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ORDINANCE NO 9-10-97

AN ORDINANCE APPROVING THE LAKE COUNTIES TASK FORCE RECOMMENDATIONS ON HOW TO ASSURE CLEAN DRINKING WATER, WASTEWATER COLLECTION AND TREATMENT; AND AUTHORIZING THE TASK FORCE TO PROCEED WITH THE IMPLEMENTATION OF ITS RECOMMENDATIONS.

WHEREAS, the Lake Counties Task Force has met for over ten (10) months in the preparation of its recommendations on how to assure clean drinking water, wastewater collection and treatment at the Lake of the Ozarks; and,

WHEREAS, the recommendations have been presented to the Camden County Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE COUNTY OF CAMDEN, STATE OF MISSOURI THAT:

Section 1: The Recommendations of the Task Force dated August 20, 1997, attached hereto and incorporated herein, are hereby approved; and the Task Force is hereby authorized to proceed with the implementation of the recommendations.

Section 2: Within thirty (30) days of the passage and approval of this Ordinance, the Task Force shall present to this commission of all meeting dates and events.

Section 3: The Task Force is specifically authorized to discuss and promote the Recommendations with members of the General Assembly, in particular, those State Legislators representing the Lake Countries, and the State Executive.

PASSED AND APPROVED THIS 10 DAY OF SEPTEMBER, 1997.

County of Camden

Merle Cross, Presiding Commissioner

Steve West, 1st District Commissioner

JC Mosier, 2nd District Commission

Leo Marler, County Clerk

ORDINANCE NO. 10-23-97

AN ORDINANCE ESTABLISHING HEALTH REGULATIONS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDING STANDARDS FOR THE PERMITTING OF CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDING DEFINITIONS, PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, 192.300, RSMo., provides that the County Commission may make and promulgate Ordinances as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county; and

WHEREAS, 192.300, RSMo., provides that the County Commission may establish reasonable fees to pay for any costs incurred in carrying out such Ordinances and that any such fees generated shall be deposited in the county treasury and shall be used to support the public health activities for which they were generated; and

WHEREAS, 192.300, RSMo., provides that any person, firm, corporation or association which violates such Ordinance adopted, promulgated and published by the County Commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law; and

WHEREAS, the County Commission has full power and authority to initiate the prosecution of any action under 640.710.5, RSMo; and recognizes that local controls may be used to regulate concentrated animal feeding operations; and

WHEREAS, H.B. No. 1207, 1288, 1408 & 1409 of the Missouri 88th General Assembly, 640.710.5, RSMo., recognizes that local controls may be used to regulate concentrated animal feeding operations; and

WHEREAS, health standards and criteria for concentrated animal feeding operations consistent with state law have been prepared based upon state law and professional studies presented to and considered by the Camden County Commission as well as the experience of the Camden County Commission with local conditions; and

WHEREAS, the adoption and enforcement of said standards is hereby found to be necessary in order to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into Camden County, its air, ground, groundwater and watershed.

NEW, THEREFORE, BE IT ORDAINED BY THE CAMDEN COUNTY COMMISSION AS FOLLOWS:

SECTION 1. DEFINITIONS APPLICABLE TO THIS ORDINANCE.

1.01 ACTIVE OPERATION- A CAFO which has existing buildings and/or confinement areas which have live animals contained or confined and which operate in an operating lagoon(s) which is being used to hold, store and/or treat animal waste at the current time.

1.02 ANIMAL CARCASSES- The dead body or fetus or any part thereof of any animal or fowl of any nature.

1.03 ANIMAL UNIT (AU)- A unit of measurement to compare various animal and fowl types at a concentrated animal feeding operation (CAFO). These units shall be as follows;

One Animal Unit (AU) equals the following:

- a. 1.0 Beef Feeder or Slaughter Animal
- b. 0.5 Horse
- c. 0.7 Dairy Cow
- d. 2.5 Swine weighing over 55 pounds
- e. 15 Swine weighing less than 55 pounds
- f. 10 Sheep
- g. 30 Laying Hens
- h. 55 Turkeys
- i. 100 Broiler Chickens

Or an equivalent animal unit for any other type of animal or fowl.

1.04 ANIMAL WASTE- Any animal or fowl excrement, animal carcasses, feed waste, animal wastewater, or any and all other waste associated with animal or fowl.

1.05 ANIMAL WASTE MANAGEMENT SYSTEM- Means any system (liquid or dry) used for the collection, storage, distribution or disposal of animal waste generated by a concentrated animal feeding operation (CAFO).

1.06 ANIMAL WASTEWATER- Any liquid containing or coming into contact with any animal or fowl excreta including any liquid that comes into contact with any manure, litter, bedding or any other raw material or intermediate or final material or product used in or resulting from the operation of a concentrated animal feeding operation (CAFO) i.e., spillage or overflow from animal or fowl watering systems; any liquid used in the washing cleaning or flushing pens, barns or manure pits; any liquid used in the washing or spraying to clean or cool animals or fowl; and any liquid used in dust control for a CAFO.

1.07 BEST MANAGEMENT PRACTICES- (hereinafter referred to as BMP)- Those schedules or activities, prohibitions of practices, maintenance procedures and all other management practices to prevent or reduce the pollution of surface or groundwater as required by this ordinance. BMP includes, but is not limited to, the following; treatment requirements; operating procedures; practices to control site runoff, spillage or leaks; sludge or waste disposal; odor, chemical, or noise pollution; and all items associated with or contributing to any pollution.

1.08 CLASSIFICATIONS:

- a. CLASS IA CAFO- Capacity of 7000 or more AU.
- b. CLASS IB CAFO- Capacity between 3000 and 6999 AU.
- c. CLASS IC CAFO- Capacity between 1000 and 2999 AU.
- d. CLASS II CAFO- Capacity between 250 and 999 AU.

1.09 COMMISSION- Camden County Commission.

1.10 CONCENTRATED ANIMAL FEEDING OPERATION (hereinafter referred to as CAFO)- Any area where 250 or more animal units of animal or fowl have been, are or may be, stabled or confined and fed or maintained for a total of 45 days in any 12 month period, and a ground cover of vegetation is not sustained over at least fifty (50%) percent of the animal or fowl confinement area.

1.11 COUNTY HEALTH OFFICER- (hereinafter referred to as CHO)- Administrator of the Camden County Health Center or designated representative.

1.12 DISCHARGE- Any release of animal waste by leaking, pumping, pouring, emitting, emptying, dumping, escaping, seeping, leaching or any other means of release of animal waste.

- 1.13 DNR- The Missouri Department of Natural Resources or any other state or governmental agency which may in the future assume the duties of the Missouri Department of Natural Resources.
- 1.14 HEALTH HAZARDS- Any condition which may or can cause disease or harm to a person, community, animal, fowl or the environment, whether now or in the future.
- 1.15 LAGOON- An excavated, diked or walled area designed for the biological stabilization, treatment and/or storage of animal wastewater.
- 1.16 LAND- Any plot, parcel, lot or other area of land owned or leased by the CAFO.
- 1.17 LAND APPLICATION SITES- Any land where processed animal wastewater is injected or knifed, or placed into or on top of the soil in any manner.
- 1.18 OCCUPIED DWELLING- Any residence, or any church, school or business which has been in use at any time during the 12 month period immediately prior to the date upon which a permit is issued by the Department of Natural Resources for the construction of a CAFO.
- 1.19 PERMIT- Any authorization issued by the CHO and approved by the Commission, which authorizes the permittee to construct, modify or operate a CAFO.
- 1.20 PERSON- Any individual, partnership, LLC, corporation, association, firm, company, joint venture or any combination of these.
- 1.21 PROCESSED ANIMAL WASTEWATER- The animal wastewater placed in the lagoon.
- 1.22 SETBACK- All setbacks and distances are to be measured in a linear fashion at the nearest and closest points of such objects.
- 1.23 SLOPE- The vertical drop divided by the horizontal distance of a land area multiplied by one hundred, and expressed as a percentage.
- 1.24 STATE REGISTERED ENGINEER- A registered Professional Engineer, authorized and empowered to operate in that capacity in the State of Missouri, who is registered as such with the Missouri Board of Architects, Professional Engineers and Land Surveyors.
- 1.25 SURFACE OR GROUNDWATER- Liquid that is contained in or flows through all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems and all other bodies or accumulations of liquid; whether or not it is contained on the surface or underground; naturally or artificially; whether or not on public or private lands; that are contained within, or flow through the State of Missouri.

SECTION 2. PERMIT REQUIREMENTS FOR CAFO'S AND LAND APPLICATION OF WASTEWATER

2.01 PERMIT REQUIREMENT. No person shall construct, modify or operate a CAFO unless the person has first obtained a permit issued by the CHO unless the person has first obtained a permit issued by the CHO and Commission. The person shall obtain the separate permit required for Land Application pursuant to this Section.

a. Exempt Operations.

1) Under 250 AU. Operations having less than 250 animal units and which are not otherwise required to have a DNR permit will not be required to obtain a permit unless specifically identified as a significant contributor of pollution by the CHO.

2) Active and Pending Operations.

a) All CAFO's which are required to have a DNR permit and which have a DNR permit (or a letter of approval/authority from DNR) and which are in active operation as of the date of the enactment of this ordinance shall be exempt from the requirements of this Ordinance to the extent of the AU capacity

granted by such DNR permit or letter, except as otherwise stated herein, unless they modify their operation under any of the provisions of this section.

b) All CAFO's with a capacity and operation between 250 and 299 AU, which would be required to have a permit under this ordinance, but which do not otherwise require a DNR permit, and which are in active operation as the date of the enactment of this ordinance, shall be exempt from the requirements of this ordinance so long as their capacity remains under 299 AU.

c) CAFO's which either have DNR permit or have a pending DNR Permit at the time of the enactment of this ordinance, but which CAFO's are not in active operation as of the date of the enactment of this ordinance, shall, if they become active operations within 120 days from either the date of the passage of this ordinance or the date their DNR permit is granted (whichever is later), be only exempt from the requirements of sections 3.02a (building setbacks), sections 3.03a through .c (lagoon setbacks and elevations), section 3.04.f (wastewater application setbacks, unless done at a site other than those applied for in DNR application). All of the other provisions of this ordinance shall apply to such operations. Any such CAFO which is not in active operation within 120 days from the times stated above, shall not be exempt from the sections stated herein (3.02.a, 3.03.a-c, 3.04.f) or any of the other provisions of this ordinance, but shall be required to comply with this entire ordinance.

CERTAIN PROVISIONS OF THIS ORDINANCE MAY ALSO APPLY TO EXEMPT OPERATIONS IS SO SPECIFIED HEREIN.

b. Permit Required. All CAFO's with 250 or more animal units shall be required to obtain a permit, unless exempted by the above Section 2.01.a. Any CAFO's that modify operation after the date of enactment of this ordinance and which have 250 or more animal units after such modification shall be required to obtain a Camden County permit and shall be subject to the requirements of this ordinance, except as specified in the next subsection, unless otherwise exempted herein. An operation shall be deemed to be modified if any of the following apply:

- 1) Construction of any new buildings or facilities for the housing of animals;
- 2) Modification to existing buildings or structures for the housing of animals when such modification costs exceed \$15,000.00 total;
- 3) Construction of new lagoons or repair of lagoons when repair costs exceed \$5,000.00 total;
- 4) Change in ownership, management or control of a CAFO;
- 5) Any increase in the maximum permitted number of animal units by more than 25 units, at any time;
- 6) Any increase in the number of animal units over the number of animal units for which application was made in the DNR permit, if any;
- 7) Change in land application sites;
- 8) Change in the handling, treatment or disposal of animal waste and animal wastewater of any CAFO.
- 9) Deviation in any manner from the approved BMP, if a BMP exists.

c. Modification of Operations- Exemptions. As it may not be reasonable to require that some modifications to existing operations meet the certain requirements of this ordinance (for instance, but not limited to the setback requirements), the following shall apply:

- 1) The CAFO operator may request that variance be granted by the Commission From certain requirements of this ordinance due to an extraordinary, peculiar and/or exceptional situation which would result from an unreasonable deprivation of use as distinguished from the mere grant of a privilege. Such variance may be granted without a substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the regulations, standards and criteria established in this Ordinance. Specific application shall be made showing the proposed modification and the information set forth in Section 2.02 and the remainder of this ordinance. The CHO may also review such information and make a report to the Commission regarding such variance. In such review, the Commission shall include factors such as but not limited to the following:
 - a) Size of the operation prior to modification;
 - b) Size of the proposed modification;
 - c) Environmental impact of the proposed modification, including waste, smell, potential contamination, waste storage facilities, land application of waste;
 - d) Cost of the compliance;
 - e) The ability of the goals of this ordinance to be met by other requirements of the ordinance or other factors involved.
 - f) Any other factors which the Commission may feel are relevant.
- 2) All other provisions of this ordinance for modified operations which are not specifically varied shall apply.
- 3) It shall the sole discretion of the Commission as to whether any variance pursuant to this section is granted or denied. The fact that compliance with ordinance provisions for a modified operation is not possible shall only be a factor and shall not of itself be grounds for variance.

2.02 INFORMATION TO BE PROVIDED IN APPLICATION FOR A CAFO PERMIT- It shall be unlawful and a violation of this ordinance for any person to operate a CAFO without first obtaining a permit or to operate in excess of the number of animal units specified in the permit. In order to obtain a permit for operation or modification of a CAFO, the person required under this ordinance to obtain a permit must provide the following information to the CHO.

- a. Prior to filing an application for a permit, the owner or operator of any CAFO shall provide the following information to the Commission and to all adjoining property owners located within one and one-half times the buffer distance set forth in Section 3.02.a and 3.03.a herein:
 - 1) The maximum number of animals to be applied for;

- 2) The waste handling plan and general layout of the facility;
 - 3) The location and number of acres of such facility; and
 - 4) Name, address, telephone number and registered agent for further information as it relates to the above information.
- b. The application for a permit to construct, modify or operate a CAFO must be accompanied by a State Registered Engineer design with date, specifications, and other pertinent information pertaining to the Best Management Practices (BMP) Plan, and the requirements herein of the BMP, to be used in the construction, modification, or operation of the CAFO and any additional information requested by the CHO.
 - c. The maximum number of animals and animal units anticipated at such operation;
 - d. The waste handling plan and general layout of the operation presented in plain and nontechnical terms;
 - e. The density of animals per acres at such operation;
 - f. The expected duration of operations at the size described; and
 - g. The name and address of the CAFO, including directions and legal description of the property of the CAFO.
 - h. An accurate diagram or map, drawn to scale, showing the following items and the distances between such:
 - 1) Location of all other CAFO facilities; and
 - 2) Location of all structures associated with the CAFO for which permit is being applied; and
 - 3) Location of waters of the State, streams, lakes, ponds, sinkholes, caves or any human water supply structure including drainage from the land application site, land application sites owned by, leased from, or utilized by applicant and the waste storage facilities (including drainage patterns to the nearest lake, or continuous flowing creek/river).
 - 4) Location of all existing buildings or other structures within two miles of the CAFO, whether occupied or not. Reasonable calculated estimates may be made of such distances.
 - i. Provide a list of owners of all leased land application sites including name, address and telephone number along with a cop of the lease contract.
 - j. Name, address and telephone number of the person or his authorized agent who is seeking the permit to enable the CHO to obtain further information; and
 - k. All other information as requested by the CHO.

- l. The person(s) applying for such a permit shall notify the CHO of all ownership arrangements and all contractual agreement for the use of the land proposed as land application site(s) by submitting a copy of the ownership documents and the contracts.
- m. A copy of the Department of Natural Resources (DNR) application and permit, if applicable.
- n. All other information necessary to assure compliance with the BMP plan requirements contained herein.

2.03 LAND APPLICATION PERMIT. A separate permit shall be required for all land application sites, except land application sites for those operations specified as exempt pursuant to Section 2.01. It shall be a violation of this ordinance and shall be unlawful for any person to apply animal waste in a manner inconsistent with the requirements of this ordinance. The person requesting a permit shall submit an application which application shall include:

- a. Prior to a filing an application for a land application permit, the owner or operator of any CAFO shall provide the following information to the Commission and to all adjoining property owners located within one and one-half times the buffer distance set forth in Sections 3.04.f(1) herein:
 - 1) The maximum number of animals to be applied for;
 - 2) The waste handling plan general layout of the facility;
 - 3) The location and number of acres of such facility; and
 - 4) Name, address, telephone number and registered agent for further information as it relates to the above information.
- b. The site management plan;
- c. The nutrient application rates;
- d. The timing of waste application with respect to the nutrient uptake cycle of the vegetation found on the land application site(s) as required by the Missouri Department of Natural Resources and the University of Missouri Extension Specialist;
- e. The waste storage and distribution method(s) prepared in accordance with the requirements of this ordinance, i.e: Animal wastewater lagoons and above ground storage of animal wastewater and land application methods and processes;
- f. Information necessary to assure compliance with the BMP plan for land application as set forth herein.

2.04 CERTIFICATION REQUIRED. A person who applies for a permit under this ordinance must provide a complete permit application and file the application with the CHO on such form or forms as the CHO may require. Any person applying for a permit for a CAFO under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my

direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

2.05 APPROVAL OF PERMITS. The CHO and Commission shall attempt to have all permit applications approved or disapproved within ninety (90) days from the date the application is submitted for approval to the CHO.

SECTION 3. BEST MANAGEMENT PRACTICES (CMP)-PLAN

3.01 BMP PLAN REQUIREMENTS. For all operations for which a permit is required as specified herein, a BMP Plan shall be developed by a State Registered Engineer. It shall be the duty of the person(s) operating the CAFO and the owners of the CAFO to comply with the approved BMP Plan and to prevent pollution within Camden County. The BMP Plan shall be approved by a University of Missouri Extension Livestock Specialist, if possible, and the CHO. The BMP Plan shall, at a minimum specifically include (but not limited to) the following components:

- a. Specifications and location of building;
- b. Proposed location and specifications of Animal Wastewater lagoon; collection methods, any proposed above ground storage, and the distribution systems to be utilized;
- c. Land Application Site procedures and practices;
- d. Open Lot and Pen utilization; and
- e. Dead Animal and/or Fowl disposal;
- f. All the cleaning methods and practices of the CAFO;
- g. Provisions for laboratory testing and analysis of the monitoring wells of the lagoon and provision whereby the CHO must review all laboratory results.

3.02 CAFO LOCATIONS. Confinement Buildings, Confinement areas, Storage Buildings, and all other Buildings of the CAFO (hereinafter referred to as “Building”): The BMP Plan shall include these minimum standards for the CAFO:

- a. Setback. No animal confinement building or area shall be constructed within the following distances of the nearest existing occupied dwelling (other than those owned or operated by the CAFO or another CAFO), incorporated area, stream, river, lake or any human water supply structure:

- Class IA CAFO- 2 miles
- Class IB CAFO- 1.5 miles
- Class IC CAFO- 1 mile
- Class II CAFO- 1 mile

The following setback distances shall be required from any other CAFO, measured from the nearest point of one CAFO lagoon or land application site to the nearest point of another CAFO's confinement area, lagoon or land application site:

	Class IA	Class IB	Class 1C	Class II
Class IA	2 miles	2 miles	2 miles	2 miles
Class IB	2 miles	1 mile	1 mile	½ mile
Class IC	2 miles	1 mile	1 mile	½ mile
Class II	2 miles	½ mile	½ mile	½ mile

The BMP shall require specifications of all building sizes, number of animals or fowl housed in each building and all structure and component specifications of all buildings, other than those owned and/or operated by the CAFO;

- b. No building shall be modified in any manner without prior approval from the CHO;
- c. No animal waste or animal wastewater may be utilized for any purpose other than applied to land application sites unless approved by the CHO and the Commission;
- d. The BMP Plan shall provide a clean and healthy environment for employees and animals or fowls. This plans hall have as its goal the elimination of disease potential for humans, animals or fowls. The BMP Plans shall provide for Materials Handling and storage procedures and practices in order to avoid any health hazards;
- e. The BMP Plan shall set forth a prevention and clean up plan related to toxic pollutants. The prevention plan is to avoid spill of toxic pollutants; i.e., fuels, medications, copper sulfate, cleaning agents, acids, pesticides, etc. for all building and grounds affiliated with the CAFO. The clean up shall comply with all requirements of the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (NIOSH) Standards, Missouri Department of Natural Resources and the Missouri Department of Health rules and regulations.

3.03 ANIMAL WASTEWATER LAGOON COLLECTION, ABOVE GROUND STORAGE AND DISTRIBUTION SYSTEMS. The BMP shall include these minimum standards for the CAFO:

- a. Lagoon Setback. No lagoons shall be constructed within the following distances of the nearest existing occupied dwelling, incorporated area, stream, river, lake, sinkhole, cave, or any human water supply structure:
 - Class 1A CAFO- 2 miles
 - Class 1B CAFO- 1.5 miles
 - Class 1C CAFO- 1 mile
 - Class 11 CAFO- 1 mile
- b. Five Mile Lagoon Setback from Lake of the Ozarks. No lagoons shall be constructed within five (5) miles from the 665 foot elevation of the shoreline of the Lake of the Ozarks which elevations are referred to United States Geological Survey Bench Mark at Bagnell, Missouri, which has an elevation of 586.742 feet above Mean Gulf Level at Biloxi, Mississippi.

- c. Elevation. No lagoons shall be constructed or located on an elevation less than 675 feet above sea level in Camden County, as defined by contour lines, which elevations are referred to United States Geological Survey Bench Mark at Bagnell, Missouri, which has an elevation of 586.742 feet above Mean Gulf Level at Biloxi, Mississippi.
- d. Subsurface Investigation. Lagoon site elevation subsurface investigation for design plans shall be at least three (3) feet below the planned bottom excavation. If this is not practical, a geological survey of the subsurface and groundwater can be substituted when conducted by a Department of Natural Resources approved geologist;
- e. Lagoon Structure. Lagoons constructed by a CAFO, shall insure a minimum of:
 - 1) 24 inches of compacted clay which lines the bottom and sidewalls of the lagoon; or
 - 2) 12 inches of compacted clay and an 80 mil (or greater) plastic liner; or
 - 3) Another sufficient structure approved by the CHO; and
 - 4) Foliage barriers shall be used around the entire exterior of the lagoon to help reduce odors. The foliage barriers shall be located at least twenty (20) feet away from the sidewalls, whereby the roots do not penetrate the lagoon sidewalls causing leakage.
- f. Lagoon Construction- Inspection. The CHO shall be made aware at least seven days prior to construction is taking place upon such lagoon structures and such shall be available for inspection at all times during the construction process.
- g. Lagoon Design. The lagoons shall be designed, constructed and operated to contain all animal wastewater for 365 days of storage and precipitation of the 25 year, 24 hour storm event at the location of the point source. Additionally, the lagoon size shall be sufficient to allow for surface retention, contaminated rainfall from open lots and associated areas, processed animal wastewater and all other wastes which may enter or may be stored in the lagoon structure;
- h. Fence. A lagoon shall have a six foot security chain linked fence installed at least 50 feet from the outside of the lagoon to protect any animal or non-authorized individual from access to the lagoon, a gate shall be installed sufficient in size to allow the entry of equipment to drain off liquid from the lagoon for land application;
- i. All equipment and facilities of the CAFO utilized to handle animal waste and processed animal wastewater shall be kept clean and odor free by providing an equipment wash station which drains into an animal wastewater lagoon except when handling and disposing of the same in a manner approved by the CHO.
- j. There shall be no discharge of any animal waste or processed animal wastewater or surface or groundwater, except as provided for under Land Application Site permit as set forth herein at levels reach the Maximum Contaminant Levels (MCL), according to the U.S. Environmental Protection Agency (EPA), Missouri Department of Health and the Missouri Department of Natural Resources regulations. If for any reason, there is a discharge, the permittee is required to make immediate notification to the Department of Natural Resources and the CHO. No voluntary discharge by the permittee is allowed without prior approval of the CHO;

- k. Removal of processed animal wastewater from the lagoon shall take place on a routine schedule. A record log shall be maintained indicating weekly inspections of the animal wastewater level in the lagoon. The BMP Plan shall cover the animal waste management system equipment for removing processed animal wastewater from the lagoon. Equipment for removing processed animal wastewater from the lagoon shall be available whenever needed to restore the freeboard required to accommodate the 25 year rainfall event;
- l. A permanent measuring device shall be maintained in each animal wastewater lagoon to show the volume required for a 25 year rainfall event. The marker shall be visible from the top of the berm. A rain gauge shall be kept on the site and properly maintained. A log of all measurable rainfall shall be kept in 1.4 inch increments on a daily basis at the same time daily.
- m. All processed animal wastewater shall be tested prior to applying to land application sites for the following: pH, antibiotics, copper sulfate, total nitrogen, ammonium, potassium, phosphorous, nitrates, heavy metals and pesticides and all other pollutants or potential health hazards to animal, fowl and humans. The Exposure Limits, the Immediately Dangerous to Life or Health Levels and the Permissible Exposure Limit (PEL) as found in 29 CFR 1920, Subpart Z, General Industry standards for Toxic and Hazardous Substances, shall not be exceeded. Cost of laboratory analysis shall be borne by the CAFO.
- n. The BMP Plan shall provide for the utilization of monitoring wells. A minimum of one monitoring well shall be installed upgradient (uphill) and two monitoring wells downgradient (downhill) from all lagoons. Monitoring wells shall be drilled, so as to detect, as early as possible, migration of pollution from the lagoons. Uphill wells shall be utilized to provide background information and shall be sampled prior to any generation, storage or land application of any animal wastewater. All monitoring wells may be inspected and tested by the CHO at times desired. Each monitoring well shall be tested on a monthly basis and the results made available to the CHO for inspection. All laboratory analysis from the inspection and all associated costs shall be borne by the CAFO.

3.04 LAND APPLICATION SITES AND PRACTICES: The BMP Plan shall include these minimum standards for a CAFO:

- a. All CAFO's shall have a BMP Plan for each land application site, prepared by a State Registered Engineer, and approved by the CHO. The CHO shall require proof of land ownership or of contractual agreements for use of land as a land application site.
- b. A notice shall be sent to all CAFO's land owners of leased or contracted lands for land application site(s), from the State Registered Engineer with a copy to the CHO informing the CAFO and owners of their responsibilities concerning obtaining a land application site permit(s) prior to applying any processed animal wastewater to the land application site(s).
- c. The application rate of the processed animal wastewater shall comply with the specifications of the "Plant Available Nitrogen (PAN Approach for Animal Feeding Operations" which is attached hereto as APPENDIX A and incorporated herein by this reference.
- d. Processed animal wastewater application shall not be applied on land with a slope of less than One-Half (1/2%) percent or in excess of ten (10%) percent. Animal wastewater shall not be

applied when solid are saturated by water, frozen, snow covered or when other soil conditions would result in runoff.

- e. Records shall be kept for applied processed animal wastewater. These records shall be kept in sufficient detail to determine the application rates. Records shall be kept of all land application sites whereby the dates, locations of application, weight and volume of processed animal wastewater and acreage over which the load was spread shall be included. All records shall be kept and maintained at the CAFO. The CAFO shall provide the CHO with a copy. Further, the CHO shall have access to the originals at any time.
- f. Processed animal wastewater application shall not be applied unless it is applied:
 - 1) Wastewater Application-Distance. One mile from any existing occupied dwelling (other than those owned or operated by the CAFO) existing prior to the issuance of the Land Application Permit, and one half mile from any other CAFO lagoon, stream, river, lake sinkhole, cave, or any human water supply structure.
 - 2) Wastewater Application –Setback from Lake. No wastewater shall be applied within five (5) miles from the 665 foot elevation of the shoreline of Lake of the Ozarks which elevations are referred to United States Geological Survey Bench Mark at Bagnell, Missouri, which has an elevation of 586.742 feet above Mean Gulf Level at Biloxi, Mississippi.
- g. Discharge of animal wastes or processed animal wastewater not in conformity of this ordinance shall be deemed a violation of this ordinance.
- h. The BMP Plan shall provide for all equipment utilized to apply animal waste and processed animal wastewater to land sites shall be kept clean and odor free. An equipment wash station with a concrete floor which drains into an animal wastewater lagoon shall be used to clean all equipment.

3.05 DEAD ANIMALS AND/OR FOWL DISPOSAL: The BMP Plan shall include these minimum standards for a CAFO:

- a. The BMP Plan shall provide for proper handling practices for all animal and/or fowl carcasses. Such carcasses shall not be managed in a manner that would create a fly problem or cause a health hazard. All animal and/or fowl carcasses shall be properly disposed of within 24 hours from the time of said animal or fowl's death.

3.06 INSECT AND PEST CONTROL: The BMP Plan shall include these minimum standards for a CAFO:

- a. The CAFO shall prevent any discharge of pesticides or herbicides not in conformity with EPA or State regulations into the surface or groundwater in Camden County. All liquid utilized in dipping vats, pest and parasite control units, for animals or fowl, shall utilize approved BMP's as defined by the University of Missouri Extension Livestock Specialist whereby no toxic pollutants may cause a health hazard.

3.07 EMPLOYEE TRAINING. All CAFO owners, operators and employees shall be trained to operate and maintain the CAFO. Employee training shall inform personnel at all levels of the goals and components

of the BMP Plan. Training shall include topics such as operation and maintenance of the CAFO, land application of processed animal wastewater, material storage and handling practices, record keeping, spill response and cleanup requirements. The CHO shall specify the appropriate employee training frequency and topics for all levels of personnel of the CAFO. The BMP Plan shall identify periodic dates for such training. Failure to comply with all training requirements shall be deemed to be a violations of this ordinance.

