLLECTION OF TAXES—FIX PENALTIES**

The Board of Aldermen shall, from time to time, provide by ordinance for the levy and collection of all taxes, licenses, wharfage and other duties not herein enumerated and, for neglect or refusal to pay the same, shall fix such penalties as are now or may hereafter be authorized by law or ordinance. (RSMo. §94.200)

## **SECTION 150.140: FIXING AD VALOREM PROPERTY TAX RATES, PROCEDURE**

The Board of Aldermen shall hold at least one (1) public hearing on the proposed rates of taxes at which citizens shall be heard prior to their approval. The Board of Aldermen shall determine the time and place for such hearing. A notice stating the hour, date and place of the hearing shall be published in at least one (1) newspaper qualified under the laws of the State of Missouri of general circulation in the County within which all or the largest portion of the City is situated, or such notice shall be posted in at least three (3) public places within the City; except that, in any County of the First Class having a Charter form of government, such notice may be published in a newspaper of general circulation within the City even though such newspaper is not qualified under the laws of Missouri for other legal notices. Such notice shall be published or posted at least seven (7) days prior to the date of the hearing. The notice shall include the assessed valuation by category of real, personal and other tangible property in the City for the fiscal year for which the tax is to be levied as provided by Subsection (3) of Section 137.245, RSMo., the assessed valuation by category of real, personal and other tangible property in the City for the preceding taxable year, for each rate to be levied the amount of revenue required to be provided from the property tax as set forth in the annual budget adopted as provided by Chapter 67, RSMo., and the tax rates proposed to be set for the various purposes of taxation. The tax rates shall be calculated to produce substantially the same revenues as required in the annual budget adopted as provided in this Chapter. Following the hearing the Board of Aldermen shall fix the rates of taxes, the same to be entered in the tax book. Failure of any taxpayer to appear at such hearing shall not prevent the taxpayer from pursuit of any other legal remedy otherwise available to the taxpayer. Nothing in this Section absolves the City of responsibilities under Section 137.073, RSMo., nor to adjust tax rates in event changes in assessed valuation occur that would alter the tax rate calculations. (RSMo. §67.110(2), 2008)

## **SECTION 150.150: ASSESSMENT—METHOD OF**

In the absence of a City Assessor, and until such City Assessor is duly appointed and qualified, it shall be the duty of the Mayor of the City to procure from the County Clerk of Jackson County, Missouri, and the County Clerk of Cass County, Missouri, on or before the first (1st) day of October of each year a certified abstract from his/her assessment books of all property within the corporate limits of the City made taxable by law for State purposes and the assessed valuation thereof as agreed upon by the Board of Equalization, which abstract shall be immediately transmitted to the Board of Aldermen, and it shall be the duty of the Board of Aldermen to establish by ordinance the rate of taxes for the year. (RSMo. §94.190)

## **SECTION 150.160: CLERK TO PREPARE TAX BOOKS**

When the Board of Aldermen shall have fixed the rate of taxation for any given year, it shall be the duty of the City Clerk to cause to be prepared appropriate and accurate tax books and shall therein set out in suitable columns, opposite the name of each person and the item of taxable property, as returned by the Assessor and Board of Equalization, the amount of taxes, whether general or special, due thereon and shall charge the City Collector with the full amount of taxes levied and to be collected. (RSMo. §94.290)

## **SECTION 150.170: TAXES DELINQUENT—WHEN**

- A. On the first (1st) day of January of each year, all unpaid City taxes shall become delinquent and the taxes on real estate are hereby made a lien thereon.

- B. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent (18%) of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent (2%) per month or fractional part thereof. (RSMo. §§94.300, 140.100.1)

## **ARTICLE V. SALES TAX**

### **SECTION 150.180: CITY SALES TAXES**

- A. *Imposition of City Sales Tax.* A City sales tax, at the rate of one percent (1%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Greenwood, Missouri, is hereby imposed on all sellers within the City of Greenwood, Missouri, for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in Sections 144.010 to 144.525, RSMo., as amended, and the rules and regulations of the Director of Revenue of the State of Missouri, issued pursuant thereto.
- B. *Tax for Transportation Purposes.* A City sales tax, for transportation purposes, at the rate of one-half percent (.5%) on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Greenwood, Missouri, for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in Sections 144.010 to 144.510, RSMo., as amended, and the rules and regulations of the Director of Revenue of the State of Missouri, issued pursuant thereto.
- C. *Local Parks Sales Tax.* The City hereby imposes a sales tax of one-half of one percent (.5%) for the purpose of providing funds for local parks of the City. (R.O. 2012 §100.060; Ord. No. 7.003 §1, 2-5-79; Ord. No. 7.005 §1, 2-3-86; Ord. No. 7.005A, 7-7-86; Ord. No. 97-12-15-02 §§1–2, 1-5-98; Ord. No. 2006-04-10-01, 4-10-06; Ord. No. 2010-08-23-01 §2, 8-23-10)

*Note—The tax for transportation purposes became effective on July 1, 1986.*

## **ARTICLE VI. ADDITIONAL CHARGES**

### **SECTION 150.190: ENGINEERING FEES**

Any and all fees and/or expenses incurred by the City in connection with the utilization of the services of the City Engineer, or that of a third party contractor acting on behalf of the City in said capacity, shall be reimbursed to the City by the party for which the services were incurred. (R.O. 2012 §110.070(C); Ord. No. 1.131 §§1–3, 9-9-91; Ord. No. 2003-07-14-04 §1, 7-14-03; Ord. No. 2007-05-22-01 §7, 5-22-07)