SECTION 4. OTHER ANIMAL WASTE.

4.01 APPLICATION OF OTHER ANIMAL WASTE. All other animal waste shall comply with the specifications of the “Plant Available Nitrogen (PAN) Approach for Animal Feeding Operations” which is attached hereto as APPENDIX A and incorporated herein by this reference.

SECTION 5. LAGOON FAILURE OR LEAKAGE.

5.01 LAGOON LEAKAGE OR FAILURE. In the event an animal wastewater lagoon may be leaking (as determined by the CHO based upon the tests from the monitoring wells or other evidence), collapsed, fails or is otherwise discharging animal wastewater, the Commission may issue a Stop Order pursuant to Section 11, may suspend or revoke the CAFO permit, or may impose penalties as provided for in this ordinance. The operator shall then be responsible for all necessary cleanup costs caused as a result of the leakage or failure.

SECTION 6. ACREAGE REQUIREMENTS.

6.01 WEST HANDLING. The CAFO shall own or lease one acre of land for each 4 AU of capacity for wet handling systems (wastewater lagoons).

6.02 DRY HANDLING. The CAFO shall own or lease one acre of land for each 8 AU of capacity for dry handling systems.

SECTION 8. FINANCIAL SECURITY.

8.01 BOND. A cash or surety bond shall be furnished to the Camden County treasurer for any manure storage system, in an amount as set forth in Section 8.02 herein. A manure storage system may include one or more lagoons at any single CAFO. If the bond is a surety bond, the surety shall be approved by the Commission and found to be of reputable character and financially sound with respect to the obligation incurred. The bond shall be furnished prior to construction and continued in effect during operation and shall not be released until the operator has complied with all Federal, State and local laws in operation of the facility and until prompt clean up and proper disposal of any waste improperly handled or disposed of at the facility and restoration of the premises upon which the facility is operated. If a cash bond is posted, all interest earned thereon shall become a part of the bond subject to the terms and conditions, including the condition of release. The Commission shall give approval prior to the bond being released.

8.02 AMOUNT OF BOND- The following amounts of bond shall apply: \$100.00 for each AU which shall be posted for the maximum number of AU permitted or requested to be permitted herein.

SECTION 9. PERMIT DURATION.

9.01 ONE YEAR PERMIT. The permit duration for construction, installation, modification or operation of the CAFO will be recorded on the permit. The permit period shall be for one year from the date of approval by the Commission.

9.02 PERMIT RENEWAL APPLICATION. A CAFO shall reapply every year affirming under oath, that the operation has been modified in any manner from the original permit issued. Any deviations from the BMP Plan or modification of the CAFO will require a new permit before such changes occur. An Application for renewal shall be considered to be properly filed when the CHO has received the following:

- a. A completed Application, on a form or forms prescribed by the CHO which shall be submitted according to CHO requirements.
- b. Cash, cashiers check, or money order from the firm in the proper amount for the permit.
- c. All other information requested by the CHO.

9.03 PERMITS will be issued only to the “Official Applicant of Record” or his authorized representative and such authorization must be in writing from the “Official Application of Record”. Renewal permit shall only be issued when the CAFO has met all requirements of this ordinance.

SECTION 10. PERMIT SUSPENSION OR REVOCATION

10.01 SUSPENSION AND REVOCATION OF PERMIT. The Commission or CHO may suspend or revoke a permit for a CAFO for the following reasons:

- a. Non-compliance with any term of the permit, including non-compliance with the BMP;
- b. Unauthorized modifications of the CAFO;
- c. Falsification of information submitted;
- d. Non-compliance with any provision of this ordinance or with any State or Federal Statutes or regulations;
- e. Any other reason the construction, operation or modification would constitute a violation of this ordinance or be in health hazard as determined in the sole and absolute discretion of the CHO.

SECTION 11. STOP ORDER

11.01 STOP ORDER. A STOP ORDER may be issued by the CHO, Commission, or applicable court of law for the following reasons:

- a. Any reason set forth in Section 10;
- b. When construction, installation or modification of the CAFO is not in compliance with the State Registered Engineer design or operation requirements;
- c. When a CAFO is being constructed, installed, modified or operated in violation of this ordinance;
- d. Failure to comply with any CHO directives which are authorized by this ordinance.

SECTION 12. INSPECTIONS

12.01 INSPECTION. The CHO shall have full power at any time to enter onto any property to cause or conduct an inspection of any CAFO under construction, installation, modification or operation of any CAFO inclusive of all proposed land application site areas. The CHO may require the testing or themselves test any monitoring wells of the lagoon or reasonable require testing of soils, at the CAFO's expense. THE PRIVISIONS OF THIS SECTION SHALL APPLY TO ALL CAFO'S, WASTEWATER LAGOONS, AND LAND APPLICATION OF WASTEWATER, WHETHER EXEMPT OR NOT.

SECTION 13. OTHER APPLICABLE LAWS AND TERMINIATION OF EXEMPTIONS.

13.01 OTHER LAWAS AND REGULATIONS. All other laws and regulations imposed by any other federal or state law, regulation, or applicable agency shall apply here under and all operations hereunder shall be governed by such. A breach of such shall also be deemed to be a violation of this ordinance.

13.02 TERMINIATION OF EXEMPTION. A total or partial exemption from the requirements of this ordinance, granted pursuant to section 2.01.a shall be revoked and the CAFO shall be subject to all of the requirements of this ordinance if a violation of federal or state laws, regulations or requirements occurs.

SECTION 14. CAFO PERMIT FEES

14.01 CAFO PERMIT FEES. The original and annual renewal fee for a CAFO permit shall be based on the maximum allowed number of animal units specified by the CAFO permit. \$1.00 per animal unit shall be assessed. This fee shall not be assessed for the number of animals which were previously exempt or in situations where modifications to existing operations are made (for example, if Operator increases number of animal units from 1000 to 3000, fee will be charged on 2000, the increased amount). The fee amount herein shall not exceed the anticipated amount needed to recover the cost of inspection, investigation, review of CAFO operation, which fee amounts have ten into consideration the need for special investigative services including geologic inspections, hydrologic inspections, groundwater monitoring, soils evaluation, and other unique costs of a scientific or technical nature.

SECTION 15. PENALTIES

15.01 PENALTIES FOR VIOLATION. Any person who violates any provisions of this ordinance is guilty of a misdemeanor. Every day, or any part thereof, in which a violation occurs or continues shall constitute a separate violation.

In addition to the above criminal penalties, the Commission may impose a fine of up to \$500.00 per day for violation of this ordinance which are not corrected within 10 days of being notified of the violation. The Commission may also revoke the violating CAFO's permit after 10 days notice of violation which remains uncorrected.

SECTION 16. APPEALS PROCESS

16.01 APPEAL TIME. Any person aggrieved by any decision of the CHO may appeal to the Commission by filing a written application with the CHO within fifteen (15) days after being notified of the decision which is the subject of the appeal.

16.02 HEARING. The Commission shall schedule a hearing on the appeal, and shall give the person appealing notice of the date of hearing at least ten (10) days prior to the hearing date and give the person reasonable opportunity to be heard.

16.03 PROCEDURES. Appeal Hearings to the Commission shall be conducted in accordance with the Commission's adopted rules and procedures.

SECTION 17. NOTICES.

17.01 NOTICE REQUIREMENTS. Any notice required herein or any STOP ORDER shall be served by one of the following methods:

- a. By personal delivery; or
- b. By depositing said STOP ORDER in ordinary mail, postage prepaid, it shall be deemed received one day after deposited in the ordinary mail; or
- c. By posting said STOP ORDER at the CAFO site.

SECTION 18 SEVERABILITY.

18.01 PROVISIONS HEREIN SEVERABLE. Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance this repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released, or discharged but may be prosecuted, enjoined, and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be otherwise expressly provided. The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgement or decree of any Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections or chapters of this ordinance as the same would have been enacted by the Commission without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph, section or chapter.

SECTION 19. AMENDMENTS AND VARIANCES.

19.01 AMDENDMENT AND VARIANCE. This ordinance may be amended at any time as may be determined by the Commission. CAFO operators may request the Commission that a variance(s) by granted from certain requirements of this ordinance due to an extraordinary, peculiar and/or exceptional situations which would result from an unreasonable deprivation of use as distinguished from the mere grant of a privilege. Such variance may be granted so as to relieve said demonstrable difficulties or hardships, provided the relief can be granted without substantially impairing the intent, purpose and integrity of the regulations, standards and criteria established in this Ordinance. Upon request, the Commission may consider, grant and/or deny reasonable variances to the requirements of this ordinance and granting of such variance(s) in any situation shall not be deemed to be a waiver of such requirements in any other situation.

Approved October, 1997

Merle Cross, Presiding Commissioner

Steve West, First District Commissioner

JC Mosier, Second District Commissioner

Leo W Marler, County Clerk

AMENDMENT TO CAMDEN COUNTY ORDINANCE NO. 10-23-97

AN AMENDMENT TO ORDINANCE NO. 10-23-97 ESTABLISHING HEALTH REGULATIONS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDING STANDARDS FOR THE PERMITTING OF CONCENTRATED ANIMAL FEEDING OPERATIONS; PROVIDED DEFINITIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the County Commission for Camden County, Missouri, enacted Ordinance No. 10-23-97, which contained certain air quality standards; and

WHEREAS, after reviewing the air quality standards it appears that a typographical error was made in designating the maximum allowable concentration of ammonia by stating that amount to be 5ppm rather than 50 ppm; and

WHEREAS, after reviewing information from the Department of Agriculture it appears that the recommended maximum allowable concentration for ammonia for a confined feeding operation should be 50 ppm (parts of pure gas per million parts of atmospheric air).

NOW THEREFORE, be it ordained by the Camden County Commission as follows:

Section 7. Air Quality. Is hereby repealed and in place thereof the following new Section is hereby enacted:

Section 7. Air Quality

7.01 AIR QUALITY. All CAFOs, lagoons and land application sites shall be designed in such a manner as to avoid the degradation of air quality. In no event shall the concentration of gases at the boundary of the land resulting from the operation of the CAFOs, lagoons and land application sites exceed the following levels:

	Maximum allowable Concentration	Exposure Period
Carbon Dioxide	5000 ppm	Not Applicable
Ammonia	50 ppm	Not Applicable
Hydrogen Sulfide	10 ppm	2 hours
Methane	1000 ppm	Not applicable

Carbon Monoxide

50 ppm

One hour

Section 2. REAFFIRMATION. All other parts of Ordinance No. 10-23-97 are hereby ratified and approved except as amended herein and the new Section 7. Air Quality. shall become a part of Ordinance No. 10-23-97 the same as if originally set forth therein.

APPROVED this 4 day of February, 1998.

Merle Cross, Presiding Commissioner

Steve West, First District Commissioner

JC Mosier, Second District Commissioner

Attest:

Leo W Marler, County Clerk

ORDINANCE 3-22-22-01

AN ORDINANCE REPEALING ORDINANCE NO. 10-23-97 AND THE AMENDMENT THERETO DATED FEBRUARY 4, 1998 ESTABLISHING AND PROVIDING HEALTH REGULATIONS AND STANDARDS AND THE PERMITTING OF CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO) WITHIN CAMDEN COUNTY, MISSOURI.

WHEREAS, during the 2019 legislative session, the General Assembly truly agreed and finally passed Senate Substitute for Senate Bill 391 and Governor Parson signed Senate Bill 391 on May 31, 2019 into law which in part prohibited a county from adopting standards or requirements on agricultural operations and its appurtenances that are "inconsistent with, in addition to, different from, or more stringent than any provision of this chapter (192) or chapters 260, 640, 643, and 644, or any rule or regulation promulgated under such chapters"; and

WHEREAS, a suit was filed by the Cedar County Commission and others (Case No 19ACCC00373) asking the Cole County Circuit Court to declare said law to be unconstitutional and unenforceable for various reasons; and

WHEREAS, the Cole County Circuit found in favor of the law and against plaintiffs in said case which has been appealed to the Missouri Supreme Court and is currently pending there; and

WHEREAS, the Camden County Commission now believes that said Ordinance and the amendment thereto are not needed and are impeding the growth of agriculture in Camden County, Missouri.

NOW THEREFORE, the Camden County Commission hereby repeals Ordinance No. 10-23-97 and the Amendment thereto dated February 4, 1998 and declares both to be null and void.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSES, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 22 day of March, 2022.

Rowland Todd, County Clerk
Charles E. McElyea

CAMDEN COUNTY, MISSOURI
Greg Hasty, Presiding Commissioner
James Gohagan, First Dist. Commissioner
Don Williams, Second Dist. Commissioner

ORDINANCE 3-2-99

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAD LEASE AGREEMENT,

WHEREAS, the County of Camden, Missouri, (The 'County') is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation any existing sites owned by the County, together with any existing buildings and facilities thereon, in order for a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, finish and equip buildings and facilities thereon, and then or purchase such sites, buildings and facilities from the not-for-profit corporation; and .

WHEREAS, the County, Missouri, Public Facilities Authority (the "Corporation"), is a not-for-profit corporation duly organized and existing under General Not-for-Profit Corporation Law, Chapter 355 of the Revised Statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes; and

WHEREAS, the County of Camden, Missouri has leased to the Corporation certain real estate to located within the geographic limits of the county ('the Project Site'); and .

WHEREAS, the County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1995, in the aggregate principal amount of \$2,880,000 (the "Bonds"), for the purpose of providing finds to acquire, furnish and quip new facilities located on the Project Site (the "Project", said Project together with the Project Site being referred to therein as the "Facilities"); (2) lease the facilities to the County; (3) enter into a Site Lease (the "Site Lease") with the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the "Lease") with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the Facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due; and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 1999, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocably budgets and appropriates money in the amount of \$316,192.50 Fiscal Year 1999-2000, to use to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority: The officers, agents and employees of the County, including the County Commission and County Clerk, shall and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable order to carry out and perform purposes of this and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission Camden County, Missouri

Passed by the County Commission of the County of Camden, this 2nd day of March, 1999.

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

JC Moiser, 2nd District Commissioner

Leo Marler, County Clerk

ORINANCE NO. 12-20-00

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the Camden County, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and quip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issues its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1999, in the aggregate principal amount of \$1,160,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due” and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the Lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDANINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2001, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2001-2002, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all

documents and such actions as they may deem necessary or advisable in order to carry out and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 20th day of December, 2000.

Orbie Wallace , Presiding Commissioner
J.C Mosier, 2nd District Commissioner
Leo W. Marler, County Clerk

Steve West, 1st District Commissioner

Commissioner Mosior seconded motion. Vote: Commissioners West and Mosier aye.

Commissioner West made motion to enter into Ordinance #12-20-002 and #12-20-003. Commissioner Mosier seconded motion. Vote: Commissioners West and Mosier aye:

Ordinance No. 12-20-00

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the Camden County, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issues its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1995, in the aggregate principal amount of \$2,880,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due” and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the Lease of the Facilities and the issuance of the Bonds **that the County renew the Lease and that the County take certain other actions as herein provided**

NOW, THEREFORE, BE IT ORDANINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2001, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2001-2002, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and such actions as they may deem necessary or advisable in order to carry out and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 20th day of December, 2000.

Orbie Wallace , Presiding Commissioner
Steve West, 1st District Commissioner
J.C Mosier, 2nd District Commissioner
Leo W. Marler
County Clerk

ORDINANCE NO 12-20-00

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIS AND REAL ESTATE; APPROVING THE BUDGET AND APPROOPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAING OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the Camden County, Missouri, (the "County") is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and quip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, (the "Corporation"), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issues its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1997, in the aggregate principal amount of \$8,360,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due” and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the Lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDANINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2001, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2001-2002, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and such actions as they may deem necessary or advisable in order to carry out and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 20th day of December, 2000.

Orbie Wallace , Presiding Commissioner
Steve West, 1st District Commissioner
J.C Mosier, 2nd District Commissioner
Leo W. Marler
County Clerk

FLOODPLAIN MANAGEMENT ORDINANCE NO. 1-10-01

AN ORDINANCE OF COUNTY OF CANDEN, MISSOURI, PROVIDING FOR THE ESTABLISHMENT OF FLOODPLAIN MANAGEMENT.

This Ordinance is intended to amend the "County Flood Damage Prevention Commission Order ("B") submitted to and approved by a majority vote of the votes cast by qualified Camden County Voters as required by Missouri law. Said "County Flood Damage Prevention Commission Order ("B") was adopted and took effect on the 1st day of June 1993 (Hereinafter referred to as the "1993 Ordinance"). The passage on this day of this amendment is intended to clarify the 1993 Ordinance and in no way changes the substance of that Ordinance. Section 10 of the 1993 Ordinance grants to the Camden County Commissioners the power to amend said ordinance. Therefore, the Commissioners of Camden County, Missouri amend and ordain the 1993 Ordinance as follows:

ARTICLE 1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, AND PURPOSES.

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Missouri has in RSMo. 49.600 et seq. delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare and necessary to bring those localities within the coverage of the National Flood Insurance Program (42 U. S.C. 4001 et seq.).

SECTION B. FINDINGS OF FACT

1. Flood Losses Resulting from periodic inundation.

The special flood hazard areas of Camden County, Missouri are subject to inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.

2. General Causes of the flood losses.

These flood losses are caused by (1) the cumulative effect of obstructions in any designated floodway causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare; to

minimize those losses described in Article 1, Section B (1); to establish and maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 CFR (Code of Federal Regulations) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(b) by applying the provisions of this ordinance to:

1. restrict or prohibit uses that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;

2. require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

ARTICLE 2: GENERAL PROVISIONS

SECTION A. LANDS TO WHICH ORDINANCE APPLIES

This ordinance shall apply to all lands within the jurisdiction of Camden County, Missouri, identified as unnumbered A zones on the Flood Insurance Rate Map (FIRM) dated May 1, 1994 as amended, and any future revisions thereto: and also any lands within Camden County limits at or below elevation 664.0 feet above mean sea level contiguous to the Lake of the Ozarks. In all areas covered by this ordinance, no development shall be permitted except through the issuance of a floodplain development permit, granted by the Commissioners or its duly designated representative under such safeguards and restrictions as the Commissioners or the designated representative may reasonably impose for the promotion and maintenance of the general welfare and health of the inhabitants of the unincorporated areas of Camden County, as specifically noted in Article 4.

SECTION B. COMPLIANCE

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

SECTION C. ABROGATION AND GREATER RESTRICTIONS

It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

SECTION D. INTERPRETATION

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, shall be liberally construed in favor of the governing body, and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

SECTION E. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study.

Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside unnumbered A zones or land uses permitted within such area(s) will be free from flooding or flood damage. This ordinance shall not create liability on the part of Camden County, any officer or employee thereof, for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION F. SEVERABILITY

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of appropriate jurisdiction; the remainder of this ordinance shall not be affected.

ARTICLE 3: ADMINISTRATION

SECTION A. FLOODPLAN DEVELOPMENT PERMIT (REQUIRED)

A floodplain development permit shall be required for all proposed construction or development, including the placement of manufactured homes in areas described in Article 2, Section A. No person, firm, corporation, or unit of government shall initiate any development of substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or development.

SECTION B. DESIGNATION OF FLOODPLAIN ADMINISTRATOR

The Camden County Emergency Management Director is hereby appointed to administer and implement the provisions of this ordinance.

SECTION C. DUTIES AND RESPONSIBILITIES OF FLOODPLAN ADMINISTRATOR Duties of the floodplain administrator shall include, but shall not be limited to:

1. review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this ordinance have been satisfied;
2. review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State, or local government agencies from which prior approval is required by Federal, State, or local law;
3. review all subdivision proposals and other proposed new development including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the State Emergency Management Agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. assure that maintenance is provided within the altered or relocated portion of any watercourse so that the flood-carrying capacity is not diminished;
7. where base flood elevation from other sources is utilized within unnumbered A zones:
 - a. verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;
 - b. and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been flood proofed;
 - c. when flood proofing techniques are utilized for a particular non-residential structure, require certification from a registered professional engineer or architect.

SECTION D. APPLICATION FOR FLOODPLAN DEVELOPMENT PERMIT

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. describe the land on which the proposed work is to be done by lot, block, tract and house and street address, or similar description that will readily identify and specifically locate the proposed building or work;
2. identify and describe the work to be covered by the floodplain development permit;
3. indicate the use or occupancy for which the proposed work is intended;
4. Indicate the approximate value of the structure and the fair market value of all 1. improvements;
5. identify the existing base flood elevation and the elevation of the proposed development;
6. give such other information as reasonably may be required by the Floodplain Administrator;
7. be accompanied by plans and specifications for proposed construction; and
8. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

ARTICLE 4 PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

- 1 No permit for floodplain development shall be granted for new construction, substantial improvements, and other improvements including the placement of manufactured homes within any unnumbered A zones unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources. A base flood elevation of 664.0 feet above mean sea level shall apply to all properties contiguous to the Lake of the Ozarks.
3. All new construction, subdivision proposals, substantial-improvements, prefabricated buildings, placement of manufactured homes, and other developments shall require:

- a. design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- b. Construction with materials resistant to flood damage;
- c. Utilize methods and practices that minimize flood damages;
- d. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- a.
- e. new or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
- f. subdivision proposals and other proposed development, including manufactured home parks or subdivisions located within special flood hazard areas are required to assure that:
 - (1) all such proposals are consistent with the need to minimize flood damage;
 - (2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - (3) adequate drainage is provided so as to reduce exposure to flood hazards; and
 - (4) all proposals for development, (including proposals for . manufactured home parks and subdivisions), of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals base flood elevation data.

4. Storage, material, and equipment

- a. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- b. Storage of other material or equipment may be allowed if not subject to major damage by floods, are firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

5. Nonconforming Use

A structure, or the use of a structure or premises that was lawful before the passage or amendment of the ordinance, but which is not in conformity with the provisions of this ordinance, may be continued subject to the following conditions:

- a. If such structure, use, or utility service is discontinued for twelve (12) consecutive months, any future use of the building shall conform to this ordinance.
- b. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the pre-damaged market value of the structure. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, safety codes, regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination.

6. Hazardous Materials

All hazardous material storage and handling sites shall be located out of the special flood hazard area.

7. Accessory structures

Are used solely for parking and limited storage purposes, of limited investment value, and are not larger than 400 square feet, may be constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; a variance has been granted from the standard floodplain management requirements of this ordinance, and a floodplain development permit has been issued.

SECTION B. SPECIFIC STANDARDS

1. In all areas of special flood hazard, once base flood elevation data is obtained, as set forth in Article 4, Section A(2), the following provisions are required:

- a. Residential Construction

New construction or substantial-improvement of any residential building, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above the base flood level.

- b. Non-Residential Construction

New construction or substantial-improvement of any commercial, industrial, or other nonresidential building (including manufactured homes) shall have the lowest floor, including basement, elevated to one foot (1) above the base flood level or, together with attendant utility and sanitary facilities, be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structure components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to Floodplain Administrator as set forth in Article 3, Section C(7)(c).

- c. Require, for all new construction and substantial-improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; and
 - (2) the bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.
- 2. In all areas of special flood hazard, once floodway data is obtained, as set forth in Article 4, Section A(2), the following provisions are required:
 - a. The designated floodway shall be based on the standard that the area chosen for the floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation more than one foot at any point; and
 - b. the community shall prohibit any encroachments, including fill, new construction, substantial-improvements, and other development within the designated regulatory floodway unless it has been demonstrated through engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

SECTION C. MANUFACTURED HOMES

- 1. All manufactured homes to be placed within special flood hazard areas shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- 2. Manufactured homes that are placed or substantially improved within unnumbered A zones on sites:
 - a. outside of manufactured home park or subdivision;
 - b. in an expansion to an existing manufactured home park or subdivision; or
 - c. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial-damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to not less than one (1) foot above the base flood level and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within unnumbered A zones on the community's FRM, that are not subject to the provisions of Article 4, Section C(2) of this ordinance, be elevated so that either:
 - a. the lowest floor of the manufactured home is not less than one (1) foot above the base flood level; or
 - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

SECTION D. RECREATIONAL VEHICLES

1. Require that recreation vehicles placed on sites within unnumbered A zones on the community's FRM either;
 - a. be on the site for fewer than 180 consecutive days, and be fully licensed and ready for highway use, or
 - b. meet the permitting, elevation, and the anchoring requirements for manufactured homes of this ordinance.

SECTION E. MOORING & DOCKING STRUCTURES.

1. Ameren Union Electric Company approved floating premises are exempted from the provisions of this ordinance; however, all permanent improvements associated 1. with any floating premises shall comply with this ordinance.

ARTICLE 5 FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES

SECTION A. ESTABLISHMENT OF APPEAL BOARD AND ADMINISTRATIVE RELIEF.

Accessory structures below the base flood elevation as defined in Article 8, are subject to administrative review for variance approval in accordance with Article 5, Section F of this ordinance.

The County Commission shall hear and decide all other appeals and requests for variances from the floodplain management requirements of this ordinance.

SECTION B. RESPONSIBILITY OF APPEAL BOARD

Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the floodplain administrator, the applicant may apply for such floodplain development permit or variance directly to the County Commission, as defined in Article 5, Section A.

The County Commission shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement of administration of this ordinance.

SECTION C. FURTHER APPEALS

Any person aggrieved by the decision of the County Commission may appeal in the manner provided by statute.

SECTION D. FLOODPLAIN MANAGEMENT VARIANCE CRITERIA

In passing upon such applications for variances, the County Commission or Floodplain Administrator shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this ordinance, and the following criteria:

1. the danger to life and property due to flooding or erosion damage;
2. the danger that materials may be swept onto other lands to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. the importance of the services provided by the proposed facility to the community
5. the necessity to the facility of a waterfront location, where applicable;
6. the availability of alternative locations not subject to flooding or erosions damage for the proposed use;
7. the compatibility of the proposed use with existing and anticipated development;
8. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site; an
11. the costs of providing government services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets, and bridges.

SECTION E. CONDITIONS FOR APPROVING FLOODPLAIN MANAGEMENT VARIANCES

1. Generally, variances may be issued for new construction and substantial-improvements to be conducted on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 2 through 6 below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination upon determination.
3. Variances shall not be issued within any designated floodway if any significant increase in flood discharge would result.

4. Variances shall not be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
6. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

SECTION F. CONDITIONS AND PROCEDURES FOR APPROVING ADMINISTRATIVE VARIANCES FOR ACCESSORY STRUCTURES

Any variance granted for an accessory structure shall be decided individually base on a case by case analysis of the building's unique circumstances. Such administrative variances shall meet the following conditions, as well as, those criteria and conditions set forth in Article 5, Sections D and E of this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are wet-flood proofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
2. For any new or substantially-damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) Below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (3)(b) of this ordinance.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (3)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or flood proofed so that they are contained within a watertight, flood proofed enclosure that is capable of resisting damage during flood conditions in accordance with **Article** 4, Section A (3)(d) of this ordinance.
5. The accessory structures must meet all NFIP opening requirements. NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B(l)(c) of this ordinance.

6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section B(2)(b) of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.

No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.

9. The Floodplain Administrator shall the applicant for such variance approval in writing and inform the applicant that:

1. construction below the base flood elevation will result in increased premium rates for flood insurance (up to \$25.00/\$100.00) coverage; and
2. such construction increases the risk for damage to property associated with the accessory structure.

10. All flood proofing techniques employed for construction of such accessory structures are subject to review by the County Floodplain Administrator.

SECTION G. CONDITIONS AND PROCEDURES FOR APPROVING VARIANCES FOR TEMPORARY STRUCTURES

Any variance granted by the County Commission for a temporary structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet to following conditions as well as those criteria and conditions set forth in Article 5, Section D and E of this ordinance.

1. Temporary structures may be considered for location within the 100-year floodplain only when all of the following criteria are met:
 - a. the use of the temporary structures is unique to the land or location to be developed and cannot be situated outside of the 100-year floodplain nor meet the 1. NFIP design standards;
 - b. denial of the temporary structures permit will create an undue hardship on the property owner;
 - c. the community has sufficient staff to monitor the placement, use, and removal of the temporary structures throughout the duration of the permit.
2. Once the variance is approved the following conditions shall be adhered to:
 - a. The Temporary Structure permit shall be valid for a period not to exceed 180 days.
 - b. An emergency plan for the removal of the temporary structure that includes specific removal criteria and time frames from the agency of firm responsible for providing the manpower, equipment, and the relocation and disconnection of all utilities shall be required as part of the special use permit application for the placement of any temporary structure.
 - c. On or before the expiration of the 180 day period, the temporary structure shall be removed from the site. All utilities, including water, sewer, communication, and electrical services shall be disconnected.
 - d. To ensure the continuous mobility of the temporary structure for the duration of the approval, all temporary structures shall retain its wheels and tires, licenses, and towing appurtenance on the structure at all times.
 - e. Under emergency flooding conditions, temporary structures shall be removed immediately or as directed by the community and as specified in the emergency removal plan.
 - f. Location of any temporary structure within the regulatory floodway requires the provision of a "no-rise" certification by a registered professional engineer.

g. Violation of or non-compliance with any of the stated conditions of the special use permit during the term of approval, shall make the permit subject to revocation by the Floodplain Administrator. Issuance of permit revocation notice shall be made to the landowner, the occupant of the land, and to the general public.

h. Any deviation from the approved site plan shall be deemed a violation of the temporary structure approval and the uses allowed shall automatically be revoked. The subsequent use of the land shall be as it was prior to the special permit approval. In event of any violation, all permitted temporary structures shall be deemed a violation of this ordinance and shall be illegal, non-conforming uses and shall be summarily removed and abated.

i. If a temporary structure is to be returned to its previously occupied site, the process for issuing a conditional variance must be repeated in full. Any subsequent variance shall be valid for 180 days only.

ARTICLE 6 PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 and/or incarcerated not more than six (6) months, in addition, shall pay all costs associated with the case. Each day such violation continues shall be considered a separate offense.

Nothing herein contained shall prevent the Camden County or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy and violation.

ARTICLE 7 AMENDMENTS

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after hearing and recommendation by the Director of Emergency Management, the Lake Planning & Zoning Commission or other recognized organization to the Camden County Commission. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the county. At least fifteen (15) days shall lapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA) The regulations of this ordinance are in compliance with the National Flood Insurance (NFIP) regulations.

ARTICLE 8 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning they have in common usage and to give this ordinance its most reasonable application.

"100-year flood" see "base flood"

Accessory Structure" a structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building or use means the same as appurtenant structure.

"Actuarial or Risk Premium Rates" those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the Act and the accepted actuarial principles. "Risk premium rates" include provisions for operation costs and allowances.

"Administrator" the Federal Insurance Administrator

"Agency" the Federal Emergency Management Agency (FEMA)

"Appeal" a request for review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.

"Appurtenant Structure" a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

"Special Flood Hazard Area" land within the community subject to a one percent or greater chance of flooding in any given year.

"Base Flood" a flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" area of a building having its floor sub-grade (below ground level) on all sides.

"Building" see "structure"

"Camden County Commission" officials of the community who have the authority to implement and administer laws, ordinances, and regulations for that community.

"Development" any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations,, or storage of equipment or materials.

"Elevated Building" for insurance purposes , a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

"Eligible Community or Participating Community" a community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP)

"Existing Construction" for the purpose of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as 'Existing structures'.

"Existing Manufactured Home Park or Subdivision" a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

"Expansion of an Existing Manufactured Home Park or Subdivision" the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood or Flooding" a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland streams, rivers or lakes and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source. .

"Flood Hazard Boundary Map" (FTBM) an official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

"Flood Insurance Rate Map" an official map of a community on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

"Floodplain or Flood-prone Area" any land area susceptible to being inundated by water from any source (see "flooding")

"Floodplain Management" the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

"Floodplain Management Regulations" are zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain, grading, and erosion control ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

"Flood-proofing" any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

"Floodway" or "Regulatory Floodway" the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Functionally Dependent Use" a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only stationary docking facilities, and facilities that are necessary for the loading and unloading of cargo or passengers, such as wharfs or piers, but does not include long-term storage or related manufacturing facilities.

"Historic Structure" any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to be a registered historic district; (c) individually listed on a state inventory of historic places in states with

historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

"Levee" a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices that are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable flood-proofing design requirements of this ordinance.

"Manufactured Home" a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle"

"Manufactured Home Park or Subdivision" a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Map" the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

"Market Value or Fair Market Value" an estimate of what is fair, economic, just and equitable value under normal local market conditions.

"Mean Sea Level" for purposes of the national Flood Insurance Program (NFIP), the National geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

"New Construction" for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FRM or after June 18, 1993, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

"New Manufactured Home Park or Subdivision" a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

"Participating Community" also known as an "eligible community" means a community in which the Administrator has authorized the sale of flood insurance.

"Principally Above Ground" at least 51 percent of the actual cash value of the structure, less land value, is above ground.

"Recreational Vehicle" a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently setup for towing by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Remedy a Violation" to bring a structure or other development into compliance with Federal, State, or local floodplain management regulations; or if this is not possible, to reduce the impacts of its noncompliance,

"Special Flood Hazard Area" see "area of special flood hazard"

"Special Hazard Area" an area having special flood hazards and shown on a FHBM or FIRM as zones (unnumbered or numbered) A, AO, AI-30, AE, or AH.

"Start of Construction" includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. The actual start means whether the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" that agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program in that state.

"Structure" for floodplain management purposes, a walled and roofed building, including a gas or liquid tank, that is principally above ground, as well as a manufactured home. "Structure" for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, or floating dock, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

"Substantial-Damage" damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial-Improvement" any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "substantial-damage," regardless of the actual repair work performed, The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as an "Historic Structure".

"Temporary Structure" a structure permitted in a district for a period not to exceed 180 days and is required to be removed upon the expiration of the permit period. Temporary structures may include recreational vehicles, temporary construction offices, or temporary business facilities used until permanent facilities can be constructed, but at no time shall it include manufactured homes used as residences.

"Variance" a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure.

"Violation" the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as that documentation is provided.

Ordinance No, 1-10-01 establishing Floodplain Management in Camden County is approved, adopted and effective this 10th day of Jan, 2001

Orbie Wallace, Presiding Commissioner

Steve West, First District Commissioner

Thom Gumm, Second District Commissioner

Larry Whitten, County Clerk

Charles McElyea, County Attorney

Ordinance No 9-13-01

**AN ORDINANCE SETTING FORTH PROVISIONS AND REGULATIONS FOR PARKING ON ROADS AND
STREETS WITHIN THE COUNTY**

Be it Ordained by the Camden County Commission as follows

Section 1. STOPPING, STANDING OR PARKING PROHIBITED

A. Except when necessary to avoid conflict with other traffic or incompliance with law or the directions of a Law Enforcement Office or official traffic control device no person shall stop, stand or park a vehicle

1. On the roadway side of any vehicle stopped or parked at the edge of a curb of street
2. On a sidewalk or between the curb line of the street and the sidewalk
3. Within an intersection
4. On a crosswalk
5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone
6. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic
7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel
8. On any railroad tracks
9. At any place where official signs prohibit stopping or
10. On the travelled portion of a street or roadway

B. No person shall stand or park a vehicle whether occupied or not, except momentarily to pick up or discharge a passenger or passengers.

1. In front of a public or private driveway;
2. Within fifteen (15) feet of a fire hydrant;
3. Within twenty (20) feet of a crosswalk at an intersection;
4. Within thirty (30) feet upon the approach to any flashing signal, stop sign, or traffic control signal located at the side of the roadway;
5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within, seventy-five (75) feet of said entrance, when properly signposted; or
6. At any place where official signs prohibit standing or parking.

C. No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

1. Within fifty (50) feet of the nearest rail of a railroad or crossing: or
2. At any place where official signs prohibit parking.

D. No person shall move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such a distance as is unlawful.

E. No person shall park any vehicle upon a street, other than an alley, in such a manner under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.

F. The Camden County Road and Bridge Supervisor is hereby authorized to determine and designate by proper signs places not exceeding one hundred (100) feet in length in which stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

G. When official signs are erected at hazardous or congested places as authorized in this Section, no person shall stop, stand or park a vehicle in any such designated place.

H. Enforcement By Sheriff's Department.

1. The Sheriff's Department shall have the authority to enforce all provisions of this ordinance and may issue a traffic complaint or parking ticket to the vehicle driver or vehicle owner of any vehicle found to be in violation of this ordinance. Violations of this Section shall be subject to a fine of from twenty-five dollars (\$25.00) to five hundred dollars (500.00).

2. A Law Enforcement Officer may have ticketed vehicle towed if in the officer's opinion the vehicle causes a hazard to the movement of emergency vehicles.

Section 2. PARKING ON PRIVATE PROPERTY

1) Where Prohibited. No person shall park; any vehicle upon the private property or parking lot of another without the owner's consent, during non-business hours or to frequent another business.

2) Owner's Responsibility.

1. The owner of the property must post the entrance of property with a sign prohibiting parking approved by the County Commission, except for private driveways which do not need to be posted.

2. The owner of the property may have vehicle towed at the vehicle owner's expense.

C. Enforcement By Sheriff's Department.

1. When property is properly posted, or is a private driveway, the Sheriff's Department, upon complaint of any property owner or person who may have the right to occupy or process said property, may issue a traffic complaint or parking ticket to the vehicle driver or vehicle owner. Violation of this Section shall be subject to a fine from twenty-five dollars (\$25.00) to five hundred dollars (\$500.00).

2. A Law Enforcement Officer may have a ticketed vehicle towed if in the officer's opinion the vehicle causes a hazard to the movement of emergency vehicles.

Section 4. PARKING PROHIBITED AT ALL TIMES-PARKING ZONES-GENERALLY

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described by this or other ordinance.

Section 5. PARKING SIGNS REQUIRED

Whenever by this Title or any other ordinance of the County any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the County Roads and Bridges Department to erect appropriate signs giving notice thereof and no such regulations shall be effective unless such signs are erected and in place at the time of any alleged offence.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 13th day of Sept, 2006.

CAMDEN COUNTY, MISSOURI

By: Carolyn Loraine, Presiding Commissioner

Thomas Gumm, Commissioner

Beverly Thomas, Commissioner

Attest:

Rowland Todd, County Clerk

Approves as to Form: Charles E McElyea

ORDINANCE NO. 9-21-01

**AN ORDINANCE REAFFIRMING RESOLUTION NUMBER 1-2-01-1 DATED JANUARY 2, 2001, AND
ESTABLISHING A MAXIMUM SPEED LIMIT UPON ALL PUBLIC COUNTY ROADS AND HIGHWAYS WITHIN
THE UNINCORPORATED AREAS OF CAMDEN COUNTY, MISSOURI.**

WHEREAS, on the 2nd day of January, 2001, the County Commission for Camden County, Missouri, adopted Resolution No. 1-2-01-1, which established that a maximum speed limit could be set upon all public county roads and highways within the unincorporated areas of Camden County, Missouri by the County Commission; and

WHEREAS, said Resolution was adopted after three public hearing were held on the proposed resolution as required by Missouri law; and

WHEREAS, it is necessary for said Resolution No. 1-20-01-1 to be codified by ordinance, printed and distributed for public use.

NOW THEREFORE, be it ordained by the Camden County Commission as follows:

Section 1. Name: This ordinance shall be known as the Camden County maximum speed limit law

Section 2. Purpose: To promote the public safety, health, and general welfare and to protect life and property in Camden County, Missouri, it is necessary to regulate vehicular traffic upon all public County roads and highways within Camden County, Missouri, excluding all incorporated areas of Camden County, Missouri.

Section 3. Maximum Speed Limits: That a maximum speed limit is hereby set upon all public County roads and highways within the unincorporated areas of Camden County, Missouri, as follows:

No person shall operate an vehicles upon any public County road or highway within the unincorporated areas of Camden County, Missouri at greater speed than Thirty-Five (35) miles per hour, unless signs are posted or erected designating another speed.

Section 4. Violations: Fines and Incarceration: Any person driving in excess of the speed limits created herein is subject to the following penalties:

- a. A speeding violation which is over the posted speed limit by five miles per hour or less shall subject the violator to a maximum fine of \$200.00.
- b. A speeding violation which is over the posted speed limit by five miles per hour but less than Twenty miles per hour shall subject the violator to a maximum of term of incarceration not to exceed 15 days and/or maximum fine of \$300.00.
- c. A speeding violation which is over the posted speed limit by Twenty-five miles per hour or more shall subject the violator to a maximum term of incarceration not to exceed 6 months and/or a maximum fine of \$500.00

Section 5. Effective Date: This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

ADOPTED this 21st day of Sept, 2001.

Orbie Wallace, Presiding Commissioner

Attest:

Steve West, First District Commissioner

Larry Whitten, County Clerk

Thom Gumm, Second District Commissioner

**AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 9-21-01-1 AND ESTABLISHING A
MAXIMUM SPEED LIMIT UPON ALL PUBLIC COUNTY ROADS AND HIGHWAYS WITHIN THE
UNINCORPORATED AREAS OF CAMDEN COUNTY, MISSOURI.**

WHEREAS, on the 11th day of June, 2002, the County Commission for Camden County, Missouri, adopted an ordinance No 9-21-01-1, which established that a maximum speed limit could be set upon all public County roads and highways within the unincorporated areas of Camden County, Missouri by the County Commission ; and

WHEREAS, said Ordinance was adopted after three public hearing were held on the proposed Ordinance as required by Missouri law; and

WHEREAS, it is necessary for said Ordinance No 9-21-01-1 to be amended and restated to eliminate an confusion in the original Ordinance.

NOW THEREFORE, be it ordained by the Camden County Commission as follow;

Section 1. Name: This ordinance shall be known as the Camden County maximum speed limit law.

Section 2. Purpose: To promote the public safety, health, and general welfare and to protect life and property in Camden County, Missouri, it is necessary to regulate vehicular traffic upon all public roads and highways within Camden County, Missouri, excluding all incorporated areas of Camden County, Missouri.

Section 3. Maximum Speed Limits: That a maximum speed limit is hereby set upon all public roads and highways within the unincorporated areas of Camden County, Missouri, as follows.

No person shall operate any vehicles upon any public County road or highway within the unincorporated areas of Camden County, Missouri at a greater speed than Thirty-Five (35) miles per hour, unless signs are posted are erected designating another speed.

Section 4. Violations: Fines and Incarceration: Any person driving in excess of the speed limits created herein subject to the following penalties:

- a. A speeding violation which is over the posted speed limit by five miles per hour or less shall subject the violator to a maximum fine of \$200.00.
- b. A speeding violation which is over the posted speed limit by six miles per hour but less than twenty miles per hour shall subject the violator to a maximum term of incarceration not exceed 15 days and/or a maximum fine of \$300.00.
- c. A speeding violation which is over the posted speed limit by twenty miles per hour or more shall subject shall subject the violator to a maximum term of incarceration not to exceed six months and/or a maximum fine of \$500.00.

Section 5. Effective Date: This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

ADOPTED this 11th day of June, 2002.

Attest:

Larry Whitten, County Clerk

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

ORDINANCE NO 12-18-01
JUSTICE CENTER SERIES 1997-12-18-01-1

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and\

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the revised Statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilitates, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1997, in the aggregate principal amount of \$8,360,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”), said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due; and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the lease for an additional term of one year through December 31, 2002, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments, the Camden County Commission of the County hereby irrevocably budgets and appropriates money in the amount of \$959,005 Fiscal Year 2002-2003, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 18th day of December, 2001.

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

CENTER-ADDITIONAL-12-18-01

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the "County") is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and\

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the "Corporation"), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the revised Statutes of Missouri, as amended, for the purpose of benefitting and carrying out the

purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1997, in the aggregate principal amount of \$81,160,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”), said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due; and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the lease for an additional term of one year through December 31, 2002, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments, the Camden County Commission of the County hereby irrevocably budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2002-2003, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this __ day of ____, ____.

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Larry Whitten

ORINANCE-PUBLIC FACILITIES- JUVENILE

CENTER-12-18-01

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the revised Statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilitates, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1995, in the aggregate principal amount of \$2,880,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”), said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due; and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1. Authorization of Documents. The County is hereby authorized to renew the lease for an additional term of one year through December 31, 2002, in accordance with Article III thereof.

Section 2. Appropriation of Rental Payments, the Camden County Commission of the County hereby irrevocably budgets and appropriates money in the amount of \$317,680 for Fiscal Year 2002-2003, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3. Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this ___ day of ____, ____.

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Larry Whitten

ORDINANCE NO 12-20-01

AN ORDINANCE REQUIRING THE POSTING OF A ROAD REPAIR BOND TO COVER ANTICIPATED DAMAGES TO COUNTY ROADS FROM CONSTRUCTION OR DEVELOPMENT PROJECTS.

Be it Ordained by the Camden County Commission, as follows:

Section 1. Posting of Bond. Any person, firm, corporation, public utility, authority, or municipality preparing to undertake any construction or development project within Camden County shall be required to post a road repair bond (surety or cash at the option of the party posting the bond) in an amount to be determined by the County Road Supervisor to be utilized for the repair or reconstruction of any anticipated damage to any road, highway, street or avenue owned, maintained or controlled by Camden County, whether or not the same forms part of the construction or development site, caused by the use of the road arising from the transport of workers, equipment or materials to or from the construction or development site, or because of the diversion of normal or extraordinary traffic from their customary routes as a result of the construction or development.

Section 2. Responsibility for Damage. Any person, firm, corporation, public utility, authority, or municipality that causes damage to any road, highway, street or avenue owned, maintained or controlled by Camden County shall be responsible for said damage and the cost of repair. In the event that the bond posted is not sufficient to cover the cost of repair, the party causing the damage shall post

an additional sum to cover the cost of repair or pay for said repair directly at the discretion of the County Road Supervisor.

Section 3. Posting of Bond. Anyone required to post a bond under this Section shall post the bond prior to commencing any work and prior to or at the time any application is filed with the Camden County Planning Commission. Failure to timely post the bond shall result in any application filed with the Camden County Planning Commission to be denied or considered withdrawn. Said bond shall be posted with the Camden County Clerk.

Section 4. Amount of Bond. The amount of the bond shall be set by the County Road Supervisor in his discretion in an amount not less than \$2500.00 nor more than \$50,000.000. If any portion of the bond is used or drawn on for road repairs during the course of construction, the property owner or the developer shall post additional amounts such that the amount of the bond shall not be less than the amount set by the County Road Supervisor.

Section 5. Appeal. The amount of the bond set by the County Road Supervisor may be appealed to the County Commission.

Section 6. Road and Bridge Maintenance & Improvements. The provisions of **Ordinance No. 6-5-02-1** shall be subject to the provisions of this Ordinance and to the extent there are any conflicts between the **Ordinance** and **Ordinance No. 6-5-02-1**, this Ordinance shall govern.

Section 7. Penalty Provision. In the event the party or entity causing the damages fails to post a bond or pay for damage to any road, highway, street or avenue owned, maintained or controlled by the Camden County, said party shall be subject to a penalty of \$500.00 per day for each day that work is performed at the construction or development site without the posting of a bond or for each day that the cost for the repair is not paid.

Section 8. Effective Date; Severability. This Ordinance shall be in full force and effect from and after its passage and approval. The provisions of this Ordinance are severable as provided in Section 1.140 RSMo.

PASSES, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 20th day of December, 2006.

Attest:
Rowland Todd, County Clerk
Beverly Thomas, Commissioner

CAMDEN COUNTY, MISSOURI
Caroline Loraine, Presiding Commissioner
Thomas Gumm, Commissioner

Approves as to Form: Charles E McElyea

ORDINANCE NO. 2-15-02

AN ORDINANCE PROHIBITING THE USE OF SKATEBOARDS, ROLLARBLADES, ROLLARSKATES, BICYCLES, WHEELED CARTS AND/OR SCOOTERS, WHETHER MOTORIZED OR NOT, OR OTHER SIMILAR DEVICES ON COUNTY OWNED PROPERTY IN AND AROUND THE CAMDEN COUNTY COURTHOUSE

WHEREAS, in order to promote the public safety, health and general welfare and to protect property in Camden County, Missouri, it is necessary to regulate the use of skateboards, rollarblades, rollarskates, bicycles, wheeled carts and/or scooters, whether motorized or not, or other similar devices, on County owned property in and around the Camden County Courthouse, Camden County, Missouri; and

WHEREAS, the Camden County Commission desires to establish a restriction against using or operating skateboards, rollarblades, rollarskates, bicycles, wheeled carts and/or scooters, whether motorized or not, or other similar devices, on County owned property in and around the Camden County Courthouse, Camden County, Missouri.

NOW THEREFORE, Be It Ordained by the Camden County Commission as follows:

1. That the use of skateboards, rollarblades, rollarskates, bicycles, wheeled carts and/or scooters, whether motorized or not, or other similar devices, is hereby prohibited on County owned property in and around the Camden County Courthouse, Camden County, Missouri, as follows:
 - A. No person shall use skateboards, rollarblades, rollarskates, bicycles, wheeled carts and/or scooters, whether motorized or not, or other similar devices, on County owned property in and around the Camden County Courthouse, in Camdenton, Camden County, Missouri.
 - B. Exception. This provision shall not apply to individuals with disabilities that require the use of mechanisms designed to aid in the mobility of said individuals.
 - C. Any person convicted of violating this section is guilty of an offense and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00).

Dated 2-19-02

Orbie Wallace, Presiding Commissioner

Steve West, District No 1

Thom Gumm, District No 2

Larry Whitten, County Clerk

ORDINANCE NO. 3-5-02

AN ORDINANCE ADOPTING POLICIES AND PROCEDURES FOR ROAD AND BRIDGE MAINTENANCE AND IMPROCEMENTS FOR WAYS OF INGRESS AND EGRESS CONNECTED TO COUNTY RIGHTS OF WAY

WHEREAS, in order to promote the public safety, health and general welfare in Camden County, Missouri it is necessary to promulgate and adopt a set of policies and procedures for road and bridge maintenance and improvements for ways of ingress and egress connected to county rights of way; and

WHEREAS, the Camden County Road & Bridge Department promulgated a set of "Policies & Procedures For Road & Bridge Maintenance & Improvements", a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference the same as if fully set out herein; and

WHEREAS, the Camden County Commission adopted the Camden County Road & Bridge Department's Policies & Procedures For Road & Bridge Maintenance & Improvements on or about the 22nd day of June, 1998; and

WHEREAS, the Camden County Commission to reestablish the Camden County Road & Bridge Department's Policies & Procedures For Road & Bridge Maintenance & Improvements through the adoption or an ordinance and to provide fur penalties for violation of said policies and procedures.

NOW THEREFORE, Be It Ordained by the Camden County Commission as follows:

- I. That the Camden County Commission hereby adopts the "Policies & Procedures For Road & Bridge Maintenance & Improvements", a copy of which is attached hereto as Exhibit "A" and made a part hereof by this reference the same as if fully set out herein.
2. That any person convicted of violating this section is guilty of an offense and shall be subject to a fine ol' not less than fifty dollars (\$50.00.) nor more than three hundred dollars (\$300.00), and in addition, shall pay all costs and expenses involved in this case.
3. That each day that a violation of this ordinance continues shall be considered a separate offense.

Dated 3-7-02

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

ORDINANCE NO. 3-22-02

AN ORDINANCE PROHIBITING AND REGULATING THE FOLLOWING NUISANCES: WORN OUT, BROKEN DOWN, DILAPIDATED, OR INOPERABLE AUTOMOBILES, OR PARTS OF AUTOMOBILES; OLD DILAPIDATED BARN, SHEDS, OR OTHER BUILDINGS, SCRAP OR USED LUMBER, GARBAGE AND ANY UNCLEAR DRAIN OR SEPTIC SYSTEM; AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, In order to promote the public safety, health and general welfare and to protect property in Camden County, Missouri, it is necessary to adopt a Nuisance Ordinance regulating the following Nuisances: Worn out, broken down, dilapidated, or inoperable automobiles , or parts of automobiles; old dilapidated barns, sheds, or other buildings, scrap or used lumber, garbage, and any unclear drain or septic system; and providing for penalties for violations of the provisions of the ordinance; and

WHEARAS, the Camden County Commission desires to establish a restriction against the foregoing nuisances and providing for penalties for allowing said nuisances to persist.

NOW THEREFORE, Be it Ordained by the Camden County Commission as follows:

SECTION 1. Nuisances Forbidden. No person, including corporations, partnerships, associations, or other entities shall cause, maintain, or permit, on premises owned or controlled by him, a nuisance as defined by the laws of the state of Missouri or by this Ordinance.

SECTION 2. Nuisances Enumerated. The following things are hereby declared to be nuisances:

- a. Worn out, broken down, dilapidated, or inoperable automobiles or parts of automobiles;
- b. Old dilapidated barns, sheds, or other buildings;
- c. Scrap or used lumber left or deposited, or caused or permitted to remain, or deposited in such a quantity or in such condition as to be offensive to the sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
- d. Garbage, refuse, waste, or other material left or deposited, or caused or permitted to remain, or deposited in such condition as to be offensive to the sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
- e. Any unclear, stinking, foul, defective, or filthy drain, including septic tanks or systems, outfalls, and laterals, or an improper sewer lagoon and drains there from;

SECTION 3. Notice to Abate Nuisance. Whenever the Commissioners of the Camden County Commission, Health Department Administration or their representatives shall ascertain or have knowledge that a nuisance dangerous to the public health exists in or upon any house or premises in the county, he shall notify in writing the person occupying or having possession, or the right of possession of such house or premises, to abate or remove such nuisance within the time specified in said notice. If the house or premises aforesaid are not occupied and the owners having the right of possession are non-residents, the Commission or its representative shall notify the

non-resident owns by posting upon said house or premises a notice of their request to abate or remove such notice within the specified therein, and by sending a copy of said notice by registered mail to the last known address of the non-resident owners.

SECTION 4. Violations, Any person violating or failing to comply with any provision of this ordinance or with any lawful order of the Camden County Commission or its representatives made under the provisions of this ordinance shall be subject to a fine not to exceed One Thousand Dollars (1000.00) upon conviction. Any person convicted of maintaining a nuisance shall within five days thereafter remove such nuisance and failure to do so shall be a second offence and every like neglect for each succeeding five day period thereafter shall be an additional offense.

SECTION 5. Civil Remedy. In addition to the remedies set forth in Section 4, if any person shall fail to comply with a lawful notice to abate under such section, the County Commission may bring a civil action to enjoin the alleged violation. In the event that the County Commission is successful in obtaining an injunction, as well as a reasonable attorney's fee.

SECTION 6. Effective date. This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

Dated: 3-22-02

Orbie Wallace, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Attest: Larry Whitten, County Clerk

ORDINANCE NO. 5-30-02

**AN ORDINANCE ESTABLISHING THE MINIMUM STANDARDS GOVERNING THE OPERATION OF
PUBLIC SWIMMING POOLS IN CAMDEN COUNTY, MISSOURI.**

WHEREAS, in order to promote the public safety, health and general welfare of residents of and visitors to Camden County, Missouri, it is necessary to regulate public swimming pools by establishing minimum standards governing the operation of public swimming pools in Camden County, Missouri; and

WHEREAS, the Camden County Commission desires to establish a set of minimum standards governing the operation of public swimming pools in Camden County, Missouri.

NOW THEREFORE, Be It Ordained by the Camden County Commission as follows:

SECTION 1. Title. This ordinance shall be known as the "Camden County Swimming Pool Ordinance".

SECTION 2. Applicability. This ordinance shall be applicable to all public swimming pools in excess of 3000 square feet and located within the County of Camden, State of Missouri.

SECTION 3. Definitions.

- a. "Guest Room". Any room or unit where sleeping accommodations are regularly furnished to the public;
- b. "Lifeguard". An individual trained in lifeguarding and/or lifesaving skills and possessing a valid and current lifeguarding or lifesaving certificate from the American National Red Cross, National Y.M.C.A., or equivalent, as determined by the Camden County Health Department;
- c. "Lodging Establishment". Any building, group of buildings, structure, facility, place or places of business where guest rooms are provided and which is kept, used, maintained, advertised, or held out to the public for hire which can be construed to be a hotel, motel, motor hotel, apartment hotel, tourist court, resort, cabins, tourist home, bunkhouse, dormitory, or other similar place by whatever name called, and includes all such accommodations operated for hire as lodging establishments for either transient guests, permanent guests, or for both transient and permanent guests;
- d. "Permanent Guest". Any person who rents and occupies a guest room in a lodging establishment for a period of thirty-one days or more;
- e. "Person". Any individual, partnership, corporation, association, organization, firm, or federal, state, county, city, village, or municipal association or corporation;

- f. "Private Residence". A single family dwelling.
- g. "Public Swimming Pool". Any artificial basin of water which is modified, improved, constructed or installed for the purpose of public swimming, and includes: pools for community use, pools at apartments, condominiums, lodging establishments, clubs, churches, camps, schools, institutions, Y.M.C.A. and Y.W.C.A. parks, recreational areas, and other commercial establishments. It does not include pools at private residences intended only for the use of the owner or guests;
- h. "Transient Guest". Any person who rents and occupies a guest room in a lodging establishment for a period of less than thirty-one days.

SECTION 4. Lifeguard Required. All public swimming pools governed by this ordinance shall have a lifeguard on duty during all times that the swimming pool is in operation. Said lifeguard shall have the responsibility to supervise the use of the swimming pool and render assistance where applicable.

SECTION 5. Hours of Operation. All public swimming pools governed by this ordinance shall clearly post at all entrances to the swimming pool a notice of the times that the swimming pool shall be in operation. This notice shall also state that all individuals found on the premises during non-operating hours shall be considered as trespassers and treated accordingly. During non-operating hours, all entrances to the swimming pool shall be barricaded and/or locked in a manner designed to prevent the use of the swimming pool during non-operating hours.

SECTION 6. County Health Department to Have Supervisory Control. The Camden County Health Department shall have the supervisory control of all swimming pools governed by this ordinance. In the event of violation, the Health Department shall require the public swimming pool to be closed until the violation is remedied.

SECTION 7. Effective Date. This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

Dated: 5-30-02

Larry Whitten, County Clerk

Orbie Wallace, Presiding commissioner
Steve West, 1st District Commissioner
Thom Gumm, 2nd District Commissioner

ORDINANCE NO. 6-11-02

AN ORDINANCE PROHIBITING AND REGULATING THE FOLLOWING NUISANCES; WORN OUT, BROKEN DOWN, DILAPIDATED, OR INOPERABLE AUTOMOBILES, OR PARTS OF AUTOMOBILES; OLD DILAPIDATED BARN, SHEDS, OR OTHER BUILDINGS, SCRAP OR USED LUMBER, GARBAGE AND ANY UNCLEAR DRAIN OR SEPTIC SYSTEM; AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, In order to promote the public safety, health and general welfare and to protect property in Camden County, Missouri, it is necessary to adopt a Nuisance Ordinance regulating the following Nuisances; Worn out, broken down, dilapidated, or inoperable automobiles, or parts of automobiles; old dilapidated barns, sheds, or other buildings, scrap or used lumber, garbage, and any unclear drain or septic system; and providing for penalties for violations of the provisions of this ordinance; and

WHEREAS, the Camden County Commission desires to establish a restriction against the foregoing nuisances and providing for penalties for allowing said nuisances to persist.

NOW THEREFORE, Be it Ordained by the Camden County Commission as follows:

SECTION 1. Nuisances Forbidden. No person, including corporations, partnerships, associations, or other entities shall cause, maintain, or permit, on premises owned or controlled by him, a nuisance as defined by the laws of the state of Missouri or by this Ordinance.

SECTION 2. Nuisances Enumerated. The following things are hereby declared to be nuisances;

- a. Worn out, broken down, dilapidated, or inoperable automobiles or parts of automobiles;
- b. Old dilapidated barns, sheds, or other buildings;
- c. Scrap or used lumber left or deposited, or caused or permitted to remain, or deposited in such quantity or in such condition as to be offensive to the sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
- d. Garbage, refuse waste, or other material left or deposited, or caused or permitted to remain, or deposited in such quantity or in such condition as to be offensive to sight or smell, or to be a menace to health, safety, peace or comfort, or of such nature as to be or become harbors or breeding places for mosquitoes, ants, flies, rats, mice or other insects, animals, or vermin
- e. Any unclear, stinking, foul, defective, or filthy drain, including septic tanks or systems, outfalls, and laterals, or an improper sewer lagoon and drains there from;

ORDINANCE NO. 4-11-02

AN ORDINANCE AMENDMENT TO ORDINANCE NO. 3-22-02-1 SECTION 3. TO READ AS FOLLOWS:

SECTION 3. Notice to Abate Nuisance. Whenever the Commissioners of the Camden County Commission, Health Department Administration or their representatives shall ascertain or have knowledge that a nuisance dangerous to the public health exists in or upon any house or premises in the county, he shall notify in writing the person occupying or having possession, or the right of possession of such house or premises, to abate or remove such nuisance within the time specified in said notice. If the house or premises aforesaid are not occupied and the owners having the right of possession are non-residents, the Commission or its representative shall notify the non-resident owners by posting upon said house or premises a notice of their request to abate or remove such notice within the time specified therein, and by sending a copy of said notice by registered mail to the last known address of the non-resident owners.

Dated 4-11-02

Orbie Wallace, Presiding Commissioner
Steve West, 1st District Commissioner
Thom Gumm, 2nd District Commissioner
Larry Whitten, County Clerk

ORDINANCE NO 4-29-04

Replaced by Ordinance No 4-20-05 An ordinance establishing a user charger system in the Sunny Slope Country Club Drive Sewer District, County of Camden, State of Missouri, to provide funds needed to pay for all expenses associated with the district's wastewater treatment works.

Whereas, the Camden County Sunny Slope Country Club Drive Sewer District has constructed wastewater treatment works; and

Whereas, the Camden County Sunny Slope Country Club Drive Sewer District must pay all expenses associated with said treatment works and charge the users of said treatment works accordingly;

NOW, THEREFORE, BE IT ORDAINED BY THE County Commission of Camden County, Missouri, that the following user charge system be established:

Article I

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the Camden County Sunny Slope Country Club Drive Sewer District to collect charges from all users who contribute wastewater to the District's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

Article II

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of the not more than 250 mg/l and suspended solids concentration of not more than 300 mg/l.

Section 3: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 5: "Residential Contributor" shall mean any contributor to the Sunny Slope/Country Club Drive Sewer District treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Section 6: "Shall" is mandatory; "May" is permissive.

Section 7: “SS” (denoting suspended solids) shall mean the solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Section 8: “Treatment Works” shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include interceptor sewers, outfall sewers, sewage collection systems, individual systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment **(including land for composting sludge, temporary storage of such compost, and land used for storage of treated wastewater in land treatment systems before land acquisition)** or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm and sanitary sewer systems.

Section 9: “Useful Life” Shall mean the estimated period during which the treatment works will be operated.

Section 10: “User Charge” shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

Section 11: “Water Meter” shall mean a water volume measuring and recording device, furnished or installed by the Sunny Slope Country Club Drive Sewer District or furnished and/or installed by a user and approved by the Sunny Slope Country Club Drive Sewer District.

Article III

Section 1: The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the treatment works which Camden County may ordinance designate to be paid by the user charge system. That portion of the total user charge that is designated for operation and maintenance including replacement of the treatment works shall be established by the ordinance.

Section 2: That portion of the total user charge collected which is designated for the operation and maintenance including replacement proposes as established in Article IV, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance cost **(excluding replacement)** of the treatment works. Deposits in the Operation and Maintenance Account shall be made in the about of **\$49,600 annually** from the operation and maintenance revenue of in the amount of annually.
- b. The Replacement Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement Account shall be made annually from the replacement revenue in the amount of **\$11,750 annually**.

Section 3: Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts each subsequent fiscal year and shall be used for no other purposes than those designated for these accounts. Monies that have been transferred from other sources to meet temporary shortages in the Operation, Maintenance and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

Article IV

Section 1: Each user shall pay for the services provided by the Sunny Slope Country Club Drive Sewer District based on their use of the treatment works as determined by meters acceptable to Camden County.

Section 2: User Charges shall be based on the wastewater meter reading for the current month.

Section 3: The minimum charge per month shall be **\$25.00**. In addition, each contributor shall pay a user charge for operation and maintenance of **\$3.15** per 1,000 gallons after the first 1,000 gallons of wastewater as determined in the preceding section.

Section 4: Any user who discharges any toxic pollutants that cause an increase in the cost of managing the effluent or the sludge in the District's treatment works or any user who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or placement of the treatment works, shall pay for such increased costs. The charge to each user shall be determined by the Camden County Wastewater Department and approved by the **Camden County Commission or its designee**.

Section 5: The user charge rates established in this article apply to all users of the Sunny Slope Country Club Drive Sewer District treatment works, regardless of the user's location.

Article V

Section 1: All users shall be billed monthly. Billings of each month shall be made within 30 days after the end of the month. Payments are due when billings are made. Any payment not received within thirty days after the billing is made shall be delinquent.

Section 2: A late payment penalty of 10 percent of the user charge bill will be added to each delinquent bill for each 30 days of delinquency. When any bill is thirty days in default, rendition of sewer service to such premises shall be enforced until such bill is paid following due notice and opportunity for hearing.

Article VI

Section 1: The Camden County Commission or its designee shall review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: Camden County will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, and maintenance including replacement of the treatment works.

ARTICLE VII

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

Passed and adopted by the County Commission of Camden County, State of Missouri, on the 29th day of April 2002.

Thom Gumm

Steve West

Carolyn Loraine

ORDINANCE 7-12-04

An Ordinance to Opt-Out of the State Assessment Requirements

WHEREAS, the Missouri General Assembly passed and the Governor signed Senate Bill 960 that authorizes an opt-out provision for counties from legislation establishing a new way for counties to set tax rates which General Assembly enacted in HB 1150 in 2002 in an attempt to correct problems in property tax assessments in Missouri, and more specifically ST Louis County, and

WHEREAS, HB 1150 does not provide for the reimbursement to local governments for lost revenues, and

WHEREAS, the new tax rate rollback provisions will significantly reduce local revenues used to provide necessary public services by the County, and

WHEREAS, these new requirements will add significant additional cost to the County, which already has limited financial resources, and

WHEREAS, the legislation authorizes counties to opt out of the legislation revising the way property tax is assessed in the state by requiring separate tax rates for each class of property by ordinance of the governing body,

Section 1: The County of Camden hereby exercises its statutory right to opt out of the provisions of Section 137.073, RSMo, which established the way property tax is assessed in the state by requiring separate tax rates for each class of property.

Section 2: This ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 3: For the purposes of applying the opt-out provision of this bill, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate the separate rates for three subclasses of real property and the aggregate class of personal property as required by Section 137.073, RSMo, provided that such political subdivision shall also provide a single blended rate, in accordance with the procedure for determining a blended rate for school districts in subdivision (1) of subsection 6 of Section 137.073, RSMo. Such blended rate shall be used for the portion of such political subdivision that is situated within any county that has opted out. A governing body of a city not within a county for a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and Sections 137.073, 137.100, RSMo, as enacted by House Bill 1150 of the Ninety-First General Assembly, Second Regular Session, and Section 137.073 RSMo, as modified by this act, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

ADOPTED AND APPROVED THIS 12TH DAY OF JULY, 2004.

Carolyn Loraine, Presiding Commissioner

Thomas Gumm, Associate Commissioner

Attest: Rowland Todd, County Clerk

CAMDEN COUNTY ON-SITE SEWAGE DISPOSAL SYSTEMS
ORDINANCE 8-5-04

An ordinance governing the construction modification, installation and operation of on-site sewage disposal systems within Camden County, requiring certain permits and qualifications and providing penalties for violation thereof.

It is hereby ordered by the Camden County Commission as follows:

SECTION 1. Authority

This Ordinance is enacted pursuant to Section 701.025 et seq. of the Revised Statutes of Missouri which provides, in part, that political subdivisions may establish a system for the regulation and inspection of on-site sewage disposal contractors and a minimum code of standards for design, construction, materials, operation and maintenance of on-site sewage disposal systems, for the transportation and disposal of therefrom and for on-site sewage disposal systems servicing equipment, provided such ordinances, rules and regulations establish a system at least equal to those laws, rules and regulations established pursuant to the laws of the State of Missouri.

SECTION 2. Definitions

As used in this Ordinance, the following words and phrases shall have the following meaning:

- 2.1 "Department of Health", the Department of Health of the State of Missouri;
- 2.2 "Existing System", an on-site sewage disposal system in operation prior to January 1, 1996;
- 2.3 "Human excreta", undigested food and by-products of metabolism which are passed out of the human body;
- 2.4 "Imminent health hazard", a condition which is likely to cause an immediate threat to life of a serious risk to the health, safety, and welfare of the public if immediate action is not taken;
- 2.5 "Major modification" or "major repair", the redesigning and alteration of an on-site sewage system by relocation of the system or a part of the system, replacement of the septic tank or construction of a new absorption field;
- 2.6 "Nuisance", sewage, human excreta or other human organic waste discharged or exposed on the owner's land or any other land from an on-site sewage disposal system in a manner that makes it a potential instrument or medium for the breeding of flies and mosquitoes, the production of odors, or the transmission of disease to or between a person or persons, or which contaminates surface waters or groundwater.
- 2.7 "On-site sewage disposal system", any system handling or treatment facility receiving domestic sewage which discharges into a subsurface soil absorption system and discharges less than three thousand gallons per day;
- 2.8 "On-site sewage disposal system contractor", any person who constructs, alters, repairs, or extends an on-site sewage disposal system on behalf of, or under contract with, the property owner;

- 2.9 "Person", any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the state of Missouri or any department thereof, or any political subdivision of this state;
- 2.10 "Property owner", the person in whose name regal title to the real estate is recorded;
- 2.11 "Sewage" or "domestic sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste and other similar waste from household or establishment appurtenances. Sewage and domestic sewage waste are further categorized as:
- 2.12 "Blackwater", waste carried off by toilets, urinals and kitchen drains;
- 2.13 "Graywater", all domestic waste not covered in paragraph (a) of this subdivision, including bath, lavatory, laundry and sink waste:
- 2.14 "Subdivision", land divided or proposed to be divided for predominantly residential purposes into such parcels as required by local ordinances, or in the absence of local ordinances, "subdivision" means any land which is divided or proposed to be divided by a common owner or owners into three or more lots or parcels, any of which contains less than three acres, or into platted or unplatted units, any of which contains less than three acres, as a part of a uniform plan of development.
- 2.15 "Subsurface soil absorption system", a system for the final renovation of the sewage tank effluent and return of the renovated wastewater to the hydrologic cycle, including the lateral lines, the perforated pipes, the rock material and the absorption trenches. Included within the scope of this definition are: sewage tank absorption systems, privies, chemical toilets, single-family lagoons and other similar systems; except that a subsurface sewage disposal system does not include a sewage system regulated pursuant to chapter 644, RSMo.
- 2.16 "Variance Board", a board consisting of five (5) full-time members, with one(l) alternate member being the Camden County presiding commissioner or an appointee by the Camden County Commission, with members serving two (2) year terms, a chairman to be elected by the board members.
- 2.17 "Waste", sewage, human excreta or domestic sewage.

SECTION 3. Scope of Coverage

The provisions of this Ordinance apply to all property within Camden County except as specifically provided herein.

- 3.1 Four Seasons Property Owner Association: The provisions of this Ordinance shall not apply to residents and other properties located within Camden County, and outside the jurisdictional boundaries of the Village of Four Season that are subject to the control and supervision of the Four Seasons Property Owners Association.
- 3.2 Certain Residential Property consisting of 3 acres or more - exceptions: The provisions of this Ordinance relating to the construction, operation, major modification and major repair of on-site disposal systems shall not apply to property used for a single-family residence consisting of more than three acres, subject to the following exceptions:

1. The provisions of this Ordinance, shall apply to such property if such property is adjacent to a lake operated by the Corps of Engineers or by a public utility.
 2. The provisions of this Ordinance, shall apply to such property if effluent from a sewage disposal system on such property enters adjoining property, contaminates surface waters or groundwater or creates a nuisance.
 3. The provisions of this Ordinance, shall apply to such property if any point of a sewage disposal system is located within ten feet of any adjoining property line.
- 3.3 The provisions of this Ordinance relating to the construction, operation, major modification and major repair of on-site disposal systems shall not apply when sewage and waste is disposed of by discharging in to a sewer system regulated under chapter 644, RSMo.

SECTION 4. Disposal of domestic sewage - requirements

- 4.1 Except as provided in Section 3, property owners of alt buildings where people live, work or assemble shall provide for the sanitary disposal of all domestic sewage. Sewage and waste from such buildings shall be disposed of by discharging into an on-site sewage disposal system, or shall be disposed of by discharging in to a sewer system regulated under chapter 644, of the Revised Statutes of Missouri.
- 4.2 Any construction, operation, modification or repair of an on-site sewage disposal system shall be in accordance with rules promulgated under this ordinance, regardless of when the system was originally constructed.

SECTION 5. Disposal of domestic sewage - prohibitions and restrictions.

- 5.1 No person or property owner shall operate an on-site sewage disposal system or transport and dispose of waste removed there from in such a manner that may result in the contamination of surface waters or groundwater or present a nuisance or imminent health hazard to any other person or property owner.
- 5.2 No person or property owner shall operate an on-site sewage disposal system that does not comply with the requirements of the on-site sewage disposal rules and regulations promulgated in this ordinance.
- 5.3 No person or property owner shall construct install or modify any on-site sewage disposal system without the required permit or permits as set forth in this Ordinance.
- 5.4 No person or property owner shall construct, install or modify or repair an on-site sewage disposal system in a manner that does not comply with the state standard established under sections 701.025 to 701.059 of the revised Statutes of Missouri as adopted in this Ordinance.
- 5.5 No person or property owner shall construct, install or modify any on-site sewage disposal system when the permit has expired or has been suspended or revoked.
- 5.6 No person or property owner shall fail to comply with a Stop Order issued pursuant to this Ordinance.

SECTION 6. Creation and authority - Camden County Wastewater Department.

There is created a Wastewater Department which shall be under the direction and authority of the County Commission. The Camden County Wastewater Department shall have the power and duty to:

- 6.1 Cause investigations to be made when a violation of any provision of this Ordinance or of sections 701.025 to 701.059 of the Revised Statutes of Missouri or the on-site sewage disposal rules contained in the Code of State Regulations;
- 6.2 Enter at reasonable times, after receiving a complaint and determining probable cause that a violation exists, upon private or public property for the purpose of inspecting and investigating conditions relating to the administration and enforcement of this Ordinance or of sections 701.025 to 701.059 of the Revised Statutes of Missouri or the on-site sewage disposal rules contained in the Code of State Regulations.
- 6.3 Authorize the trial or experimental use of innovative systems for on-site sewage disposal, after consultation with the staff of the Missouri clean water commission, and upon such conditions as the Missouri Department of Health may set.

SECTION 7. Minimum standards for the construction, installation and modification of an On-Site Disposal Systems

All on-site sewage disposal systems to the provisions of the ordinances of Camden County shall be constructed, installed, modified and maintained in accordance with the minimum construction standards for on-site disposal systems as promulgated and established by the Missouri State Department of Health in the Code of State Regulations, and as established by state law in the Revised Statutes of Missouri, which are by this reference incorporated into this Ordinance.

SECTION 8. Permit applications.

- 8.1 Any person desiring to construct, install or modify a wastewater treatment system must first obtain a valid permit. The following procedures and regulations will be followed in applying for a permit. Permits are issued by the Camden County Wastewater Department.
- 8.2 Any person who proposes to construct, install or modify a wastewater treatment system shall submit to the Wastewater Department a written application on a form supplied by the Wastewater Department or a certification by a State Registered Engineer. The proposed wastewater treatment system shall be designed in accordance with the Missouri Department of Health Laws and Rules governing on-site sewage systems minimum requirements and the Camden County On-site Sewage Disposal Ordinance. All on-site wastewater/sewage treatment systems shall be designed from a detailed soil evaluation conducted by a professional soil scientist, engineer, sanitarian or registered geologist with special training in determining soil morphological characteristics in the field. No percolation tests will be accepted.
- 8.3 A permit will be posted on the property stating who is constructing the wastewater treatment system during the time of construction'.
- 8.4 Emergency major modification or major repair of the on-site sewage disposal system made to relieve an imminent health hazard may be made without a permit, but the Wastewater Department

shall be notified not later than the fifth working day after the date on which the repair is made and a corresponding application for a Permit or Permits for such emergency condition must be submitted.

SECTION 9. Application processing procedures

All permit applications received will be processed in the following manner:

- 9.1 Each application shall be approved or disapproved as soon as reasonably possible, but in no event to exceed thirty (30) business days from the date the application is received-
- 9.2 All permits, plans and specifications must meet or exceed the requirements of this Ordinance, unless otherwise determined satisfactory by the Wastewater Department or the Variance Committee.
- 9.3 The Wastewater Department will notify the applicant in writing, by mail or in person, of the approval of the application for the permit or permits. If the Wastewater Department denies the permit, the applicant shall be notified in writing, by mail or in person, of all the reasons for said denial and of all changes required for the permit or permits to be issued.
- 9.4 Any applicant aggrieved by the requirements of the Wastewater Department, or who have been denied a permit by the Wastewater Department may request and shall receive a hearing in accordance with the provisions of Section 16.

SECTION 10. Compliance with issued permit

- 10.1 The permittee shall conduct all construction, installation or modification of any wastewater treatment system in accordance with the terms and conditions of the permit. A new application or amended application must be filed with the Wastewater Department if the permittee desires to modify a permit. No modification shall be implemented until a new or modified permit has been issued or a variance given pursuant to subsection 13.1(c).
- 10.2 The issuance of a permit to construct a wastewater treatment system does not relieve the permittee of the responsibility to properly operate and maintain the wastewater treatment system described in the application, in full compliance with the conditions of the permit and all provisions of this Ordinance.
- 10.3 No person required to provide notice and apply to the Wastewater Department as provided herein may complete the construction, major modification or major repair of an on-site sewage disposal system without providing notice and an opportunity for inspection by the Wastewater Department as provided in this section- The person shall notify the Wastewater Department prior to 9:00 a.m. on the day proceeding completion.
- 10.4 The system shall be maintained in a condition which allows for a complete inspection until 3:00 p.m. on the day of completion, unless the Wastewater Department provided confirmation that the system has been inspected and approved prior to that time.
- 10.5 The system shall not be closed or completed if the city, county or department determines upon inspection that the system does not meet the standards set forth in this ordinance, and the

Wastewater Department shall provide, at the time of inspection, a conspicuous marker or other form of notice indicating that the system does not meet the standards- The Wastewater Department shall provide written confirmation of the results of the inspection or confirmation that the department did not inspect the system to the property owner within three working days of the day of completion.

SECTION 11. Permit duration and extensions

- 11.1 The permit duration for construction, installation or modification will be variable and reasonably sufficient to allow the permittee to perform the proposed work, and the expiration date must be recorded on each permit issued, but in no event shall it exceed one (1) year from date of issuance.
- 11.2 Permits will be issued only to the person who applied for the permit or such person's authorized representative, and such authorization must be in writing from the person who applied for the permit.
- 11.3 A permit may be extended by the Wastewater Department- Such extension request shall be in writing to the office of the Wastewater Department and shall be approved or disapproved within ten (10) business days after the request is received.

SECTION 12. Permit suspension or revocation

- 12.1 The Wastewater Department may suspend or revoke a permit for a wastewater treatment system for any of the following reasons:
 - a. Substantial non-compliance with the terms of the permit;
 - b. Modifications in design or construction which are not authorized by the Wastewater Department;
 - c. Intentional falsification of information submitted; or
 - d. Substantial non-compliance with the terms of this Ordinance as determined by the Wastewater Department.
- 12.2 Before a permit will be suspended or revoked, the permittee will be given a reasonable opportunity of not less than twenty (20) business days after receipt of written notice of non-compliance to perform the corrections in order to come into compliance with the permit.

SECTION 13. stop orders

- 13.1 A Stop Order may be issued by the Wastewater Department for the following reasons:
 - a. For new construction or installation, if the materials and/or manner of installation fails to meet the requirements contained in the permit.
 - b. For existing systems which are being operated in violation of this Ordinance, if the property owner fails to submit a plan of compliance within thirty (30) days, or fails to fully comply within ninety (90) days after receipt of written notice of the violation. If the property owner or occupant refuses to permit an inspection as provided by section 12 herein, the Wastewater Department may assume the system is being operated in violation of this Ordinance.

- c. If there exists a condition of such extreme nature which presents an immediate danger in public health requiring immediate corrective action. Examples of such an immediate danger include direct contamination of a potable water source.

13.2 No stop order shall be enforced while an appeal is in process, unless 13.1 (c) is applicable.

SECTION 14. Special provisions for prior violators

- 14.1 A person who has, within the preceding twenty-four months, been found guilty or pleaded guilty to a violation of section 701.046, 701.047, 701.048 or 701.050 of the Revised Statutes of Missouri, may not begin construction, major modification or major repair of an on-site sewage disposal system that is owned by another person unless the person constructing, modifying or repairing the system has provided to the Wastewater Department a performance bond or letter of credit as provided under this section.
- 14.2 The bond or letter shall be conditioned upon faithful compliance with the standards for on-site sewage disposal systems as established in this ordinance.
- 14.3 Such performance bond, placed on file with the Wastewater Department, shall be in one of the following forms:
 - 1- A performance bond, payable to the department and issued by an institution authorized to issue such bonds in this state; or
 - 2. An irrevocable letter of credit issued in favor of and payable to the department from a commercial bank or savings and loan having an office in the state of Missouri.
- 14.4 Upon a determination by the Wastewater Department that a person has failed to construct, modify or repair an on-site sewage disposal system in compliance with the provisions of this ordinance, the department shall notify the person that the bond or letter of credit shall be forfeited and the moneys shall be used for remedial action, if that person does not bring the system up to the standards for on-site sewage disposal systems as established in this ordinance within thirty days after notice of such determination has been given.
- 14.5 If the system is not brought into compliance with the provisions of this ordinance within thirty days, the Wastewater Department shall, within thirty days of the expiration of the notice period, expend whatever portion of the bond or letter of credit is necessary to hire a registered on-site sewage disposal system contractor to bring the system into compliance.
- 14.6 The requirement for a person to provide a performance bond or a letter of credit under this section shall cease for that person after two consecutive years in which the person has not been found guilty or pleaded guilty to a violation of 701.046, 701.047 701.048 or 701.50 of the Revised Statutes of Missouri.

SECTION 15. Permit fees

Wastewater treatment system permit fees are non-refundable. These fees are as follows:

- 15.1 The permit fee for an on-site wastewater treatment system pen-nit is \$125.00

SECTION 16. Appeals process

- 16.1 Any person aggrieved by the Wastewater Department may appeal by filing a written application with the office of the Wastewater Department.
- 16.2 All appeal applications shall be accompanied by a \$50.00 deposit. Such deposit shall be refunded to the applicant upon the completion of the appeal process provided the applicant attends all appeal meetings and performs all requirements for appeal applicants. Appeals may be withdrawn and the deposit refunded by the applicant delivering written notice to the Wastewater Department no less than three (3) business days prior to meeting scheduled to hear the appeal as provided herein.
- 16.3 Appeals from the Wastewater Department shall be heard by the Variance Board within fourteen (14) business days after the appeal is filed (unless a later date is requested by the applicant) and the applicant shall be given a reasonable opportunity to be heard. The Variance Board shall render a decision as soon as practical but in no event later than fourteen (14) business days after the meeting in which the appeal is heard.
- 16.4 Appeal Hearings to the Variance Board shall be conducted in accordance with the Variance Board's adopted rules and procedures as per Variance Procedures Dept. of Health rules governing on-site septic.
- 16.5 Variance Board decisions can be appealed to circuit court of Camden County, Missouri, in accordance with Chapter 536 Revised Statutes of Missouri.

SECTION 17. Owner's right to install, modify or repair- when no permit is required

- 17.1 Nothing in sections 701.053 to 701.055 of the Revised Statutes of Missouri shall preclude property owners from installing, modifying or repairing their own on-site sewage disposal system as long as they comply with the provisions of sections 701.025 to 701.059 of the Revised Statutes of Missouri and the provisions of this Ordinance.
- 17.2 Nothing in sections 701.025 to 701.059 of the Revised Statutes of Missouri or in the provisions of this ordinance shall be construed so as to require a property owner to obtain a permit or to obtain registration as an on-site sewage disposal system contractor in order to clean that property owner's on-site sewage disposal system.

SECTION 18. Violations, notice of, contents, prosecuting attorney to institute proceedings, when

- 18.1 Whenever the Camden County Wastewater Department determines after an inspection, or after receipt of a complaint, that there are reasonable grounds to believe that there has been violation of any provision of this Ordinance, notice shall be given of such alleged violation to the person responsible, as herein provided. The notice shall:
 - a. Be in writing;
 - b. Include a statement of the reasons for the issuance of the notice;
 - c. Allow reasonable time as determined by the Camden County Wastewater Department for the performance of any act it requires;
 - d. Be served upon the resident, owner, operator or contractor, as the case may require, provided that such notice or order shall be deemed to have been properly served upon such person when a copy

thereof has been sent by registered or certified mail to the person's last known address, as listed in the local property tax records concerning such property, or when such person has been served with such notice by any other method authorized by the laws of this state;

- e. Contain an outline of remedial action which is required to effect compliance with the provisions of this Ordinance and with the laws and regulations of the State of Missouri.

- 18.2 Existing systems, as defined in this Ordinance, shall not be inspected, unless the Camden County Wastewater Department determines, upon receipt of a complaint, that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance or of the provisions of State Law.
- 18.3 If an aggrieved person files a written request for a hearing within ten days of the date of receipt of a notice, a hearing shall be held within fourteen (14) days from the date of the receipt of the notice, before the Variance Board, to review the appropriateness of the remedial action. The Variance Board shall issue a written decision within thirty calendar days of the date of the hearing- Any final decision of the Variance Board may be appealed to the Circuit Court of Camden County wherein the offense is alleged to have occurred for a trial de novo on the merits.
- 18.4 The Camden County Wastewater Department, may require a property owner to abate a nuisance or repair a malfunctioning on-site sewage disposal system on the owner's property not later than the thirtieth day from which the owner receives notification from the department of the malfunctioning system or a final written order, if a hearing or hearings were held pursuant to this section. If weather conditions prevent the abatement of the nuisance or repair of the system within the thirty-day period or if the owner is unable, after reasonable effort, to obtain the services of a contractor or repair service within the thirty-day period, the abatement of the nuisance or repair of the system shall be made, weather permitting, no later than sixty days after notification. Such extension for abatement or repair shall be subject to approval by the Camden County Wastewater Department.
- 18.5 The prosecuting attorney shall, at the request of Camden County Wastewater Department, institute appropriate proceedings for correction in cases of noncompliance with or violation of the provisions of this ordinance or of the provisions of sections 701.025 to 701.059 RSMo.
- 18.6 When it is determined by the Camden County Wastewater Department, after receipt of a complaint, where an emergency exists which requires immediate action to protect the health and welfare of the public, the department is authorized to seek a temporary restraining order and injunction. Such action shall be brought at the request of the Camden County Wastewater Department by the prosecuting attorney. When such conditions are corrected and the health of the people of Camden County is no longer threatened, the department shall request that such temporary restraining order and injunction be dissolved. For the purposes of this subsection, and "emergency" means any set of circumstances that constitute an imminent health hazard or the threat of an imminent health hazard.

SECTION 19. Penalties for violations of the provisions of this ordinance.

- 19.1 Any violation of section 14.1 of this ordinance shall be a class A misdemeanor.
- 19.2 Any violation of section 5.3, 5.4, 5.5, 5.6 or 10.3 of this ordinance shall be a class C misdemeanor.
- 19.3 Any violation of section 4.1, 5.1 or 5.2 of this ordinance is an infraction, except that a persistent violation of any of these sections, after notification by the state or county is a class C misdemeanor.
- 19.4 Any person or property owner who creates a nuisance or imminent health hazard as defined in section 701.025 on any single-family residence lot of three acres or more is guilty of an infraction.

- 19.5 The statute of limitations begins to run when an owner knows or should have known that an on-site sewage disposal system contractor had installed a defective system, a system which was inappropriate for the site or had installed a system incorrectly.

SECTION 20. Private rights of action not preempted.

Nothing contained in this Ordinance shall be interpreted so as to preempt any private right of action or prevent any person from pursuing remedies which might otherwise exist for matters involving the disposal of domestic sewage.

SECTION 21. Investigation by the Camden County Wastewater Department - right to inspect adjoining property.

The Camden County Wastewater Department or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

SECTION 22. Notices

22.1 Any notice required herein or any Stop Order shall be provided to the property owner, of record, and the permittee and to all other appropriate parties and shall be as follows:

22.2 by personal delivery; or

22.3 by depositing said notice of Stop Order in first class mail, postage prepaid.

22.4 All Stop Orders shall be posted at the wastewater treatment system site in a conspicuous place.

SECTION .23. Severability

If any portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and that holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 24. Amendments

This Ordinance may be amended by a resolution passed by the Camden County Commission in accordance with 701.025 et seq. of the Revised Statutes of Missouri.

SECTION 25. Effective date and approval

This Ordinance shall be upon its approval by a properly passed resolution of the Camden County Commissioners.

Section 26. Registration of persons and businesses engaged in wastewater Treatment and/or on-site septic systems.

- 26.1 Every person engaged in the design, construction or installation of on-site septic systems and/or septic tank cleaning, within Camden County must register with the Camden County Wastewater Department. Any person installing on-site sewage disposal systems shall be registered to do so by the Missouri Department of Health and Senior Services as per amended section of 701.031 under House Bill 1433 (HB1433) before registering with the Camden County Wastewater Department. Proof of State registration must be on file with the County Wastewater Department.
- 26.2 The Camden County Wastewater Department may adopt rules and regulations, establishing qualifications and minimum standards for persons desiring to register under this Ordinance.
- 26.3 Any person whose application for registration under this has been denied will be notified in writing as to the reasons for denial, and said person may appeal pursuant to Section 16 of this Ordinance.
- 26.4 Whenever the Camden County Wastewater Department determines that a holder of a valid registration under this section, has violated any provisions of this Ordinance, or the rules and regulations adopted by the County, or the Missouri Department of Health. The Camden County Wastewater Department may suspend or revoke said registration and shall set the term of revocation and/or suspension within fourteen (14) days after a violation is determined. The said person under violation may appeal pursuant to Section 16 of this Ordinance within ten (10) days of notification from the Camden County Wastewater Department.

Section 27 Septic Tank Cleaning Standards

- 27.1 The Camden County Wastewater Department may inspect the equipment and land application/storage site of the Registered Tank Cleaner for the purpose of determining if his equipment and land application are in good operating condition, and are being operated and maintained in a healthful manner and are in compliance with this Ordinance and the rules and regulations of the Missouri Department of Natural Resources.
- 27 .2 The Registered Tank Cleaner must use one of the following methods for disposal:
 - a. Discharge in a municipal wastewater treatment plant
 - b. Land application with approval from Missouri Department of Natural Resources
- 27.3 The Registered Tank Cleaner and the property owner of the land application/storage site must have an agreement on file with the Camden County Wastewater Department; said land application/storage site must be approved by the Missouri Department of Natural Resources and the Camden County Wastewater Department.

27.4 The Registered Tank Cleaner must keep on file for up to two (2) years, all records of said application times and amounts of septage dumped or land applied. The Camden County Wastewater Department has the right to inspect said files periodically if deemed necessary.

Section 28. Registration Fees for Installers and Tank Cleaners

28.1	Registration Fees for Installer	\$50.00
	Annual Renewal	\$25.00
	Registration fee for Tank Cleaner	\$50.00
	Annual Renewal	\$25.00

Approved this 5th Day of August, 2004

Carolyn Loraine, Presiding Commissioner

Steve West, First District Commissioner

Thom Gumm, Second District Commissioner

Rowland Todd, County Clerk

ORDINANCE 12-14-04

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S) AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI.

Be it ordained by the County Commission of the County of Camden, State of Missouri, acting in its capacity as the governing body of the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, as follows.

ARTICLE 1

Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1: “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2: “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of building and conveys it to the inner face of the building wall.

Section 3: “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: “Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

Section 5: “Garbage” shall mean solid wastes from the domestic commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Section 6: “Industrial Wastes” shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Section 7: “Natural Outlet” shall mean any outlet into the watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 8: “Person” shall mean any individual, firm, company, association, society, corporation or group.

Section 9: “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 10: “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with not particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Section 11: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 12: “Sanitary Sewer” shall mean a sewer that carries sewage and to which storm, surface and groundwater is not intentionally admitted.

Section 13: “Sewage” shall mean combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Section 14: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 15: “Sewage Works” shall mean any arrangement of devices and structures used for treating sewage.

Section 16: “Sewer” shall mean a pipe for conduit for carrying sewage.

Section 17: “Shall” is mandatory; “May” is permissive.

Section 18: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 19: “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer, which carries storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

Section 20: “Superintendent” shall mean the person in charge of the wastewater operations for the County of Camden or his or her authorized deputy, agent or representative.

Section 21: “Suspended Solids” shall mean solids that either float on the surface or, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 22: “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 23: “Hearing Board” shall mean any Board appointed by the governing body of the district to hear or review appeals, complaints, petitions or issues related to unpaid sewer service charges and termination of service in behalf of the governing body.

ARTICLE II

Section 1: Connection. At such time as a public sewer becomes available to a property served by a private disposal system, as provided in Article II, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities not approved by the district for incorporation into the public sewer connection facility, shall be abandoned and filled with suitable material.

Section 2: Time of Connection. When a public sewer becomes available, the building sewer shall be connected to the district sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with suitable material.

Section 3: Liability of Owner or Occupant or Both. Pursuant to Section 249.803 RSMo., sewage service furnished by the sewer district is deemed to be furnished to the occupant and owner of the premises receding the services and the sewer district rendering services has the right to pursue either, or both, for payment of the fees for services, plus a reasonable attorney fee to be fixed by the Court. A seller under a contract for deed shall not be considered to terminate ownership until a deed has been executed, delivered and filed for record divesting the seller of all right, title and interest in the property.

Section 4: Continuation of Service. Once a service connection is established the owner and occupant are required to continue that service connection and to pay the charges for service as the same become due for so long as the improvements on the property are inhabitable as either a permanent, temporary, or vacation dwelling, during any part of the calendar year.

Section 5: Unpaid Bill- Over Three Months Delinquent- Notice by Certified Mail- Interruption or Termination of Service Until Paid- Additional personal notice- Opportunity to Present Customer's Position. Service may be temporarily terminated (interrupted) for failure to pay routine bills, or to reasonably repair, maintain or replace the customer connection apparatus and lines, or in the case of any unauthorized connection, by closing any shut-off valve, disabling a pump or interrupting the electrical connection. The District shall have no obligation with respect to stoppage, back-up or equipment wear or failure by reason thereof, but will give prior notice of the shut-off in conformity with Section 249.645.4, RSMo. This statute provides that "Should the sewer charges remain unpaid for a period in excess of three months, the district after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's service line from the district's line or request any private water company, public water supply district or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid." This provision shall not prohibit any other lawful means for collection the delinquent bill or any other lawful means of interrupting service. The district management will endeavor to give prior notice and additional personal or telephone contact and permit a customer to be heard as to any response the customer may desire to present or any position the customer may have as to the billing and proposed interruption in service, or other relevant matter.

ARTICLE IV

Section 1: Permit to Connect. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a service agreement/written permit from the Camden County Wastewater Department.

Section 2: Classes of Permits. There shall be two classes of sewer connection permits- residential/commercial permits and condominium complex permits.

Section 3: Costs of Connections to be paid by customer. All costs and expenses incident to the installation and connection of the sewer shall be borne by the owner. The owner shall indemnify the district from any such loss or damage that may directly or indirectly be occasioned by the installation of the connection facilitates. All connections must meet the district's engineers specifications for connections, unless a variance is granted by the board.

Section 4: Separate Connection for Each Improvement. A separate and independent sewer shall be provided for every improvement except where on building stands at the rear of another on an interior

lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Variances may be approved by the District in hardship cases and in the case of condominium complexes.

Section 5: Old Collector Line Connections. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Camden County Wastewater Department, to meet at requirements of this Ordinance.

Section 6: General Specifications for Evacuation Lines. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the requirements and standard specifications or applicable rules of the district. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M and W.E.F. Manual of Practice No 9 shall apply. Other more specific specifications will be provided by the districts' engineer and will be adopted as standard specifications from time to time.

Section 7: General Specifications for Connection to the Public Sewer. The connection of the building sewer into the public sewer shall conform to the requirements of the Ordinances of the district of procedures set forth in appropriate specifications of the A.S.T.M and W.E.F. Manual of Practice No. 9 (or its replacement volume). Wastewater Treatment Plant Design [2003] 1.S.B.N #1-5728-177-7, published by Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314, TEL: [1-800-666-0206]. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by District before installation. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 8: Entry below Basement Floor. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 9: Inspection of Connection Apparatus. The applicant for a wastewater connection shall notify the Camden County Wastewater Department when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Camden County Wastewater Department.

Section 10: Public Safety. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Camden County Wastewater Department.

ARTICLE V

Section 1: Infiltration Prohibited. No person shall permit the discharge any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of runoff or groundwater, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 2: Exceptions on Specific Approval. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Camden County Wastewater Department. Industrial cooling water or unpolluted process waters may be discharged on approval by the Camden County Wastewater Department, to a storm sewer, combined sewer, or natural outlet.

Section 3: Prohibited Discharge into Sanitary Sewers-Class 1 Contaminates. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, sold or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- c. Any waters or wastes having a PH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers for other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshings, entrails and paper dished, cups, molded containers, etc., either whole or ground by garbage grinders.

Section 4: Prohibited Discharge into Sanitary Sewers-Class II Contaminates. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Camden County Wastewater Department that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on a receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of wastes, the Camden County Wastewater Department will give consideration to such factors as the quantities of subject wastes in relations to flows and velocities in the sewers, the materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatable waste in the sewage and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
- b. Any water or wastes containing fats, was, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).
- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- d. Any waters or wastes containing strong acid, iron, pickling wastes or concentrated planting solutions, whether neutralized or not.

- e. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the District for such materials.
- f. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess of 9.5.
- i. Materials which exert or cause:
 - a. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime, slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - b. Excessive discoloration (such as, but not limited to, by wastes and vegetable tanning solutions).
 - c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - d. Unusual volumes or flow or concentration of wastes constituting "slugs" as defined herein.
- j. Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over discharge to the receiving waters.
- k. Any waters or wastes having (1) a 5-day BOD greater than 250 parts per million by weight or (2) containing 300 parts per million by weight of suspended solids or (3) having an average daily flow greater than 2 percent of the average flow of the respective sewer district, shall be subject to the review of the District. Where necessary in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical demand to 250 parts per million by weight or (2) reduce suspended solids to 300 parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5: Enforcement in the Event of Prohibited Discharges. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Camden County Wastewater Department, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Camden County Wastewater Department may:

- a. Reject the wastes,

- b. Require pre-treatment to an acceptable condition for discharge to the public sewers,
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating wastes not covered by existing taxed or sewer charges under the provisions of Section 10 of the Article.

If the Camden County Wastewater Department permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Camden County Wastewater Department and subject to the requirements of all applicable codes, regulations and laws.

Section 6: Special Interceptors. Grease, oil and sand interceptors shall be required and provided at customer expense when, in the opinion of the Camden County Wastewater Department, they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients: except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Camden County Wastewater Department, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7: Pre-Treatment and Flow-equalizing Facilities. Where preliminary treatment or flow-equalizing facilities are deemed needed the district may require the same at customer expense and they shall be maintained continuously in satisfactory and effective operation by the owner at this expense.

Section 8: Control Manholes. When required by the Camden County Wastewater Department, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes, Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Camden County Wastewater Department. The manhole shall be installed by the owner at his expense and shall be maintained by owner so as to be safe and accessible at all times.

Section 9: Measurements and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazard to life, limb and property. (This particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls or a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfall whereas pH analyses are determined from periodic grab samples.)

Section 10: Special Contracts. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the district and any industrial concern whereby an

industrial waste of unusual strength or character may be accepted by the county for treatment, subject to the payment therefore, by the industrial concern.

ARTICLE VI

Section 1: Tampering/Damage/Destruction/Destruction of Sewerage Facilities. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to criminal prosecution under this ordinance or similar state law.

ARTICLE VII

Section 1: District may provide notice of violation and opportunity to correct. Any person found to be violating any provision of the Ordinance except Article VI may be served by the district with written notice stating the nature of the violation and providing a reasonable time, which will usually, but not in all cases by thirty days, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provisions is permissive and is not required.

Section 2: Violation-Conviction-Punishment. Any person who shall continue a violation or who after notice any violation beyond the time limit provided for the Article VII, Section 1, continues a violation shall be guilty of a misdemeanor authorized by Section 249.565 RSMo., and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100) dollars for each violation. Each 24-hour period in which any such violations shall continue shall be deemed a separate offense.

Section 3: Authority of Camden County Wastewater Department. At the direction of the Camden County Commission and with the consent of the District, the Camden County Wastewater Department has been assigned responsibility and authority to provide enforcement services, inspection services and technical services as herein outlined for the district, it being contemplated that other districts with utilize the services of the Camden County Wastewater Department to the end that efficient, uniform and consistent sewerage service and Ordinance enforcement can be established throughout Camden County.

ARTICLE IX

This Ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Passed, approved and adopted by the Camden County Commission of Camden County, Missouri acting in its capacity as the governing body of the sunny slope Country Club Drive Sewer District of Camden County, Missouri, on the 14th day of December, 2004.

**SUNNY SLOPE COUNTRY CLUB DRIVE SEWER
DISTRICT OF CAMDEN COUNTY, MISSOURI**

Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Steve West, Commissioner

Rowland Todd, County Clerk

SERVICE AGREEMENT

At the direction of the Camden County Commission and with the consent of the Sunny Slope Country Club Drive Sewer District, the Camden County Wastewater Department is assigned and accepts responsibility and authority to provide enforcement services, inspection services and technical services for the Sunny Slope Country Club Drive Sewer District as outlined in the district's sewer use Ordinance, to which this service agreement is appended, it being contemplated that other Camden County Sewer Districts will utilize the services of the Camden County Wastewater Department to the end that efficient operation, uniform development of policy, and consistent service and Ordinance can be established throughout the sewer districts for Camden County. The scope of services and compensation therefore will be established by separate agreements and budgeting from time to time.

Approved by the Camden County Commission of Camden County, Missouri on the 14th day of December 2004, in behalf of the Camden Country Wastewater Department.

CAMDEN COUNTY COMMISSION

Carolyn Loraine, Presiding Commissioner

Thom Gumm, Commissioner

Steve West, Commissioner

Rowland Todd, County Clerk

ORDINANCE NO 12-30-04

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE, APPROVING THE BUDGET AND APPROPRIATION OF THE MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1997, in the aggregate principal amount of \$8,360,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due, and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2004, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$966,245 for Fiscal Year 2004-2005, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all

documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with Respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 30th day of December, 2004.

Carolyn Loraine, Presiding Commissioner
Steve West, 1st District Commissioner
Thom Gumm, 2nd District Commissioner
Rowland Todd, County Clerk

ORDINANCE NO 12-30-04

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE, APPROVING THE BUDGET AND APPROPRIATION OF THE MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the “Corporation”), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1999, in the aggregate principal amount of \$1,160,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due, and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2004, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2004-2005, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with Respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 30th day of December, 2004.

Carolyn Loraine, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE NO 12-30-04

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI, PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE, APPROVING THE BUDGET AND APPROPRIATION OF THE MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden Missouri, (the "County") is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation: and

WHEREAS, the Camden County, Missouri, Public Facilities Authority (the "Corporation"), is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefitting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension,

repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment for the use of the County for County purposes: and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1995, in the aggregate principal amount of \$2,880,000 (the “Bonds”), for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project Site to the Corporation, and (4) enter into a Lease Agreement (the “Lease”) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due, and

WHEREAS, the County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other actions as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2004, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$316,880 for Fiscal Year 2004-2005, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County Clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with Respect to the Site Lease and the Lease.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 30th day of December, 2004.

Carolyn Loraine, Presiding Commissioner

Steve West, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE NO. 4-20-05

**AN ORDINANCE OF THE SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY,
MISSOURI, ESTABLISHING RATES FOR CUSTOMERS OF THE DISTRICT.**

Be it Ordained by the County Commission of Camden County, sitting in its capacity as governing body of Sunny slope Country Club Drive Sewer District, of Camden County, Missouri, that:

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, is in the process of constructing wastewater treatment works; and

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, must pay all costs and expenses associated with construction and operation of said sewerage facilities, to meet operational costs, revenue bond payments and necessary reserves.

NOW THEREFORE, the Charges to be imposed by the District are hereby established as follows:

ARTICLE I

CHARGES-STATEMENT OF PURPOSE

Purpose of Charges-to Promote Public Health, Safety, Welfare and Convenience. It is determined and declared necessary and conducive to the protection of the public health, safety, welfare and convenience of the Camden County Sunny Slope Country Club Drive Sewer District to collect charges from all users who contribute wastewater to the District's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE II

DEFINITIONS

Definition of Terms. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 2: "Replacement" shall mean expenditures for replacing and installing equipment, accessories, and appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 3: "Shall" is mandatory; "May" is permissive.

ARTICLE III

USER CHARGE SYSTEM

FUNDS AND RESERVES

MANAGEMENT OF BOOKS, ACCOUNTING AND AUDITS

Section 1: User Charge System. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance, the cost of replacement and the cost associated with debt retirement of bonded capital associated with financing the treatment works which Sunny Slope Country Club Drive Sewer District of Camden County may by ordinance designate to be paid by the user charge system.

Section 2: Operation and Maintenance and Replacement Funds-Two Primary Account: That portion of the total user charge collected which is designated for operation and maintenance and for replacement purposes shall be kept in two primary accounts as follows:

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance cost (excluding replacement) of the treatment works. Deposits in the Operation and Maintenance Account shall be made in an amount to pay cost of operation and maintenance (excluding depreciation).
- b. The Replacement and Extension Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement and Extension Account shall be made in the amount of \$11,750.00 annually. Expenditures from the Replacement and Extension Account shall be made directly from that account without transferring funds to the Operation and Maintenance Account.

Section 3: Balance Carry Over and Use. Fiscal Year-End balances in the Operation and Maintenance Account and the Replacement and Extension Account will be carried over to the same accounts each subsequent fiscal year and shall be used for no other purposes than those designated for these accounts.

Section 4: Rates-To Meet USDA and DNR Requirements. The creation of the rates are subject to USDA approval so long as the District is obligated to the USDA, and the creation of funds and accounts for the management of funds and reserves, will conform to the requirements of the bond ordinances as finally approved by the agencies providing financial assistance for the District and the rules, regulations and directives of the Missouri DNR and USDA, Rural Development.

Section 5: Books-Accounting-Audit. The District will maintain all books and records demanded for similar governmental entities in the State of Missouri, including such records and reports requested by USDA, Rural Development and DNR and will be subject to all audit requirements of the State of Missouri and USDA, Rural Development, including, but not limited to, and annual internal audit.

ARTICLE IV **TYPES OF RATES**

Section 1: Residential And Commercial Customers Other Than Condominium/Multiplex Complexes. All individual residential and commercial customers other than the Collins-Camden Partnership multiplex complex and the Lake Valley Condominium Owner's Association condominiums, or any other hereafter acquired condominium/multiplex entities, shall be billed as follows:

Wastewater volume is to be calculated by rounding by the nearest 1000 gallons monthly

Minimum charge per month	\$25.00 for first 1000 gallons
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Charge for each 1000 gallons over the
first 1000 gallons

\$3.15 per 1000 gallons

By way of example: if the wastewater gallons calculation is 5,000 gallons; the charge is \$25.00 plus (4x\$3.15) \$12.60, for a total of \$37.60 that month. The monthly calculation will not be permitted to be made in a way rounding would “double-up” charges on a customer.

Section 2: Condominium/Multiplex Complexes. “Flat Rate” billing is available to customers under condominium/multiplex service and transition agreements, paying for the entire complex. In calculating the charge, each condominium is considered one unit. Each multiplex is considered two units. The number of units is multiplied by the flat rate monthly and the contracting entity is billed and is obligated to pay the entire bill. The contracting entity is obligated to verify the number of condominium/multiplexes at reasonable intervals. The contracting entity is the customer and is obligated to pay the entire bill regardless of whether it has or has not collected the costs from the respective condominium/multiplex owners.

Monthly flat charge per condo/multiplex

Individual residences

\$25.00

By way of example, if there is one condo unit containing 12 individual residences or six multiplexes containing 12 individual residences, the charge for each would be 12x\$25.00=\$300.00 per month.

Section 3: Disconnection Not Permitted-Reconnection After Damage By Disaster Or Fire-Reconnection Charge. It is the obligation of the District to provide sewer service for health, sanitation and welfare twelve (12) months of every year and to maintain the capacity to treat wastewater flow for each customer for twelve (12) months of each year. For said reasons, voluntary disconnection is not permitted in cases of temporary absence, vacation or seasonal occupancy and the minimum charge will be applied. Where an involuntary disconnection occurs such as in the case of a common disaster or destruction of premises by fire, and the improvement is not inhabitable as either a permanent, temporary or vacation dwelling during any part of the calendar year, a reconnection may be ordered by either the owner or the occupant. The reconnection charge will be the sum of \$580.00.

Section 4: Unique Discharge By User Visiting Abnormal Cost On the District. Any user who discharges any toxic pollutants that causes an increase in the cost of managing the effluent or the sludge in the District’s treatment works or any user who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or placement of the treatment works, shall be charged for such increased cost. The charge to each user shall be determined by the District after consultation with its engineer.

Section 5: Area Of Applicability. The user charge rates established in this Article applies to all users of the Sunny Slope Country Club Drive Sewer District regardless of the user’s location.

Section 6: Tap-On/Connection Fees-New Residential/Commercial Customers/New Condominium Complex Customers. New Residential Customers tap-on/connection fees authorized under Section 249.645 will be charged. The charge will be the sum of \$1,000.00 for a new residential/commercial

customer after construction of the District's initial facilities is commenced. This tap-on or connection fee must be paid in addition to the actual costs to the customer of the connection, which shall include the cost of the collection tank and installation thereof. Condominium complex tap-on or connection fees will be the subject of special contracts between the District and the developer /condominium owner's association. In the event any customer, residential, commercial or condominium complex, presents a demand for excessive requirements by reason of a wastewater flow of a volume which in the judgment of the District's engineer, exceeds the volume the District's existing treatment facility can process without adversely affecting service to other customers, the new customer will be required to contribute reasonably to the cost of the District incurs in establishing the capacity to provide service and in providing service, including a reasonable charge for engineering assessment. The assessment will determine the improvements needed to enable the District to accept the proposed additional wastewater flow and recommend the total cost to be charged the customer with excessive requirements as the customer's tap-on connection charge. The assessment will also determine the best alternatives to make the customer's cost in complete conformity with the specifications recommended by the engineer and after paying the reasonable tap-on connection fee as finally determined by the governing body of the District.

ARTICLE IV

TYPES OF RATES

Section 1: Graduated Rate Based on Volume of Use for Residential And commercial Customers Other than Condominium or Multiplex Complexes. Each user, other than condominium and multiplex complexes, will pay for the services provided by the Sunny Slope County Club Driver Sewer District based on the volume of wastewater flow discharged into the District's collection and treatment system as measured by the methods acceptable to the District and approved by its engineers. Volume may be measured calculation of the volume delivered over recorded pump time or by volume measurement, as deemed most cost effective by the District's engineer and established by the engineer based on reliable information customarily relied upon in the engineering profession, including testing of manufacturers.

Section 2: Flat Rate Multiplied Times Number of Units Service For Complexes of Condominiums or Multiplexes. Condominium and Multiplexes complexes will be charged under complex contracts a rate which will be a flat rate multiplied by the number of condominium individual residences or multiplex individual residences served under the contract for each complex. Contracts with each complex's developer or the condominium owner's association will be individually concluded to establish and transition agreements necessary initiate service and define responsibilities. The liability for the billing will be that of the developer or association to the end that individual billings to individual condominium owners will not be required, and the associations or developers will be responsible for collecting and remitting the service fees.

Section 3: Sales Taxed and Primary Fees, If any, Any applicable sales taxed and primary fees are added to the charge.

ARTICLE VI

MONTHLY BILING AND LATE CHARGES

Section 1: Monthly Billings. All users shall be billed monthly except where annual billing is authorized and elected under a condominium service agreement. Billings of each month shall be made within thirty (30) days after the billing is made shall be delinquent.

Section 2: Late Charges. A late payment penalty of ten (10%) percent of the user charge bill will be added to each delinquent bill for each thirty (30) days of delinquency.

ARTICLE VII **RATE REVIEW AND DISCLOSURE**

Section 1: Periodic Review And Revision of Rates. The rates to be charged by the District are initially reflections of estimated income and estimated expenses which may vary with experience. The District or its designee shall review the user charge system annually and the governing body will revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, and fund the debt reserve account and the replacement and extension account as demanded by the bond ordinance. These accounts are established by the bond ordinance and as a minimum will be initially as follows:

- a. The deposits to the Debt Service Account will be \$67,500.00 for each for the first two years and \$88,126.00 per year for each of the next 33 years.
- b. The deposits for the Debt Service Reserve Account will be \$8,820.00 per year for ten years.
- c. The deposit to the Replacement and Extension Account will be \$11,750.00 per year.

Also, attached hereto as an Exhibit and incorporated herein by reference, is a schedule prepared by DNR, to be used as a tool assisting annual rate review. In this DNR study the phrase “debt service reserve” is intended to refer to the USDA “Deft Service Reserve Account”. The “Depreciation Account” is intended to refer to the USDA “Replacement and Extension Account”. The reference to “replacement” is intended to refer to that portion of annual operation and maintenance costs expended on replacement of equipment. This DNR study provides for more generous reserves and is to be considered together with USDA minimum reserve requirements in the District’s annual review to test the adequacy of rates and the financial well-being of the District. The controlling provisions naming accounts and providing minimum levels of funding are set forth in the USDA Bond Resolution. General DNR regulations relating to the user charge system are to be found in 10 C.S.R. 10-4.040, paragraph 17(A). It is intended that these provisions be read in harmony to the end that each year the governing body of the District will responsibly review and test the adequacy of this rates and take such action as may be needed to maintain the financial stability of the district. The rates of the District must at all times provide for the proportional distribution of all costs and reserves equitably among all customers.

Section 2: Notification Of Rate Structure. The District will notify each user in conjunction with regular billing of the rate being charged.

ARTICLE VIII **EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage an approval.

PASSED, APPROVED, AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the governing body of the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, on the 20th day of April, 2005.

Sunny Slope Country Club Drive Sewer District
of Camden County, Missouri
Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Beverly Thomas, Commission

Rowland Todd, County Clerk

CERTIFICATION

I, Rowland Todd, Clerk of the Camden County Commission, Camdenton, Missouri, and Clerk of the Commission, acting in its capacity as the governing body of the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, a sewer district and political corporation of the State of Missouri organized under Chapter 249 RSMo., do hereby certify that I am the custodian of the records of said sewer district and Commission and that the same is in full force and effect and has not been amended, modified or repealed.

Dated this 20th day of April, 2005

Rowland Todd, Clerk of the Camden County
Commission, Camdenton, MO. Acting in its
capacity as governing body of the Sunny Slope
Country Club Drive Sewer District of Camden
County, MO

ORDINANCE NO. 8-9-06

AN ORDINANCE OF THE SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI ESTABLISHING POLICIES FOR ADDENDUM TO THE EXISTING ORDINANCE NO 4-20-05

Be it Ordained by the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, having been vested authority state that:

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, is in the process of establishing wastewater treatment works; and being charged with the obligation to pay all costs and expenses associated with construction and operation of said sewerage facilities, to meet operational costs, revenue bond payments an necessary reserves have nee to establish further guidelines for billing, collection, and administration.

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, has established Ordinance No 4-20-05 and the addendum is to add to the existing ordinances and to be taken into consideration with the existing ordinances.

NOW THEREFORE, the additions to the existing ordinances are hereby established as follows:

ARTILCLE IV **TYPES OF RATES**

Section 1.1 Sunny Slope billing purposes, the following is applied: the hours, as shown on the time meter HH.HH, is multiplied by 480 gallons per hour (8 gallons per 60 minutes in one hour). The hour meter located in the control panel is the official time piece for Sunny Slope customers. Example: 4.5 hours x 480 gallons/hour equals 2160 gallons.

ARTICLE V

INITIAL RATES-DISCONNECTION-RECONNECTION TAP-ON/RECONNECTION FEES

Section 1.1: The STEP Units, including equipment (i.e. control panel, pumps, piping, etc.) installed on each property are the sole property of Sunny Slope. The pump and its accompanying meter in the control panel is the governing time piece for determining usage for the property owner.

Section 1.2: Any unauthorized disconnection and/or manipulation of the STEP units without written authorization from the Trustees will result in a \$100.00 per day charge up to \$10,000 at which time the Trustees may impose a lien and/or file Clean Water Act charges against property owner. Property owner will also incur the \$580.00 reconnection fee as stated in Section 3 of Article 5.

Section 1.3: Any damage to STEP units caused by events that are not determined to be caused by operator error, act of god, installation error, and/or manufacture defect; said costs will be passed on to the property owner including any labor and legal cost. (addendum to Section 3 of Article 5).

Section 1.4 All gray water is to be plumbed through the septic tank. Camden County and DNR regulations do not allow for gray water to be discharged. Homeowner found to be in violation will be notified by certified mail to correct the violation. Failure to remedy such violation in a timely fashion shall be punishable by a fine of up to \$100 per day.

ARTICLE VI

MONTHLY BILLINGS AND LATE CHARGES

Section 1.1: A property owner is responsible for payment of invoices upon receipt. Any invoice that is over thirty (30) days delinquent will require the Trustees to review the subject property at the next board meeting and after majority vote will determine if the property will be subject to having a lien placed upon it. The attorney for the Board of Trustees will notify the property owner/owners of the intent to file a lien and shall cause such to become effective if not cured within thirty (30) days of such notice.

Section 1.2: Returned check Charges. Any returned checks for any reason, be it cancelled, insufficient funds, or other, from any customer of Sunny Slope, Normac and Camelot Estates shall be subject to a service charge for such; said customer will incur a \$40.00 service charge for each incident.

ARTICLE VII

RESPONSIBILITY OF USERS

Section 1: Users are the individuals and Property owners of the subject property. Those who lease, rent, and/or time share their property/properties to tenants are responsible for paying the wastewater bill. The District will allow billing tenants; however, default payments are still the sole responsibility of the property owner to resolve in a timely manner or be subject to property lien.

Section 2: Any legal dispute or action brought against a property owner and/or Trustees where the property owner is found to be in the wrong, the Trustees will pass all legal costs to said property owners.

Section 3: Any user of the District will allow agents or representatives of the district onto their property for the purpose of obtaining meter readings for billing purposes. Further, under emergency situations the district is allow to enter the users property for the purpose of preventing or repairing the systems.

Section 3.1: When Three (3) documented visits to a customer to obtain the meter reading and animals or other obstruction are caused by property owner/tenants, a few of \$50.00 will be imposed for obstruction to easement.

Section 4: If the sewer line from the customers home to the collection tank, would break it would be the customer or owner of property to pay for all repairs to fix said problem.

THESE ORNINANCES SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AN APPROVAL

PASSED, APPROVED AND ADOPTED by the Sunny Slope Country Club Driver Sewer District of Camden County, Missouri

Charles Whelpley, Trustee	9-20-06
Jo Carpenter, Trustee	9-20-06
James Burtin, Trustee	9-20-06
George Ballew, Trustee	9-20-06
Dennis Riley, Trustee	9-20-06

ORDINANCE NO, 4-20-05

AN ORDINANCE OF THE SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, ESTABLISHING RATES FOR CUSTOMERS OF THE DISTRICT.

Be it Ordained by the County Commission of Camden County, sitting in its capacity as governing body of Sunny slope Country Club Drive Sewer District, of Camden County, Missouri, that:

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, is in the process of constructing wastewater treatment works; and

WHEREAS, the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, must pay all costs and expenses associated with construction and operation of said sewerage facilities, to meet operational costs, revenue bond payments and necessary reserves.

NOW THEREFORE, the Charges to be imposed by the District are hereby established as follows:

ARTICLE I

CHARGES-STATEMENT OF PURPOSE

Purpose of Charges-to Promote Public Health, Safety, Welfare and Convenience. It is determined and declared necessary and conductive to the protection of the public health, safety, welfare and convenience of the Camden County Sunny Slope Country Club Drive Sewer District to collect charges

from all users who contribute wastewater to the District's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE II

DEFINITIONS

Definition of Terms. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 2: "Replacement" shall mean expenditures for replacing and installing equipment, accessories, and appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 3: "Shall" is mandatory; "May" is permissive.

ARTICLE III

USER CHARGE SYSTEM

FUNDS AND RESERVES

MANAGEMENT OF BOOKS, ACCOUNTING AND AUDITS

Section 1: User Charge System. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance, the cost of replacement and the cost associated with debt retirement of bonded capital associated with financing the treatment works which Sunny Slope Country Club Drive Sewer District of Camden County may by ordinance designate to be paid by the user charge system.

Section 2: Operation and Maintenance and Replacement Funds-Two Primary Account: That portion of the total user charge collected which is designated for operation and maintenance and for replacement purposes shall be kept in two primary accounts as follows:

- c. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance cost (excluding replacement) of the treatment works. Deposits in the Operation and Maintenance Account shall be made in an amount to pay cost of operation and maintenance (excluding depreciation).
- d. The Replacement and Extension Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement and Extension Account shall be made in the amount of \$11,750.00 annually. Expenditures from the Replacement and Extension Account shall be made directly from that account without transferring funds to the Operation and Maintenance Account.

Section 3: Balance Carry Over and Use. Fiscal Year-End balances in the Operation and Maintenance Account and the Replacement and Extension Account will be carried over to the same accounts each subsequent fiscal year and shall be used for no other purposes than those designated for these accounts.

Section 4: Rates-To Meet USDA and DNR Requirements. The creation of the rates are subject to USDA approval so long as the District is obligated to the USDA, and the creation of funds and accounts for the management of funds and reserves, will conform to the requirements of the bond ordinances as finally approved by the agencies providing financial assistance for the District and the rules, regulations and directives of the Missouri DNR and USDA, Rural Development.

Section 5: Books-Accounting-Audit. The District will maintain all books and records demanded for similar governmental entities in the State of Missouri, including such records and reports requested by USDA, Rural Development and DNR and will be subject to all audit requirements of the State of Missouri and USDA, Rural Development, including, but not limited to, and annual internal audit.

ARTICLE IV **TYPES OF RATES**

Section 1: Graduated Rate Based on Volume of Use for Residential And commercial Customers Other than Condominium or Multiplex Complexes. Each user, other than condominium and multiplex complexes, will pay for the services provided by the Sunny Slope County Club Driver Sewer District based on the volume of wastewater flow discharged into the District's collection and treatment system as measured by the methods acceptable to the District and approved by its engineers. Volume may be measured calculation of the volume delivered over recorded pump time or by volume measurement, as deemed most cost effective by the District's engineer and established by the engineer based on reliable information customarily relied upon in the engineering profession, including testing of manufacturers.

Section 2: Flat Rate Multiplied Times Number of Units Service For Complexes of Condominiums or Multiplexes. Condominium and Multiplexes complexes will be charged under complex contracts a rate which will be a flat rate multiplied by the number of condominium individual residences or multiplex individual residences served under the contract for each complex. Contracts with each complex's developer or the condominium owner's association will be individually concluded to establish and transition agreements necessary initiate service and define responsibilities. The liability for the billing will be that of the developer or association to the end that individual billings to individual condominium owners will not be required, and the associations or developers will be responsible for collecting and remitting the service fees.

Section 3: Sales Taxed and Primary Fees, If any. Any applicable sales taxed and primary fees are added to the charge.

ARTICLE V **TYPES OF RATES**

Section 1: Residential And Commercial Customers Other Than Condominium/Multiplex Complexes. All individual residential and commercial customers other than the Collins-Camden Partnership multiplex

complex and the Lake Valley Condominium Owner's Association condominiums, or any other hereafter acquired condominium/multiplex entities, shall be billed as follows:

Wastewater volume is to be calculated by rounding by the nearest 1000 gallons monthly

Minimum charge per month	\$35.00 for first 1000 gallons
Per individual residence	

Minimum charge per month	\$100.00 for first 1000 gallons
Per commercial Establishment	

Charge for each 1000 gallons over the	
first 1000 gallons	\$3.15 per 1000 gallons

By way of example: if the wastewater gallons calculation is 5,000 gallons; the charge is \$35.00 plus (4x\$3.15) \$12.60, for a total of \$47.60 that month. The monthly calculation will not be permitted to be made in a way rounding would "double-up" charges on a customer.

Section 2: Condominium/Multiplex Complexes. "Flat Rate" billing is available to customers under condominium/multiplex service and transition agreements, paying for the entire complex. In calculating the charge, each condominium is considered one unit. Each multiplex is considered two units. The number of units is multiplied by the flat rate monthly and the contracting entity is billed and is obligated to pay the entire bill. The contracting entity is obligated to verify the number of condominium/multiplexes at reasonable intervals. The contracting entity is the customer and is obligated to pay the entire bill regardless of whether it has or has not collected the costs from the respective condominium/multiplex owners.

Monthly flat charge per condo/multiplex	
Individual residences	\$45.00

By way of example, if there is one condo unit containing 12 individual residences or six multiplexes containing 12 individual residences, the charge for each would be 12x\$45.00=\$540.00 per month.

Section 3: Disconnection Not Permitted-Reconnection After Damage By Disaster Or Fire-Reconnection Charge. It is the obligation of the District to provide sewer service for health, sanitation and welfare twelve (12) months of every year and to maintain the capacity to treat wastewater flow for each customer for twelve (12) months of each year. For said reasons, voluntary disconnection is not permitted in cases of temporary absence, vacation or seasonal occupancy and the minimum charge will be applied. Where an involuntary disconnection occurs such as in the case of a common disaster or destruction of premises by fire, and the improvement is not inhabitable as either a permanent, temporary or vacation dwelling during any part of the calendar year, a reconnection may be ordered by either the owner or the occupant. The reconnection charge will be the sum of \$580.00.

Section 4: Unique Discharge By User Visiting Abnormal Cost On the District. Any user who discharges any toxic pollutants that causes an increase in the cost of managing the effluent or the sludge in the

District's treatment works or any user who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or placement of the treatment works, shall be charged for such increased cost. The charge to each user shall be determined by the District after consultation with its engineer.

Section 5: Area Of Applicability. The user charge rates established in this Article applies to all users of the Sunny Slope Country Club Drive Sewer District regardless of the user's location.

Section 6: Tap-On/Connection Fees-New Residential/Commercial Customers/New Condominium Complex Customers. New Residential Customers tap-on/connection fees authorized under Section 249.645 will be charged. The charge will be the sum of \$1,000.00 for a new residential/commercial customer after construction of the District's initial facilities is commenced. This tap-on or connection fee must be paid in addition to the actual costs to the customer of the connection, which shall include the cost of the collection tank and installation thereof. Condominium complex tap-on or connection fees will be the subject of special contracts between the District and the developer /condominium owner's association. In the event any customer, residential, commercial or condominium complex, presents a demand for excessive requirements by reason of a wastewater flow of a volume which in the judgment of the District's engineer, exceeds the volume the District's existing treatment facility can process without adversely affecting service to other customers, the new customer will be required to contribute reasonably to the cost of the District incurs in establishing the capacity to provide service and in providing service, including a reasonable charge for engineering assessment. The assessment will determine the improvements needed to enable the District to accept the proposed additional wastewater flow and recommend the total cost to be charged the customer with excessive requirements as the customers tap-on connection charge. The assessment will also determine the best alternatives to make the customer's cost in complete conformity with the specifications recommended by the engineer and after paying the reasonable tap-on connection fee as finally determined by the governing body of the District.

ARTICLE VI **MONTHLY BILING AND LATE CHARGES**

Section 1: Monthly Billings. All users shall be billed monthly except where annual billing is authorized and elected under a condominium service agreement. Billings of each month shall be made within thirty (30) days after the billing is made shall be delinquent.

Section 2: Late Charges. A late payment penalty of ten (10%) percent of the user charge bill will be added to each delinquent bill for each thirty (30) days of delinquency.

ARTICLE VII **RATE REVIEW AND DISCLOSURE**

Section 1: Periodic Review And Revision of Rates. The rates to be charged by the District are initially reflections of estimated income and estimated expenses which may vary with experience. The District or its designee shall review the user charge system annually and the governing body will revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation

and maintenance, and fund the debt reserve account and the replacement and extension account as demanded by the bond ordinance. These accounts are established by the bond ordinance and as a minimum will be initially as follows:

- d. The deposits to the Debt Service Account will be \$67,500.00 for each for the first two years and \$88,126.00 per year for each of the next 33 years.
- e. The deposits for the Debt Service Reserve Account will be \$8,820.00 per year for ten years.
- f. The deposit to the Replacement and Extension Account will be \$11,750.00 per year.

Also, attached hereto as an Exhibit and incorporated herein by reference, is a schedule prepared by DNR, to be used as a tool assisting annual rate review. In this DNR study the phrase “debt service reserve” is intended to refer to the USDA “Debt Service Reserve Account”. The “Depreciation Account” is intended to refer to the USDA “Replacement and Extension Account”. The reference to “replacement” is intended to refer to that portion of annual operation and maintenance costs expended on replacement of equipment. This DNR study provides for more generous reserves and is to be considered together with USDA minimum reserve requirements in the District’s annual review to test the adequacy of rates and the financial well-being of the District. The controlling provisions naming accounts and providing minimum levels of funding are set forth in the USDA Bond Resolution. General DNR regulations relating to the user charge system are to be found in 10 C.S.R. 10-4.040, paragraph 17(A). It is intended that these provisions be read in harmony to the end that each year the governing body of the District will responsibly review and test the adequacy of this rates and take such action as may be needed to maintain the financial stability of the district. The rates of the District must at all times provide for the proportional distribution of all costs and reserves equitably among all customers.

Section 2: Notification Of Rate Structure. The District will notify each user in conjunction with regular billing of the rate being charged.

ARTICLE VIII **EFFECTIVE DATE**

This Ordinance shall be retroactive to September 1, 2007 and in full force and effect from and after its passage and approval.

PASSED, APPROVED, AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the governing body of the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, on the 15th day of November, 2007.

Sunny Slope Country Club Drive Sewer District
of Camden County, Missouri
Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Beverly Thomas, Commission
Rowland Todd, County Clerk

ORDINANCE 8-8-05

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation; and

WHEREAS, the Camden County, Missouri Public Facilities Authority (the “Corporation”) is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment of the use of the; County for County purposes; and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1995, in the aggregate principal amount of \$2,880,000 (“the Bonds”) for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project site to the corporation, and (4) enter into a Lease Agreement (the “lease) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium , if any, and interest on the Bonds as the same become due” and

WHEREAS, The County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2005, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$316,880 for Fiscal Year 2005-2006, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County clerk, shall be, and they hereby are authorized and directed to execute all

documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4: Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 8th day of August, 2005.

Carolyn Loraine, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE 8-8-05

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the “County”) is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation; and

WHEREAS, the Camden County, Missouri Public Facilities Authority (the “Corporation”) is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment of the use of the; County for County purposes; and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1997, in the aggregate principal amount of \$8,360,000 (“the Bonds”) for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project site to the corporation, and (4) enter into a Lease Agreement (the “lease) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium, if any, and interest on the Bonds as the same become due” and

WHEREAS, The County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2005, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$966,245 for Fiscal Year 2005-2006, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purses of this Ordinance, and to carry out, comply with an perform the duties of the County with respect to the Site Lease and the Lease.

Section 4: Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 8th day of August, 2005.

Carolyn Loraine, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowloand Todd, County Clerk

ORDINANCE 8-8-05

AN ORDINANCE AUTHORIZING THE COUNTY TO RENEW A LEASE AGREEMENT FROM THE CAMDEN COUNTY, MISSOURI PUBLIC FACILITIES AUTHORITY, FOR CERTAIN FACILITIES AND REAL ESTATE; APPROVING THE BUDGET AND APPROPRIATION OF MONEYS TO PAY THE LEASE PAYMENT IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE RENEWAL OF SAID LEASE AGREEMENT.

WHEREAS, the County of Camden, Missouri, (the "County") is authorized pursuant to Revised Statutes of Missouri as amended, to sell or lease to a not-for-profit corporation to acquire, construct, improve, extend repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease or purchase such sites, buildings and facilities from the not-for-profit corporation; and

WHEREAS, the Camden County, Missouri Public Facilities Authority (the "Corporation") is a not for profit corporation duly organized and existing under the General Not-for-Profit Corporation Law, Chapter 355 of the Revised statutes of Missouri, as amended, for the purpose of benefiting and carrying out the

purposes of the County, by providing for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of public sites, buildings, facilities, furnishings and equipment of the use of the; County for County purposes; and

WHEREAS, The County Commission of the County has authorized the Corporation to (1) issue its Camden County, Missouri, Public Facilities Authority Leasehold Revenue Bonds, (Camden County, Missouri) Series 1999, in the aggregate principal amount of \$1,160,000 (“the Bonds”) for the purpose of providing funds to acquire, construct, furnish and equip new facilities located on the Project Site (the “project”, said Project together with the Project Site being referred to therein as the County under which the County will lease the Project site to the corporation, and (4) enter into a Lease Agreement (the “lease) with the County under which the Corporation will cause the proceeds of the Bonds to be issued to finance costs related to the Project and will lease the facilities to the County in consideration of rental payments by the County which are to be sufficient, during the Lease Term (as defined in the Lease), to pay the principal of, redemption premium , if any, and interest on the Bonds as the same become due” and

WHEREAS, The County Commission further finds and determines that it is necessary and desirable in connection with the Lease of the Project Site, the lease of the Facilities and the issuance of the Bonds that the County renew the Lease and that the County take certain other as herein provided

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI AS FOLLOWS:

Section 1: Authorization of Documents. The County is hereby authorized to renew the Lease for an additional term of one year through December 31, 2005, in accordance with Article III thereof.

Section 2: Appropriation of Rental Payments. The Camden County Commission of the County hereby irrevocable budgets and appropriates money in the amount of \$62,350 for Fiscal Year 2005-2006, to be used to make the rental payments due under the Lease during the Renewal Term.

Section 3: Further Authority. The officers, agents and employees of the County, including the County Commission and County clerk, shall be, and they hereby are authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the County with respect to the Site Lease and the Lease.

Section 4: Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the County Commission of Camden County, Missouri.

Passed by the County Commission of the County of Camden, this 8th day of August, 2005.

Carolyn Loraine, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE 12-23-05

AN ORDINANCE SETTING A SURCHARGE OF TWO (2.00) DOLLARS FOR CRIMINAL CASES IN ACORDANCE WITH SECTION 488.5026 RSMo.

Be it Ordained by the Camden County Commission, as follows:

Section 1: Criminal Cases. A fee of two (\$2.00) Dollars shall be assessed and collected as costs in each court proceeding filed by the County, as authorized by RSMo. 488.5026, in all criminal cases, including violations of any County Ordinance or any violations of any criminal or traffic laws of the State, except that no such fee shall be collected in any proceeding in any Court when the proceeding or the defendant has been dismissed by the Court or when costs are to be paid by the State or County.

Section 2: Juvenile Cases. Said surcharge of two (\$2.00) Dollars shall also be assessed as costs in a juvenile court proceeding in which a child is found by the Court to come within the applicable provisions of subdivision (3) of subsection 1 of RSMo. 211.031.

Section 4: Effective Date; Severability. This Ordinance shall be in full force and effect from and after its passage and approval and the provisions of this Ordinance are severable as provided in Section 1.140 RSMo.

PASSES, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 23rd day of December, 2005.

Camden County, Missouri

Carolyn Loraine, Presiding Commissioner

Thom Gumm, Commissioner

Beverly Thomas, Commissioner

ORDINANCE NO. 3-1-06

AN ORDINANCE REQUIRING THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR REVIEW FOR FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE ISSUANCE OF CERTIFICATIONS FOR FOOD HANDLERS.

Be it Ordained by the Camden County Commission, as follows:

Section 1. Definitions.

- A. **“Approved”** means acceptable to the regulatory authority based on a determination of conformity with principles, practices and generally recognized standards that protect public health.
- B. **“Consumer”** means a PERSON who is a member of the public, takes possession of FOOD, is not functioning in the capacity of an operator of a FOOD ESTABLISHMENT and does not offer the FOOD for resale.
- C. **“EMPLOYEE”** means the permit holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- D. **“FOOD”** means a raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- E. **“FOOD ESTABLISHMENT”**
 - (1) “Food Establishment” means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption:
 - (a) Such as a restaurant; satellite or central preparation facility; catered feeding location; catering operation if the operation provides food directly to a Consumer or to a conveyance used to transport people; market; vending (location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and
 - (b) That relinquishes possession of food to a Consumer directly or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.
 - (2) “Food Establishment” includes:
 - (a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and
 - (b) An operation that is conducted in a mobile, stationary, temporary or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.
- F. **“IMMINENT HEALTH HAZARD”** means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice,

circumstance or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:

- (1) The number of potential injuries, and
 - (2) The nature, severity, and duration of the anticipated injury.
- G. **“LAW”** means applicable local, state and federal statutes, regulations and ordinances.
- H. **“PERMIT”** means the document issued by the REGULATORY AUTHORITY that authorizes a PERSON to operate a FOOD ESTABLISHMENT.
- I. **“PETMIT HOLDER”** means the entity that:
- (1) Is legally responsible for the operation of the FOOD ESTABLISHMENT such as the owner, the owner’s agent, or other PERSON; and
 - (2) Possesses a valid PERMIT to operate a FOOD ESTABLISHMENT.
- J. **“PERSON”** means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.
- K. **“REGULATORY AUTHORITY”** means the local, state or federal enforcement body or authorized representative having jurisdiction over the FOOD ESTABLISHMENT.

Section 2. Facility and Operating Plans.

- A. When Plans Are Required. A PERMIT applicant shall submit to the REGULATORY AUTHORITY properly prepared plans and specifications for review and approval before:
- (1) The construction of a FOOD ESTABLISHMENT;
 - (2) The conversion of an existing structure for use as a FOOD ESTABLISHMENT, or
 - (3) The remodeling of a FOOD ESTABLISHMENT or a change or type of FOOD ESTABLISHMENT or FOOD operation if the REGULATORY AUTHORITY determines that plans and specifications are necessary.
- B. Contents of the Plans and Specifications: The plans and specifications for a FOOD ESTABLISHMENT, shall include, as required by the REGULATORY AUTHORITY based on the type of operation, type of FOOD preparation, and FOODS prepared, the following information to demonstrate conformance with 1999 Missouri Food Code provisions:
- (1) Intended menu;
 - (2) Anticipated volume of FOOD to be store, prepared, and sold or served;
 - (3) Proposed layout, mechanical schematics, construction materials, and finish schedules;
 - (4) Proposed EQUIPMENT types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation specifications;
 - (5) Other information that may be required by the REGULATORY AUTHORITY for the proper review of the proposed construction, conversion or modification, and procedures for operating a FOOD ESTABLISHMENT.
- C. Preoperational Inspections. The REGULATORY AUTHORITY shall conduct one or more preoperational inspections to verify that the FOOD ESTABLISHMENT is constructed and equipped in accordance with the APPROVED plans and APPROVED modifications of those plans and is in compliance with the LAW.

Section 3. Permit to Operate

- A. Prerequisite for Operation. A PERSON may not operate a FOOD ESTABLISHMENT without a valid PERMIT to operate issued by the REGULATORY AUTHORITY.
- B. Submission 30 Calendar Days Before Proposed Opening. An applicant shall submit an application for a PERMIT at least 30 calendar days before the date planned for opening a FOOD ESTABLISHMENT or the expiration date of the current PERMIT for an existing facility.
- C. Form of Submission. A PERSON desiring to operate a FOOD ESTABLISHMENT shall submit to the REGULATORY AUTHORITY a written application for a PERMIT on a form provided by the REGULATORY AUTHORITY.
- D. Qualifications and Responsibilities of Application. To qualify for a PERMIT, an applicant shall:
 - (1) Be an owner for the FOOD ESTABLISHMENT for an officer of the legal ownership;
 - (2) Pay the applicable PERMIT fees at the time the application is submitted.
- E. Contents of Application. The application shall include:
 - (1) The name, birth date, mailing address, telephone number, and signature of the PERSON applying for the PERMIT and the name, mailing address, and location of the FOOD ESTABLISHMENT;
 - (2) Information specifying whether the FOOD ESTABLISHMENT is owned by an association, corporation, individual, partnership, or other legal entity;
 - (3) A statement, specifying whether the FOOD ESTABLISHMENT is mobile or stationary and temporary or permanent.
 - (4) The name, title, address, and telephone number of the PERSON directly responsible for the FOOD ESTABLISHMENT;
 - (5) A statement signed by the applicant that attests to the accuracy of the information provided in the application;
 - (6) Other information required by the REGULATORY AUTHORITY.
- F. New, Converted, or Remodeled Establishments. For FOOD ESTABLISHMENTS that are required to submit plans, the REGULATORY AUTHORITY shall issue a PERMIT to the applicant after:
 - (1) A properly completed application is submitted;
 - (2) The required fee is submitted;
 - (3) The required plans, specifications, and information are reviewed and APPROVED; and
 - (4) A preoperational inspection showing that the establishment is built or remodeled in accordance with the APPROVED plans and specifications.
- G. Existing Establishments, Permit Renewal and Change of Ownership. The REGULATORY AUTHORITY may renew a PERMIT for an existing FOOD ESTABLISHMENT or may issue a permit to a new owner of an existing FOOD ESTABLISHMENT after a properly completed application is submitted, reviewed and APPROVED, the fees are paid, and an inspection shows that the establishment is in compliance with this Code.
- H. Denial of Application for Permit, Notice. If an application for a PERMIT to operate is denied, the REGULATORY AUTHORITY shall provide the applicant with a notice that includes:
 - (1) The specific reasons and Code citations for the PERMIT denial;
 - (2) The actions, if any, that the application must take to qualify for a PERMIT; and
 - (3) Information on the right of appeal.
- I. Right of Appeal. An application whose application for a permit to operate has been denied may appeal the denial by filing a written request for a hearing before the Camden County

Commission. The request must be received by the Camden County Commission within then (10) days of the denial of the permit. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri.

J. Responsibilities of the Regulatory Authority.

- (1) At the time of a PERMIT is first issued, the REGULATORY AUTHORITY shall provide to the PERMIT HOLDER a copy of the applicable code so that the PERMIT HOLDER is notified of the compliance requirements.
- (2) *Failure to provide the information specified in paragraph (1) of this Section does not prevent the REGULATORY AUTHORITY from taking authorized action or seeking remedies if the PERMIT HOLDER fails to comply with this code or an order, warning or directive of the REGULATORY AUTHORITY.*

K. Responsibilities of the Permit Holder. Upon acceptance of the PERMIT issued by the REGULATORY AUTHORITY, the PERMIT HOLDER in order to retain the PERMIT shall:

- (1) Post the PERMIT in a location in the FOOD ESTABLISHMENT that is conspicuous to CONSUMERS;
- (2) Comply with the provisions of this Code;
- (3) Immediately contact the REGULATORY AUTHORITY to report an illness of an EMPLOYEE as specified under the Missouri Food Code;
- (4) Immediately discontinue operations and notify the REGULATORY AUTHORITY if an IMMINENT HEALTH HAZARD may exist;
- (5) Allow representatives of the REGULATORY AUTHORITY access to the FOOD ESTABLISHMENT;
- (6) Comply with directives of the REGULATORY AUTHORITY including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the REGULATORY AUTHORITY in regard to the PERMIT HOLDER'S FOOD ESTABLISHMENT or in response to community emergencies;
- (7) Accept notices issued and served by the REGULATORY AUTHORITY according to LAW; and
- (8) Be subject to the administrative, civil, injunctive and criminal remedies authorized by LAW for failure to comply with this Code or a directive of the REGULATORY AUTHORITY, including time frames for corrective actions specified inspection reports, notices, orders, warnings and other directives.

L. Permits Not Transferable. A PERMIT may not be transferred from one PERSON to another PERSON, from one FOOD ESTABLISHMENT to another, for from one type of operation to another if the FOOD operation changes from the type of operation specified in the application and the change in operation is not APPROVED.

M. Food Service Worker Certificates.

- (1) Food Manager's Certificate. A food manager's certificate is required for all individuals employed by a FOOD ESTABLISHMENT in a management or person in charge capacity. The certificate must be obtained by the individual no later than sixty (60) days from employment as a manager or person in charge. A food manager's certificate shall be awarded to an individual only after successful completion of an accredited program or a course of instruction approved by the

REGULATORY AUTHORITY. A food manager's certificate shall be valid for five (5) years from the date of issuance and shall be renewable upon presentation of evidence of completion of a refresher course.

- (2) Food handler's or food manager's certificate will not be transferable from person to person, but shall be valid for the person whom issued in any food service establishment within the county.
- (3) Responsibility of owner, operator. It shall be unlawful for any person engaged in owning, operating, or managing a FOOD ESTABLISHMENT to utilize the services of any employee who is required to possess but does not possess a valid food manager's certificate.
- (4) Custody of certificates. The food manager's certificate of each person in the employ of a FOOD ESTABLISHMENT shall be deposited with the management of the establishment during the tenure of that person's employment, and shall be returned to the person to whom issued upon termination of employment. Food manager's certificates suspended or revoked as hereinafter provided, shall be remanded to the custody of the food manager's certificates of its personnel in a manner which will provide convenient access for the REGULATORY AUTHORITY inspectors for inspection.
- (5) Revocation of certificate. A food manager's certificate may be revoked by the REGULATORY AUTHORITY, for repeated or continuing violations of accepted procedures and practices in the preparation, service or storage of FOOD or beverage offered for public consumption, or upon demonstration of the presence of a communicable disease in the infectious stage, or an infectious of the presence of a communicable disease in the infectious stage, or an infectious condition of potential hazard to the public or to the person's co-workers, or for falsification of information required for issuance of the certificate. A Food manager's certificate shall be revoked only after the certificate holder has been given written notice of the reasons for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The certificate holder must give written notice of a request for a hearing to the Camden County Commission within ten (10) days of receipt of the notice of proposed revocation. A food manager's certificate may be suspended pending a hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from a decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

N. Suspensions.

- (1) A PERMIT to operate shall be suspended if:
 - (a) Conditions considered to be an imminent health hazard exists and the operator has not voluntarily discontinued operations; or
 - (b) The operator refuses access to the REGULATORY AUTHORITY for inspection; or
 - (c) An inspection reveals violations which meet or exceed the following:
 1. Ten (10) critical violations, or
 2. Twenty-five (25) non-critical violations or

3. Any combination of critical and non-critical violations totaling thirty (30) or more violations
- (2) A PERMIT to operate may be suspended it:
 - (a) Upon re-inspection, violations are not corrected within the time frame specified by the REGULATORY AUTHORITY.
- O. Reinstatement. Any PERSON whose PERMIT has been suspended may, at any time, make application for the purpose of reinstatement of the PERMIT. Within three (3) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the PERMIT have been corrected, the REGULATORY AUTHORITY shall make a re-inspection. If the applicant is complying with the requirements of this article, the PERMIT shall be reinstated.
- P. Notice and Appeal.
 - (1) When a PERMIT to operate has been suspended, the REGULATORY AUTHORITY shall provide the PERMIT HOLDER written notice of the suspension and brief statement of the grounds for the suspension. The notice shall contain information on the right to appeal and on the requirements for reinstatement. The notice shall be hand-delivered to the PERMIT HOLDER or an agent of the PERMIT HOLDER or shall be mailed to the address shown on the PERMIT HOLDER'S application or to the last known address of the PERMIT HOLDER.
 - (2) A PERMIT HOLDER whose PERMIT to operate has been suspended may appeal the suspension by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the suspension. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri, in accordance with Chapter 536 if the Revised Statutes of Missouri.
- Q. Revocation.
 - (1) A PERMIT to operate may be revoked for serious or repeated violations of any of the requirements of this Code. A PERMIT to operate shall be revoked only after the PERMIT HOLDER has been given written notice for a proposed revocations and has been afforded the opportunity for a hearing before the Camden County Commission. The notice shall be hand delivered to the PERMIT HOLDER or an agent of the PERMIT HOLDER or shall be mailed to the address shown on the PERMIT HOLDER'S application or to the last known address of the PERMIT HOLDER.
 - (2) A PERMIT HOLDER whose PERMIT to operate is proposed to be revoked and who desires a hearing must be give written notice of a request for a hearing to the Camden County Commission within ten (10) days of the receipt of the notice of proposed revocation. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Camden County Circuit Court in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 4. Hepatitis A Vaccination.

- (1) It shall be unlawful for any PERSON to handle FOOD in a FOOD ESTABLISHMENT without proof of Hepatitis A vaccination.
- (2) Records of EMPLOYEES Hepatitis A vaccination shall be kept on file in the FOOD ESTABLISHMENT.
- (3) EMPLOYEES must be vaccinated within ninety (90) days of adopting this Ordinance. New EMPLOYEES must be vaccinated within (30) days of employment.

Section 5. Fees.

- (1) FOOD ESTABLISHMENTS pay an annual inspection/permit fee based on public health priority according to the following schedule:
 - (a) High Priority \$150.00
 - (b) Medium Priority \$100.00
 - (c) Low Priority \$50.00
- (2) The annual fee shall be paid to the PERMIT administrator when the application for operating permit is submitted or the PERMIT is renewed.
- (3) FOOD ESTABLISHMENTS shall pay an administrative service fee of One Hundred (\$100.00) Dollars per inspection for the second and subsequent re-inspections required to correct violations noted during the inspection process. The administrative service fee shall be paid to the PERMIT administrator prior to re-issuance of any operating permit.
- (4) Persons conducting a temporary food event (an event lasting less than fifteen days (15) shall pay a permit fee of Fifty (50) Dollars. Non-profit organizations shall not be charged a fee for temporary food events. The fee shall be paid to the PERMIT administrator prior to receipt of the operating permit.

Section 6. Penalty. Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment (not exceeding three (3) months) or by both such fine and imprisonment. Each day that a violation continues is a separate offence.

Section 7. Effective Date; Severability. This Ordinance shall be in full force and effect from and after its passage and approval. The provisions of this Ordinance are severable as provided in Section 1.140 RSMo.

PASSED, APPROVED AND ADOPTED BY THE CAMDEN COUNTY COMMISSION OF CAMDEN COUNTY, MISSOURI, ON THE 1ST DAY OF MARCH, 2006.

Rowland Todd, County Clerk

Charles McElvey, County Attorney

Camden County, Missouri
Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Beverly Thomas, Commissioner

ORDINANCE NO 3-1-06

**AN ORDINANCE REQUIRING THE SUBMISSION OF THE PLANS AND SPECIFICATIONS FOR REVIEW FOR
FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE
ISSUANCE OF CERTIFICATES FOR FOOD HANDLERS.**

AMENDMENT

DATE: 4-20-06

Under Section 4. Hepatitis A Vaccination

- (5) Persons who serve food only on a volunteer basis on behalf of a non-for-profit group or a one day single event may be exempt from Hepatitis A vaccination. The Health Dept, does however encourage anyone handling food to receive the Hepatitis A vaccination and attend the "safe food" class.

Under Section 5: Fees

(1)

(d) non-profit no charge

Carolyn Loraine

Beverly Thomas

ORDINANCE NO. 8-14-07

WHEREAS, THE STATE LAW PURSUANT TO SECTION 144.010 TO 144.525 RSMo PERMITS THE ADOPTION OF A SALES TAX FOR THE PURPOSE OF LAW ENFORCEMENT IMPROVEMENTS, ROAD & BRIDGE IMPROVEMENTS, AND EMPLOYEE RETENTION; and

WHEREAS, THE CAMDEN COUNTY COMMISSION SUBMITTED THE SALES TAX ISSUE TO THE VOTERS OF CAMDEN COUNTY, MISSOURI ON AUGUST 7, 2007 TO BE USED FOR LAW ENFORCEMENT IMPROVEMENTS, ROAD & BRIDGE IMPROVEMENTS, AND EMPLOYEE RETENTION, AND RELATED AUTHORIZED EXPENDITURES FROM THE COLLECTED TAXES; AND

WHEREAS, THE SALES TAX WAS APPROVED BY A VOTE OF THE PEOPLE ON AUGUST 7, 2007, AND

WHEREAS, THE STATUTE REQUIRES THE CAMDEN COUNTY COMMISSION TO ENACT AN ORDINANCE TO ORDER THE SALES TAX COLLECTED;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN AS FOLLOWS:

Section 1. The County of Camden hereby authorizes the sales tax approved by the voters of the County pursuant to the provisions of Section 144.010 to 144.525 RSMo. To be enacted effective at the earliest date appropriate under the state law and of the sales taxes to be collected.

Section 2. The County Clerk is hereby directed to send written notice to the State of Missouri Department of Revenue as soon as possible, but no later than August 14, 2007, of the adoption of this Ordinance authorizing the collection of the Sales Tax by forwarding a cover letter and certified copy of this Ordinance.

Section 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

ADOPTED AND APPROVED THIS 14TH DAY OF AUGUST, 2007

Passed August 14, 2007

approved August 14, 2007

Carolyn Loraine, Presiding Commissioner

Beverly Thomas, Commissioner

Attest: Rowland Todd, County Clerk

Thom Gumm, Commissioner

REVISED ORDINANCE NO 8-14-07-REVISED

WHEREAS, THE STATE LAW PURSUANT TO SECTION 67.547 AND 144.010 TO 144.525 RSMo PERMITS THE ADOPTION OF A GENERAL FUND SALES TAX WITHOUT PROPERTY TAX ROLLBACK FOR THE PURPOSE OF LAW ENFORCEMENT IMPROVEMENTS, ROAD & BRIDGE IMPROVEMENTS, AND EMPLOYEE RETENTION; and

WHEREAS, THE CAMDEN COUNTY COMMISSION SUBMITTED THE SALES TAX ISSUE T OTHE VOTERS OF CAMDEN COUNTY, MISSOURI ON AUGUST 7, 2007 TO BE USED FOR LAW ENFORCEMCENT IMPROVEMENTS, ROAD & BRIDGE IMPROVEMENTS, AND EMPLOYEE RETENTION, AND RELATED AUTHORIZED EXPENDITURES FORM THE COLLECTED TAXED; AND

WHEREAS, THE SALES TAX WAS APPROVED BY A VOTE OF THE PEOPLE ON AUGUST 7, 2007, AND

WHEREAS, THE STATUE REQUIRES THE CAMDEN COUNTY COMMISSION TO ENACT AN ORDINANCE TO ORDER THE SALES TAX COLLECTED;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN AS FOLLOW:

Section 1. The County of Camden hereby authorizes the sales tax approved by the voters of the County pursuant to the provisions of Section 67.547 and 144.010 to 144.525 RSMo. To be enacted effective at the earliest date appropriate under the state law and of the sales taxes to be collected.

Section 2. The County Clerk is hereby directed to send written notice to the State of Missouri Department of Revenue as soon as possible, but no later than August 14, 2007, of the adoption of this Ordinance authorizing the collection of the Sales Tax by forwarding a cover letter and certified copy of this Ordinance.

Section 3. This revised Ordinance replaces Ordinance 8-14-07

Section 4. This Ordinance shall be in full force and effect form and after the date of its passage and approval.

ADOPTED AND APPROVED THIS 14TH DAY OF AUGUST, 2007

Passed August 14, 2007

approved August 14, 2007

Carolyn Loraine, Presiding Commissioner

Beverly Thomas, Commissioner

Attest: Rowland Todd, County Clerk

Thom Gumm, Commissioner

ORDINANCE NO 9-27-07

AN ORDINANCE OF THE CAMDEN COUNTY NORMAC ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, ESTABLISHING RATES FOR CUSTOMERS FO THE DISTRICT.

Be it Ordained by the County Commission of Camden County, sitting in its capacity as governing body of Camden County Normac Estates Sewer District, of Camden County, Missouri, that:

WHEREAS, the Camden County Normac Estates Sewer District of Camden County, Missouri, is in the process of constructing wastewater treatment works; and

WHEREAS, the Camden County Normac Estates Sewer District of Camden County, Missouri, must pay all costs and expenses associated with construction and operation of said sewerage facilities, to meet operational costs, revenue bond payments and necessary reserves.

NOW THEREFORE, the Charges to be imposed by the District are hereby established as follows:

ARTICLE I

CHARGES- STATEMENT OF PURPOSE

Purpose of Charges- to Promote Public Health, Safety, Welfare and Convenience. It is determined and declared necessary and conducive to the protection of the public health, safety, welfare and convenience of the Camden County Normac Estates Sewer District to collect charges from all users who contribute wastewater to the District's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE II

DEFINITIONS

Definition of Terms. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows.

Section 1: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 2: "Replacement" shall mean expenditures for replacing and installing equipment, accessories, and appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 3: "Shall" is mandatory; "May" is permissive.

ARTICLE III

USER CHARGE SYSTEM

FUNDS AND RESERVES

MANAGEMENT OF BOOKS, ACCOUNTIN AND AUTDITS

Section 1: User Charge System. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance, the cost of replacement and the cost associated with debt retired of bonded capital associated with financing the treatment works which Camden County Normac Estates Sewer District of Camden County may by ordinance designate to be paid by the user charge system.

Section 2: Operation and Maintenance and Replacement Funds-Two Primary Accounts: That portion of the total user charge collected which is designated for operation and maintenance and for replacement purposes shall be kept in tow primary accounts as follows:

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works. Deposits in the Operation and Maintenance account shall be made in an amount to pay costs of operation and maintenance (excluding depreciation).
- b. The Replacement and Extension Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement and Extension Account shall be made in the amount of \$ _____ annually. Expenditures from the Replacement and Extension Account shall be made directly from that account without transferring funds to the Operation and Maintenance Account.

Section 3: Balance Carry Over and Use. Fiscal Year-End balances in the Operation and Maintenance Account and the Replacement and Extension Account will be carried over to the same accounts each subsequent fiscal year and shall be used for no other purposes than those designated for these accounts.

Section 4: Rates-To Meet USDA and DNR Requirements. The creation of the rates are subject to USDA approval so long as the District is obligated to the USDA, and the creation of funds and accounts for the management of funds and reserves, will conform to the requirements of the bond ordinances as finally approved by the agencies providing financial assistance for the District and the rules, regulations and directives of the Missouri DNR and USDA, Rural Development.

Section 5: Books-Acountn-Audit. The District will maintain all books and records demanded for similar governmental entities in the State of Missouri, including such records and reports requested by USDA, Rural Development and DNR and will be subject to all audit requirements of the State of Missouri and USDA, Rural Development, including, but not limited to, and annual internal audit.

ARTICLE IV **TYPES OF RATES**

Section 1: Flat Rate or Graduated Rate Based On volume Of Use For Residential And Commercial Customers Other Than Condominium Or Multiplex Complexes. Each user, other than condominium or multiplex complexes, will pay for the services provided by the Camden County Normac Estates Sewer

District based upon a flat rate or on the volume of wastewater flow discharged into the District's collection and treatment system as measured by the methods acceptable to the District and approved by its engineers. The flat rate will be determined by the District's Board and District's Engineer based upon reliable information customarily relied upon in the engineering profession, including testing of manufacturers. Volume measurement, as deemed most cost effective by the District's engineer and established by the engineer based on reliable information customarily relied upon in the engineering profession, including testing of manufacturers.

Section 2: Flat Rate Multiplied Times Number Of Units Service For Complexes Of Condominiums Or Multiplexes. Condominium and Multiplexes complexes will be charged under complex contracts a rate which will be a flat rate multiplied by the number of condominium individual residence or multiplex individual residences served under the contract for each complex. Contracts with each complex's developer or the condominium owner's association will be individually concluded to establish and transition agreements necessary to initiate service and define responsibilities. The liability for the billing will be that of the developer or association to the end that individual billings to individual condominium owners will not be required, and the associations or developers will be responsible for collecting and remitting the service fees.

Section 3: Sales Taxed And Primary Fees, If Any. Any applicable sales taxed or primary fees are added to the charge.

ARTICLE V
INITIAL RATES-DISCONNECTION-RECONNECTION
RAP-ON/RECONNECTION FEES

Section 1: Residential And Commercial Customers Other Than Condominium/Multiplex Complexes. All individual residential and commercial customers other than condominium/multiplexes or any other hereinafter acquired condominium/multiplex entities shall be billed based upon an initial flat rate of \$56.00 per month.

Section 2: Condominium/Multiplex Complexes. "Flat Rate" billing is available to customers under condominium/multiplex service and transition agreements, paying for the entire complex. In calculating the charge, each condominium is considered one unit. Each multiplex is considered two units. The number of the units is multiplied by the flat rate monthly and the contracting entity is billed and obligated to pay the entire bill regardless of whether it has or has not collected the costs from the respective condominium/multiplex owners.

Monthly flat charge per condo/multiplex	
Individual residences	\$56.00

By the way of example, if there is one condo unit containing 12 individual residence or six multiplexes containing 12 individual residences, the charge for each would be $12 \times \$56.00 = \672.00 per month.

Section 3: Disconnection Not Permitted-Reconnection After Damage By Disaster Or Fire-Reconnection Charge. It is the obligation of the District to provide sewer service for health, sanitation and welfare

twelve (12) months of every year and to maintain the capacity to treat wastewater flow for each customer for twelve (12) months of each year. For said reasons, voluntary disconnection is not permitted in cases of temporary absence, vacation or seasonal occupancy and the minimum charge will be applied. Where an involuntary disconnection occurs such as in the case of a common disaster or destruction of premises by fire, and the improvement is not inhabitable as either a permanent, temporary or vacation dwelling during any part of the calendar year, a reconnection may be ordered by either the owner or the occupant. The reconnection charge will be the sum of \$580.00.

Section 4. Unique Discharge By User Visiting Abnormal Cost On The District. Any user who discharges any toxic pollutants that causes an increase in the cost of managing the effluent or the sludge in the District's treatment works or any user who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or placement of the treatment works, shall be charged for such increased costs. The charge to each user shall be determined by the District after consultation with its engineer.

Section 5: Area of Applicability. The user charge rates established in this Article applies to all users of the Camden County Normac Estates Sewer District regardless of the user's location.

Section 6. Tap-On/Connection Fees- New Residential/Commercial Customers/New Condominium Complex Customers. New Residential Customers tap-on/connection fees authorized under Section 249.645 will be charged. The charge will be the sum of \$1,500.00 for a new residential/commercial customer after construction of the District's initial facilities is commenced. This tap-on or connection fee must be paid in addition to the actual costs to the customer of the connection, which shall include the cost of the collection tank and installation thereof. Condominium complex tap-on or connection fees will be the subject of special contracts between the District and the developer/condominium owner's association. In the event any customer, residential, commercial or condominium complex, presents a demand for excessive requirements by reason of a wastewater flow of a volume which in the judgment of the District's engineer, exceeds the volume the District's existing treatment facility can process without adversely affecting service to the other customers, the new customer will be required to contribute reasonable to the cost the District incurs in establishing the capacity to provide service and in providing serve, including a reasonable charge for an engineering assessment. The assessment will determine the improvements needed to enable the District to accept the proposed additional wastewater flow and recommend the total cost to be charged the customer with excessive requirements as the customer's tap-on or connection charge. The assessment will also determine the best alternatives to make the Customer's cost in complete conformity with the specifications recommended by the engineer and after paying the reasonable tap-on or connection fee as finally determined by the governing body of the District.

ARTICLE VI

MONTHLY BILLINGS AND LATE CHARGES

Section 1: Monthly Billing. All users shall be billed monthly except where annual billing is authorized and elected under a condominium service agreement. Billings of each month shall be made within thirty (30) days after the end of the month. Payment are due when billings are made. Any payment not received within thirty (30) days after the billing is made shall be delinquent.

Section 2: Late Charges. A late payment penalty of ten (10%) percent of the user charge bill will be added to each delinquent bill for each thirty (30) days of delinquency.

ARTICLE VII
RATE REVIEW AND DISCLOSURE

Section 1: Periodic Review And Revision of Rates. The rates to be charged by the District are initially reflections of estimated income and estimated expenses which may vary with experience. The District or its designee shall review the user charge system annually and the governing body will revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operations and maintenance, and funds the debt reserve account and the replacement and extension account as demanded by the bond ordinance. These accounts are established by the bond ordinance and as minimum will be initially as follows.

- a. The deposits to the Debt Service Account will be \$_____ for each of the first _____ years and \$_____ per year for each of the next years.
- b. The deposits for the Debt Service Reserve Account will be \$_____ per year for ten years.

Also attached herein as an Exhibit and incorporated herein by reference, is a schedule prepared by DNR, to be used as a tool assisting annual rate review. In the DNR study the phrase “debt service reserve” is intended to refer to the USDA “Debt Service Reserve Account”. The “Depreciation Account” is intended to refer to the USDA “Replacement and Extension Account”. The reference to “replacement” is intended to refer to that portion of annual operation and maintenance costs expended on replacement of equipment. This DNR study provides for more generous reserves and is to be considered together with USDA minimum reserve requirements in the district’s annual review to test the adequacy of rates and the financial well-being of the District. The controlling provisions naming accounts and providing minimum levels of funding are set forth in the USDA Bond Resolution. General DNR regulations relating to the user charge system are to be found in 10 C.S.R 20-4.040, paragraph 17(A). It is intended that these provisions be read in harmony to the end that each year the governing body of the District will responsibly review and test the adequacy of its rates and take such action as may be needed to maintain the financial stability of the District. The rates of the District must at all times provide for the proportional distribution of all costs and reserves equitable among all customer.

Section 2: Notification Of Rate Structure. The District will notify each user in conjunction with regular billing of the rate being charged.

ARTICLE VIII
EFFECTIVE DATE

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

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the governing body of the Camden County Normac Estates Sewer District of Camden County, Missouri, on the 27th day of September, 2007.

Rowland Todd, County Clerk

Camden County Normac Estates Sewer District
By Carolyn Loraine, Presiding Commissioner
Thomas Gumm, Commissioner
Beverly Thomas, Commissioner

CERTIFICATION

I, Rowland Todd, Clerk of the Camden County Commission, Camdenton Missouri, and Clerk of the Commission, acting in its capacity as the governing body of the Camden County Normac Estates Sewer District of Camden County, Missouri, a sewer district and political corporation of the State of Missouri organized under Chapter 249 RSMo., do hereby certify that I am the custodian of the records of said sewer district, that the above Ordinance was duly adopted by the governing bodies of said sewer district and Commission and that the same is in full force and effect and has not been amended, modified or repealed.

Dated this 3rd day of October, 2002

Rowland Todd, Clerk of the Camden County
Commission, Camdenton, MO acting in its
capacity as governing body of the Camden
County Normac Estates Sewer District

ORDINANCE NO 10-17-07

**A LOCAL ORDINANCE/LAW ADOPTING AN INTERIM APPLICATION PROCESS FOR WIRELESS
TELECOMMUNICATIONS FACILITIES**

WHEREAS, by the enactment of the Telecommunications Act of 1996, there is anticipated continued substantial growth in the erection of wireless telecommunications facilities; and

WHEREAS, there are significant shortcomings with respect to the County's current regulatory mechanism regarding wireless facilities, especially as regards the impact of the facilities on the community and controlling and minimizing such impact and assuring the safety of towers and wireless facilities; and

WHEREAS, the County wishes to implement, revise or replace an ordinance to more effectively protect the health, safety and welfare of the community, and to remove or change certain sections pursuant to recent case law to assure the orderly development of wireless technology in the community, including but not limited to the development of procedures governing the filing of an application, for reviewing and analyzing an application, and for granting a permit to construct, modify and use wireless telecommunications facilities or other tall structures for the purpose of providing wireless communications services; and

WHEREAS, a reasonable time for the County to complete its aforementioned review, and for the County to enact any required legislation resulting therefrom is deemed to be three months from the date such local ordinance enacting said Interim Application Process is adopted; and

WHEREAS, the County has no pending formal application for wireless telecommunications facilities that it has formally accepted; and

WHEREAS, this Interim Application process is not meant to be prohibitive or exclusionary in nature, during the pendency of the adoption of the new/revised/updated regulations, applications for a building permit, special use permit or site plan approval, or use variance or other necessary County approval for a monopole, lattice tower or other telecommunications antennae installations, including, but not limited to cellular/PCS antennae installations, shall be accepted and processed by the County. However, in initiating an application during the period of this Interim Application Process any applicant must submit an escrow deposit of \$8,500.00 for consulting costs to assist the County in evaluating the application, and further, if a permit is issued it will be issued pursuant to any changes in the County Code and that any unexpended balance of the deposit shall promptly be returned at the conclusion of the application process. BE IT ENACTED by the County of as follows:

Section 1. A four month interim Application Process, effective upon the date of adoption of this local ordinance

There is hereby enacted a four month Interim Application Process for the issuance of permits by the County of Camden on applications for the construction of wireless telecommunications towers, facilities and related facilities.

Section 2. The new ordinance will include requirements covering the filing of an application to include: pre application meeting and site visit, proof of need, fees, proof of location and height of facility, meeting of RF emission requirements, setbacks, aesthetic considerations, insurance requirements and removal bond.

Section 3. Effective Date: This Local Ordinance/Law shall take effective immediately upon passage.

ORDINANCE NO 11-13-07

AN ORDINANCE OF THE CAMELOT ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, ESTABLISHING RATES FOR CUSTOMERS OF THE DISTRICT.

Be it Ordained by the County Commission of Camden County, sitting in its capacity as governing body of Camden County Camelot Estates Sewer District, of Camden County, Missouri, that:

WHEREAS, the Camden County Camelot Estates Sewer District of Camden County, Missouri, is in the process of constructing wastewater treatment works; and

WHEREAS, the Camden County Camelot Estates Sewer District of Camden County, Missouri, must pay all costs and expenses associated with construction and operation of said sewerage facilities, to meet operations costs, revenue bond payments and necessary reserves.

NOW THEREFORE, the charges to be imposed by the District are hereby established as follows:

ARTICLE I

CHARGES-STATEMENT OF PURPOSE

Purpose of Charges-to Promote Public Health, Safety, Welfare and Convenience. It is determined and declared necessary and conducive to the protection of the public health safety, welfare and convenience of the Camden County Camelot Estates Sewer District to collect charges from all users who contribute wastewater to the District's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE II

DEFINITIONS

Definition of Terms. Unless the context specifically indicates otherwise, the meaning of terms used in the Ordinance shall be as follows:

Section 1: "Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 2: "Replacement" shall mean expenditures for replacing and installing equipment, accessories, and appurtenances, which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 3: "Shall" is mandatory; "May" is permissive.

ARTICLE III

USER CHARGE SYSTEM

FUNDS AND RESERVES

MANAGEMENT OF BOOKS, ACCOUNTING AND AUDITS

Section 1: User Charge System. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance, the cost of replacement and the cost associated with debt retirement of bonded capital associated with financing the treatment works which Camelot Estates Sewer District of Camden County may by ordinance designate to be paid by the user charge system.

Section 2: Operation and Maintenance and Replacement Funds-Two Primary Accounts: That portion of the total user charge collected which is designated for operation and maintenance and for replacement purposes shall be kept in tow primary accounts as follows:

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance cost (excluding replacement) of the treatment works. Deposits in the Operation and Maintenance Account shall be made in an amount to pay costs of operation and maintenance (excluding Depreciation).
- b. The Replacement and Extension Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement and Extension Account shall be made in the amount of \$_____ annually. Expenditures from the Replacement and Extension account shall be made directly from that account without transferring funds to the Operation and Maintenance Account.

Section 3: Balance Carry Over and Use. Fiscal Year-End balances in the Operation and Maintenance Account and the Replacement and Extension Account will be carried over to the same accounts each subsequent fiscal year and shall be used for no other purposes than those designated for these accounts.

Section 4: Rates-To Meet USDA and DNR Requirements. The creation of the rates are subject to USDA approval so long as the District is obligated to the USDA, and the creation of funds and accounts for the management of funds and reserves, will conform to the requirements of the bond ordinances as finally approved by the agencies providing financial assistance for the District and the rules, regulations and directives of the Missouri DNY and USDA, Rural Development.

Section 5: Books-Accounting-Audit. The District will maintain all books and records demanded for similar governmental entities in the State of Missouri, including such records and reports requested by USDA, Rural Development and DNR and will be subject to all audit requirements of the State of Missouri and USDA, Rural Development, including, but not limited to, and annual internal audit.

ARTICLE IV **TYPES OF RATES**

Section 1: Flat Rate or Graduated Rate Based On Volume Of Use For Residential And Commercial Customers Other Than Condominium of Multiplex Complexes. Each user, other than condominium and multiplex complexes, will pay for the services provided by the Camelot Estates Sewer District based upon a flat rate or on the volume of wastewater flow discharged into the District's collection and treatment system as measured by the methods acceptable to the District and approved by its engineers. The flat rate will be determined by the District's Board and District's engineer based upon reliable

information customarily relied upon in the engineering profession, including testing of manufacturers. Volume may be measured by calculation of volume delivered over recorded pump time or by volume measurement, as deemed most cost effective by the District's engineer and established by the engineer based on reliable information customarily relied upon in the engineering professions, including testing of manufactures.

Section 2: Flat Rate Multiplied Times Number of Units Service For Complexes of Condominiums or Multiplexes. Condominium and Multiplexes complexes will be charged under complex contracts a rate which will be a flat rate multiplied by the number of condominium individual residences or multiplex's developer or the condominium owner's association will be individually concluded to establish and transition agreements necessary to initiate service and define responsibilities. The liability for the billing will be that of the developer or association to the end that individual billings individual condominium owners will not be required, and the associations or developers will be responsible for collecting and remitting the service fees.

Section 3: Sales Taxes and Primary Fees, If Any. Any applicable sales taxed and primary fees are added to the charge.

ARTICLE V
INITIAL RATES=DISCONNECTION-RECONNECTION
TAP-ON/RECONNECTION FEES

Section 1: Residential And Commercial Customers Other Than Condominium/Multiplex Complexes. All individual residential and commercial customers other than condominium/multiplexes or any other hereinafter acquired condominium/multiplex entities shall be bill based upon an initial flat rate of \$54.80.

Section 2: Condominium/Multiplex Complexes. "Flat Rate" billing is available to customers under condominium/multiplex service and transition agreements, paying for the entire complex. In calculating the charge, each condominium is considered one unit. Each multiplex is considered two units. The number of units is multiplied by the flat rate monthly entity is obligated to verify the number of condominium/multiplexes at reasonable intervals. The contracting entity is the customer and is obligated to pay the entire bill regardless of whether it has or has not collected the costs from the respective condominium/multiplex owners.

Monthly flat charger per condo/multiplex	
Individual residences	\$54.80

By way of example, if there is one condo unit containing 12 individual residences or six multiplexes containing 12 individuals residences, the charge for each would be 12 X \$54.80=\$657.60 per month.

Section 3: Disconnection Not Permitted-Reconnection After Damage By Disaster Of Fire Reconnection Charge. It is the obligation of the District to provide sewer service for health, sanitation and welfare twelve (12) months of each year. For said reasons, voluntary disconnection is not permitted in cases of temporary absence, vacation or seasonal occupancy and the minimum charge will be applied. Where an

involuntary disconnection occurs such as in the case of a common disaster or destruction of premises by fire, and the improvement is not inhabitable as either a permanent, temporary or vacation dwelling during any part of the calendar year, a reconnection may be ordered by either the owner or the occupant. The reconnection charge will be the sum of \$580.00.

Section 4: Unique Discharge BY User Visiting Abnormal Cost on the District. Any user who discharges an toxic pollutants that causes an increase in the cost of managing the effluent or the sludge in the District's treatment works or any user who discharges any substance which singly or by interaction with other substances causes identifiable increase in the cost of operation, maintenance or placement of the treatment works, shall be charged for such increased costs. The charge to each user shall be determined by the District after consultation with its engineer.

Section 5: Area of Applicability. The user charge rates established in the Article applies to all users of the Camelot Estates Sewer District regardless of the user's location.

Section 6: Tap-On/Connection Fees-New Residential/Commercial Customers/New Condominium Complex Customers. New Residential Customers tap-on/connection fees authorized under Section 249.645 will be charged. The charge will be the sum of \$1,000.00 for a new residential/commercial customer after construction of the District's initial facilities is commenced. This tap-on or connection fee must be paid in addition to the actual costs to the customer of the connection, which shall include the cost of the collection tank and installation between the District and the developer/condominium owner's association. In the event any customer, residential, commercial or condominium complex, presents a demand for excessive requirements by reason of a wastewater flow of a volume which in the judgement of the District's engineer, exceeds the volume of the District's existing treatment facility can process without adversely affecting service to other customers, the new customer will be required to contribute reasonable to the cost the District incurs in establishing the capacity to provide service and in providing service, including a reasonable charge for an engineering assessment. The assessment will determine the improvements needed to enable the District to accept the proposed additional wastewater flow and recommend the total cost to be charged the customer with excessive requirements as the customer's tap-on or connection charge. The assessment will also determine the best alternatives to make the customer's cost in complete conformity with the specifications recommended by the engineer and after paying the reasonable tap-on or connection fee as finally determined by the governing body of the District.

ARTICLE VII

MONTHLY BILLINGS AND LATE CHARGES

Section 1: Periodic Review and Revision Of Rates. The rates to be charge by the District are initially reflections of estimated income and estimated expenses which may vary with experience. The District or its designee shall review the user charge system annually and the governing body will revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, and funds the debt reserve account and the replacement and extension account as demanded by the bond ordinance. These accounts are established by the bond ordinance and as minimum will be initially as follows:

- a. The deposits to the Debt Service Account will be \$_____ for each of the first ____ years and \$_____ per year for each year of the next_____ years.
- b. The deposits for the Debt Service Reserve Account will be \$_____ per year for ten years.
- c. The deposit to the Replacement and Extension Account will be \$_____ per year.

ARTICLE VIII

EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the governing body of the Camden County Camelot Estates Sewer District of Camden County, Missouri, on the 13th day of November 2007.

Rowland Todd, County Clerk

Camden County Camelot
Estates Sewer District
By Carolyn Loraine, Presiding Commissioner
Thomas Gumm, Commissioner
Beverly Thomas, Commissioner

ORDINANCE NO 11-27-07

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO 11-27-07-01 AND THE CODE OF ORDINANCES OF CAMDEN COUNTY, MISSOURI, TO ESTABLISH A ROAD DEVELOPMENT CHARGE.

WHEREAS, Camden County, Missouri (“County”) has assessed the existing condition of its road maintenance systems, studied necessary system improvements for existing and future road development, and explored mechanisms for financing such improvements; and

WHEREAS, the Commission of the County has determined that the current mechanisms and fees for financing improvements to the road maintenance system in order to accommodate projected future road development within the Camden county planning and zoning District are insufficient; and

WHEREAS, the commission has determined that imposition of a road development charge within the Camden County Planning and Zoning District is an equitable method of financing improvements necessary for road maintenance and development;

WHEREAS, said public hearing was held before the Commission on 5-13-18, and all interested parties were provided with an opportunity to comment and provide input on the proposed rates for the road development charge; and

WHEREAS, the Commission desires to amend the Code of Ordinances of the County to provide for the imposition of a road development charge.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF CAMDEN COUNTY, MISSOURI, AS FOLLOWS:

Section 1: That the code of Ordinances of Camden County, Missouri, is amended to add the establishment of a road development charge as follows:

- A. Findings. The Commission of Camden County, Missouri (hereinafter “Commission”) hereby find and declares that:
 - 1. Camden County, Missouri (hereinafter “County”) has experienced rapid development. The basic network of roads experienced a gradual increase in length through the development areas not previously served by County roads. As these roads are extended into previously unserved areas by developers, and if they are built to County Standards, they are subsequently turned over to and accepted by the County for maintenance.
 - 2. New growth results in new construction and development, which use these existing roadways, placing an increased demand upon the existing roadways. This increased demand of construction traffic (i.e. dump trucks, excavators, material suppliers and concrete trucks) traveling to and from the project site has placed stress on the existing roadways causing a deterioration of the asphalt surfacing or a failure in the road base.
 - 3. Currently, the County requires the homeowner or developer to put up a bond to cover any repairs caused by the additional traffic. This system has

not been effective as it has been difficult to determine the amount of damage and the proper assessment for that damage.

4. The Camden County Missouri Road Study, commissioned by the County and prepared by Krehbiel Engineering, Inc., identifies the cost impact of increased transportation and roadway usage in the County.
5. The County has examined the additional road maintenance needed to serve new development and has segregated projects and costs attributable to existing development and the costs attributable to new development.
6. The County assumes responsibility for and is committed to providing the road maintenance and repair necessary to serve existing development through funding mechanisms other than road development charges.
7. To the extent that new construction and development will place additional demand upon existing roads, that demand should be met by shifting the responsibility for financing such maintenance and repair from the general public to the construction and development creating the demand.
8. The imposition of a road development charge will help ensure that new construction and development bear a proportionate share of the cost of the maintenance and repair necessary to accommodate existing and new roadways.
9. The maintenance and repairs of roadways necessary to accommodate new construction and development have a “rational nexus” to and provide benefit to new constructions and development when these use the roadways because the additional road maintenance will offset the increased transportation and roadway usage and the increased weight of the vehicles associated with construction traffic.
10. The Commission has considered the matter of financing road maintenance and repair, the need for which is necessitated by new construction and development. The Commission hereby finds and declares that a road development charge imposed upon new construction and development to finance road maintenance and repair, the need for which is reasonably related to new construction and development, furthers the public health, safety and welfare of Camden County. Therefore, the Commission deems it advisable to adopt the provisions as hereinafter set forth.

B. Intent.

1. It is intent of this section to impose a road development charge on new construction and/or development within Camden County to recoup or offset a proportionate share of public capital maintenance cost required to accommodate such development with necessary roadway facilities.
2. It is the intent of this section that establishment of this system of calculating and imposing road development charges will apportion the costs of road maintenance to the new construction and/or development within Camden County and that the fees

paid with respect to each new construction and/or development are roughly proportionate, both in nature and extent, to the demand that such new construction and/or development will place on roadway.

3. It is the intent of this section that the road development charges established hereby be assessed on a per unit or per square foot basis.
4. This section shall not be construed to authorize imposition of a road development charge attributable to existing development.
5. It is the intent of this section to establish a road development user fee in the form of a road development charge, imposed upon new construction and/or development within Camden County, and not to levy a “tax” or “fee” as such term is used in Section X, Section 22 of the Missouri Constitution.
6. It is the intent of this section to establish a user fee in the form of a road development charge, as “user fees” are interpreted in Missouri case law, that will be used to pay for the cost of providing road maintenance, the demand for which is generated by new construction and/or development within Camden County. The amount of the road development charge is specifically designed so as not to establish a “tax” or “fee” as such terms are used in Section X, Section 22 of the Missouri Constitution, but rather as a mechanism to equitably shift the burden of the cost of such road maintenance from the existing general public (which has already paid its fair share of the cost of existing road maintenance and which will continue to pay for the cost of improvements to serve existing roadways, maintenance, and repair, through funds other than those derived from the system of user’s fees) to new construction and/or development that will generate the need for road maintenance that will be maintained with monies derived from this user fee in the form of a road development charge. The monies collected may only be expended to provide such services. The monies may not be paid into the County’s general fund to defray customary governmental expenditures. In addition, the system is designed so that the road development charge: (1) is paid upon the approval of designated development applications, not periodically; (2) is required to be expended for the provision of road maintenance that directly benefits the construction and/or development which has generated the need for such maintenance and repair within a reasonable period of time from the date such fee is paid; (3) is directly proportional in amount to the road maintenance and repair provided; and (4) is for a service that has not been historically provided exclusively by monies derived from taxes.

C. Authority In the creation of the road development charge, the County is exercising its local authority, including but not limited to its police powers pursuant to Chapter 64 of the Revised Statutes of Missouri, as amended. The aforementioned provision authorized the County to provide for the health, safety and general welfare of the County.

D. Imposition of the road development charge

1. No application for a Planning and Zoning (P&Z) permit or approval shall be approved, unless the applicant therefore, if so required, has paid the applicable road development

charge imposed by this section. Any application for a P&Z permit or approval approved by the County without payment by the applicant and collection by the Planning and Zoning Commission of the applicable road development charges as required by this section shall be null and void.

2. this section shall be applicable to applications for P&Z permits or approvals due to an increase in stress on the roadways. An increase in stress on the roadways shall mean increased transportation and roadway usage and increased weight of the vehicles associated with construction traffic and therefore creating a correspondingly higher need for maintenance and/or repair of the roadways.

3. Road maintenance and repair shall otherwise comply with all applicable ordinances, provisions of the Code of Ordinances, provisions of the Code of Ordinances, and other laws and regulations of the County and State of Missouri.

E. Applicability and exemptions.

1. This ordinance shall be applicable to all applications for P&Z permits or approvals within the Planning & Zoning District except as hereinafter set forth in subsection 2; provided however, the road development charge for construction and/or development outside of the County Planning and Zoning District limits shall be determined on a case by case basis after due consideration of the principles and guidelines set forth in this ordinance and future amendments to this ordinance. To assist in the distribution of these funds in an equitable manner, the Planning and Zoning District has been divided into Road Sub-District Service Areas (hereinafter "Areas"). A description of these Areas is found in the section titled "Road Sub-District Service Areas" within the Camden County Missouri Road Study.

2. This ordinance shall not be applicable to applications for P&Z permits or approvals within the area within the area encompassed by Horseshoe Bend Special Road District. This is a separate entity that assesses its property owners through a special road district tax and provides construction, repair and maintenance services within the Horseshoe Bend Special road district tax and provides construction, repair and maintenance services within the Horseshoe Bend Road District.

3. That the following types of construction and improvements shall be exempt from the provisions of the within Ordinance:

A. Garages, additions, manufactured homes, pools, decks/porches, pole/post-framed buildings having a concrete floor, and portable buildings that measure less than 400 square feet of area of the outside dimensions of each level (when applicable).

B. Pole-framed buildings having a gravel floor that measure less than 800 square feet of area of the outside dimensions of each level (when applicable).

C. Retaining walls that measure less than 400 square feet of the exposed surface face of area of the outside of the wall measured in the vertical plane.

D. Properties that do not have access to a paved roadway maintained by the Camden County Road & Bridge Department. A roadway shall be considered paved when any of the following exists; asphalt pavement, concrete, chip seal pavement, cold-in-place pavement, bricks, concrete blocks/pavers, etc.

F. Calculation of the road development charge.

1. For Low Density Residential (R-1), Agriculture (A-1), Agricultural-Residential (A-R), Office/Low Impact Commercial (B-1), Parks and Reserves (P-1) and Industrial (I-1) zone property, structures including but not limited to garages, additions, manufactured homes, pools, concrete decks/porches, pole/post-framed buildings with a concrete floor, and new structures, the road development charge shall be \$.25 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Any of the aforementioned structures that measure less than 400 square feet shall be exempt from the road development charge.
2. For Medium Density Residential (R-2), Commercial Parks (P-2) and General Commercial (B-2) zoned property, structures including but not limited to garages, additions, manufactured homes, pools, concrete decks/porches, pole/post-framed buildings with a concrete floor, and new structures, the road development charge shall be \$.30 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Any of the aforementioned structures that measure less than 400 square feet shall be exempt from the road development charge.
3. For High Density Residential (R-3) and High Impact Commercial (B-3) zoned property, structures including but not limited to garages, additions, manufactured homes, , pools, concrete decks/porches, pole/post-framed buildings with a concrete floor, and new structures, the road development charge shall be \$.35 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Any of the aforementioned structures that measure less than 400 square feet shall be exempt from the road development charge.
4. For manufactured home park (R-4) zoned property, structures including but not limited to garages, additions, manufactured homes, , pools, concrete decks/porches, pole/post-framed buildings with a concrete floor, and new structures, the road development charge shall be \$.20 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Any of the aforementioned structures that measure less than 400 square feet shall be exempt from the road development charge.
5. For pole/post-framed buildings having a gravel floor and marina dry storage in any zoning districts, the road development charge shall be \$.13 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Pole/framed-buildings having gravel floor that measures less than 800 square feet, shall be exempt from the road development charge.

6. For retaining walls, regardless of material (concrete, block, rock, etc.) in any zoning district, the road development charge shall be \$.16 per square foot of the exposed surface of the wall measured in the vertical plane to the nearest square foot. Height will be measured from the subgrade elevation to top of wall multiplied by the length of the wall for each section of wall with differing height. Retaining walls that measure less than 400 square feet shall be exempt from the road development charge.

7. For Decks/Porches constructed with lumber on pier footings, in any zoning district, the road development charge shall be \$.12 per square foot of the outside horizontal dimensions of each level (when applicable) of the proposed structure. Decks/Porches that are installed on any foundation larger than a standard pier footing shall be calculated as a structure in the appropriate zoning district. Decks/Porches that measure less than 400 square feet shall be exempt from the road development charge.

8. All road development charges are subject to amendment of this Ordinance.

G. Administration of Road Development Charges.

1. Collection of road development charges. The County, prior to approving any application for construction and/or development, shall collect road development charges calculated and imposed pursuant to this section.

2. Transfer of funds to the Finance Department. Road Development charges shall be transferred from the collecting agency to the Finance Department for placement in the road development charge fund account, which has been established pursuant to subsection G.3. below.

3. Road development charge fund account established.

a. There is hereby established a separate "road Development Charge Fund Account" for the County.

b. Funds withdrawn from the fund account must be used solely in accordance with the provisions of subsection G.4. of this section.

c. Any funds not immediately necessary for expenditure shall be invested in interest-bearing accounts. All interest earned shall be retained in the fund account.

4. Use of funds collected. The funds collected by reason of this section shall be used exclusively for the purpose of road maintenance and/or repair projects or for financing directly, or as a pledge against bonds, revenue certificates and other obligations of indebtedness, the cost of road maintenance and/or repair within the sub-district form which collected.

H. Refunds.

1. Upon application of the current property owner, the County shall refund the portion of any road development charge that has been on deposit for more than ten (10) years and that remains unexpended.

a. The current owner of the property must petition the County for the refund within six (6) months following the ten-year period. The time for filing a refund petition shall run from the date on which the road development charge was paid.

b. the petition must contain the following information:

1. A notarized sworn statement that the petitioner is the current owner of the property; and

2. A copy of the dated receipt issued for payment of the road development charge.

2. A road development charge collected pursuant to this section shall be considered expended if, within then (10) years from the date of payment, the total expenditures for road maintenance and/or repair necessary to serve the roadways exceed the total fees collected for such roadways during such period.

3. If a refund is due pursuant to subsections H.1. and 2. Of this section, the County shall determine the amount of the refund pro rata.

4. Within one (1) month form the date of receipt of a petition for the refund the County shall advise the petitioner of the status of the refund requests. If the petition for refund meets all of the requirements of subsections H.1., H.2. and H.3. of this section, the County shall issue the refund within two (2) months from the date of receipt of the petition for refund.

5. Refunds requested pursuant to the expiration of a P&Z permit or approval must be submitted within six (6) months of the date of expiration. Refund requests under this subsection are not required to submit petitions pursuant to subsection H.1. of this section; however, adequate proof of entitlement to the refund must be provided to the County.

I. Annual Review.

1. Beginning in calendar year 2008 an annually thereafter, the County Commissioner, with the assistance of the appropriate County departments, shall prepare a report on the subject of road development charges, which report shall include:

a. Recommendations on amendments, if appropriate, to this section:

b. Proposed changes to the road development charge calculation methodology;

c. Proposed changes to the road development charge calculation variables;

d. Proposed changes to the road development charge rates or schedules.

2. The County Commission, in preparing the annual report, shall obtain and review the following information:

- a. A statement from the County Treasurer summarizing road development charges collected and disbursed during the preceding year for road maintenance and/or repair projects;
- b. A statement from the County Road & Bridges Department summarizing road maintenance and/or repair projects initiated and completed during the preceding year;
- c. A statement from the County Planning Department summarizing the applications for service approved during the preceding year;
- d. A statement from the County Road and Bridges Department that the road maintenance and/or repair projects undertaken with road development charge funds are consistent with the adopted project list;
- e. A revision of the project list and road development charge calculation, as appropriate.

3. The report shall be presented to the County Commission.

4. Based on the annual report and other factors as the County Commission deems relevant and appropriate, the County Commission may amend this section.

5. The annual review shall be completed by the date of the second regularly scheduled meeting of the County Commission in the months of July of each year.

6. Nothing herein precludes the County Commission or limits its discretion to amend this section at such other times as may be deemed necessary.

J. Appeals.

1. The applicant for a new P&Z permit or approval (construction and/or development) or anyone else that may be affected by the within Ordinance may appeal the following decisions to the County Commission: (a) the applicability of the road development charge to the construction and/or development; (b) the amount of the road development due; (c) the amount of a refund due, if any.

2. The burden of proof shall be on the appellant to demonstrate that (a) the road development charge is not applicable; (b) the amount of the fee does not reasonably reflect the applicant's pro rata share of the cost of road maintenance and/or repair required to serve the applicants construction and/or development; and/or (c) the amount of the refund was not calculated in accordance with the provisions of this section.

3. The applicant shall file a notice of appeal with the County Clerk within thirty (30) days following the determination of the applicability of the road development charge, the amount of the road development charge, or the amount of the refund due. An application for a P&Z permit or approval (service) may continue to be processed while the appeal is pending, provided that the notice of appeal is accompanied by a bond or

other sufficient surety satisfactory to the County Attorney in an amount equal to the original determination of the road development charge due.

4. Within ten (10) days of the notice of appeal, or by such date as shall be agreed upon in writing between the applicant and the County, the applicant shall submit to the County Commission studies, calculations and other documentation appropriate to the determination of a road development charge for new construction and/or development or the determination of a refund.

Section 2: That the provisions of this Ordinance shall be liberally constructed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

Section 3: That should any sentence, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 4: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5: That this Ordinance is to amend Ordinance No 11-27-07-01

PASSED by the Commission for Camden County, Missouri, this 31st day of May, 2018.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Attest:

Rowland Todd, County Clerk

Approved as to Form:

Charles E McElyea, County Attorney

ORDINANCE NO 11-27-07

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF CAMDEN COUNTY, MISSOURI, TO ESTABLISH A ROAD DEVELOPMENT CHARGE.

WHEREAS, Camden County, Missouri ("County") has assessed the existing condition of its road maintenance systems, studied necessary system improvements for existing and future road development, and explored mechanisms for financing such improvements; and

WHEREAS, the Commission of the County has determined that the current mechanisms and fees for financing improvements to the road maintenance system in order to accommodate projected future road development within the Camden County Planning & zoning District are insufficient; and

WHEREAS, the Commission has determined that imposition of a road development charge within the Camden County Planning and Zoning District is an equitable methods of financing improvements necessary for road maintenance and development.

WHEREAS, notice of a public hearing to be held before the Commission regarding proposed rates for a road development charge was published in the Lake Sun Leader on Nov. 3 & 10, 2007; and

WHEREAS, the Commission desires to amend the Code of Ordinances of the County to provide for the imposition of a road development charge.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF CAMDEN COUNTY, MISSOURI, as follows:

Section 1: That the Code of Ordinances of Camden County, Missouri is amended to add the establishment of a road development charge as follows:

- A. *Findings.* The Commission of Camden County, Missouri (hereinafter “Commission”) hereby finds and declares that:
1. Camden County, Missouri (hereinafter “County”) has experienced rapid development. The basic network of roads has experienced a gradual increase in the length through the development of areas not previously served by County roads. As these roads are extended into previously unserved areas by developers, and if they are built to County standards, they are subsequently turned over to and accepted by the County for maintenance.
 2. New growth results in new construction and development, which use these existing roadways, placing an increased demand upon the existing roadways. This increased demand of construction traffic (i.e. dump trucks, excavators, material suppliers and concrete trucks) traveling to and from the project site has placed stress on the existing roadways causing deterioration of the asphalt surfacing or a failure in the road base.
 3. Currently, the County requires the homeowner or developer to put up a bond to cover any repairs caused by the additional traffic. This system has not been effective as it has been difficult to determine the amount of damage and the proper assessment for that damage.
 4. The Camden County Missouri Road Study, commissioned by the County and prepared by Krehbiel Engineering, Inc., identifies the cost impact of increased transportation and roadway usage in the County.
 5. The County has examined the additional road maintenance needed to serve new development and has segregated projects and costs attributable to existing development and the costs attributable to new development.
 6. The County assumes responsibility for and it’s committed to providing the road maintenance and repair necessary to serve existing development through funding mechanisms other than road development charges.
 7. To the extent that new construction and development will place additional demand upon existing roads, that demand should be met by shifting the responsibility for

financing such maintenance and repair from the general public to the construction and development creating the demand.

8. The imposition of a road development charge will help ensure that new construction and development bear a proportionate share of the cost of the maintenance and repair necessary to accommodate existing new roadways.
9. The maintenance and repairs of roadways necessary to accommodate new construction and development have a “rational nexus” to and provide benefit the new constructions and development when they use the roadways because the additional road maintenance will offset the increased transportation and roadway usage and the increase weight of the vehicles associated with construction traffic.
10. The Commission has considered the matter of financing road maintenance and repair, the need for which is necessitated by new construction and development. The Commission hereby finds and declares that a road development charge imposed upon new construction and development to finance road maintenance and repair, the need for which is reasonable related to new construction and development, furthers the public health, safety and welfare of Camden County. Therefore, the Commission deems it advisable to adopt the provisions as hereinafter set forth.

B. *Intent.*

1. It is the intent of this section to impose a road development charge on new construction and/or development within the Camden County Planning and Zoning District to recoup or offset a proportionate share of public capital maintenance cost required to accommodate such development with necessary roadway facilities.
2. It is the intent of this section that establishment of this system of calculating and imposing road development charges will apportion the costs of road maintenance to the new construction and/or development within the Camden County Planning and Zoning District and that the fees paid with respect to each new construction and/or development are roughly proportionate, both in nature and extent, to the demand that such new construction and/or development will place on roadways.
3. It is the intent of this section that the road development charges established hereby be assessed on a per unit or per square foot basis.
4. This section shall not be construed to authorize imposition of a road development charge attributable to existing development.
5. It is the intent of this section to establish a road development user fee in the form of a road development within the Camden County Planning and Zoning District, and not to levy a “tax” or “fee” as such term is used in Section X, Section 22 of the Missouri Constitution.
6. It is the intent of this section to establish a user fee in the form of a road development charge, as “user fees” are interpreted in Missouri case law, that will be used to pay for the cost of providing road maintenance, the demand for which is generated by new construction and/or development within the Camden County Planning and Zoning District. The amount of the road development charge to be paid by specifically designed so as not to establish a “tax” or “fee” as much terms are used in Section X, Section 22 of the Missouri Constitution, but rather as a

mechanism to equitably shift the burden of the cost of such road maintenance from the existing general public (which has already paid its fair share of the cost of the existing road maintenance and which will continue to pay for the cost of improvements to serve existing roadways, maintenance, and repair, through funds other than those derived from the system of user's fees) to new construction and/or development that will generate the need for road maintenance that will be maintained with monies derived from this user fee in the form of a road development charge are to be used to offset the cost of providing road maintenance and the system is designed to ensure that such monies collected may only be expended to provide such services. The monies may not be paid in to the County's general fund to defray customary governmental expenditures. In addition, the system is designed so that the road development charge: (1) is paid upon the approval of designated development applications, not periodically; (2) is required to be expended for the provision of road maintenance that directly benefit the construction and/or development which has generated the need for such maintenance and repair within a reasonable period of time from the date such fee is paid; (3) is directly proportional in amount to the road maintenance and repair provided; (4) is for a service that has not been historically provided exclusively by monies derived from taxed.

C. *Authority.* In the creation of the road development charge, the County is exercising its local authority, including but not limited to its police powers pursuant to Chapter 64 of the Revised Statutes of Missouri, as amended. The aforementioned provision authorizes the County to provide for the health, safety and general welfare of the County.

D. *Imposition of road development charge.*

1. No application for Planning and Zoning (P&Z) permit or approval shall be approved, unless the application therefore, if so required, has paid the applicable road development charge imposed by this section. Any application for a P&Z permit or approval approved by the County without payment by the applicant and collection by the Planning and Zoning Commission of the applicable road development charge as required by this section shall be null and void.
2. This section shall be applicable to applications for P&Z permits or approvals due to an increase in stress on the roadways. An increase in stress on the roadways shall mean increased transportation and roadway usage and increased weight of the vehicles associated with construction traffic and therefore creating a correspondingly higher need for maintenance and/or repair of the roadways.
3. Road maintenance and repair shall otherwise comply with all applicable ordinance, provisions of the Code of Ordinances, and other laws regulations of the County and State of Missouri.

E. *Applicability.*

1. This ordinance shall be applicable to all applications for P&Z permits or approvals within the Planning and Zoning District except as hereinafter set forth in subsection 2; provided however, the road development charge for construction and/or development outside of the County Planning and Zoning District limits shall be determined on a case by case basis after due consideration of the principles and

guidelines set forth in this ordinance and future amendments to this ordinance. To assist in the distribution of these funds in an equitable manner, the Planning and Zoning District has been divided into Road Sub-District Service Areas (hereinafter "Areas"). A description of these Areas is found in the section titled "Road Sub-District Service Areas" within the Camden County Missouri Road Study.

2. This ordinance shall not be applicable to applications for P&Z permits or approvals within the area encompassed by horseshoe Bend Special Road District tax and provides construction, repair and maintenance services within the Horseshoe Bend Special Road District.

F. Calculation of the road development charge.

1. For low density residential garages and additions the road development charge shall be administered as follows:

- a. Less than 1,000 square feet: \$400.00
- b. 1,000 to 1,999 square feet: \$700.00
- c. 2,000 to 4,499 square feet: \$1,000.00
- d. 4,500 to 6,499 square feet: \$1,500.00
- e. 6,500 to 9,999 square feet: \$2,000.00
- f. 10,000 or larger square feet: \$2,500.00

2. For medium density residential development the road development charge shall be \$750.00 per residential unit.

3. For high density residential development the road development charge shall be \$750.00 per residential unit.

4. For manufactured home park development the road development charge shall be \$500.00.

5. For office/low impact commercial development the road development charge shall be \$500.00 per 1,000 square feet.

6. For general commercial development the road development charge shall be \$600.00 per 1,000 square feet.

7. For high impact commercial development the road development charge shall be \$700.00 per 1,000 square feet.

8. For industrial development the road development charge shall be \$500.00 per 1,000 square feet.

9. For marina dry storage development the road development charge shall be \$250.00 per square feet.

10. All road development charges are subject to amendment of this Ordinance.

G. Administration of road development charges.

1. *Collection of road development charges.* The County, prior to approving any application
2. *Transfer of funds to the Finance Department.* Road Development charges shall be transferred from the collecting agency to the Finance Department for placement in the road development charge fund account, which has been established pursuant to subsection G.3>
3. *Road development charge fund account established.*
 - a. There is hereby established in a separate “Road Development Charge Fund Account” for the County.
 - b. Funds withdrawn from the fund account must be used solely in accordance with the provisions of subsection G.4. of this section.
 - c. Any funds not immediately necessary for expenditure shall be invested in interest-bearing accounts. All interest eared shall be retained in the fund account.
4. *Use of funds collected.* The funds collected by reason of this section shall be used exclusively for the purpose of road maintenance and/or repair projects or for financing directly, or as a pledge against bonds, revenue certificates and other obligations of indebtedness, the costs of road maintenance and/or repair with the sub-district from which collected.

H. Refunds.

1. Upon application of the current property owner, the County shall refund the portion of any road development charge that has been on deposit for more than ten (10) years and that remains unexpended.
 - a. The current owner of the property must petition the County for the refund within six (6) months following the ten-year period. The time for filing a refund petition shall run from the date on which the road development charge was paid.
 - b. The petition must contain the following information:
 1. A notarized sworn statement that the petitioner is the current owner of the property; and
 2. A copy of the dated receipt issued for payment of the road development charge.
2. A road development charge collected pursuant to this section shall be considered expended if, within ten (10) years from the date of payment, the total expenditures for road maintenance and/or repair necessary to serve the roadways exceed the total fees collected or such roadways during such period.

3. If a refund is due pursuant to subsections H.1. and 2. Of this section, the County shall determine the amount of the refund pro rata.

4. Within one (1) month from the date of receipt of a petition for the refund the County shall advise the petitioner of the status of the refund requests. If the petition for refund meets all of the requirements of subsections H.1., H.2., and H.3. of this section, the County shall issue the refund within two (2) months from the date of receipt of the petition for refund.

5. Refunds requested pursuant to the expiration of a P&Z permit or approval must be submitted within six (6) months of the date of expiration. Refund requests under this subsection are not required to submit petitions pursuant to subsection H.1. of this section; however, adequate proof of entitlement to the refund must be provided to the County.

I. Annual review.

1. Beginning in calendar year 2008 and annually thereafter, the County Commissioner, with the assistance of the appropriate County departments, shall prepare a report on the subject of road development charges, which report shall include:

- a. Recommendations on amendments, if appropriate, to this section;
- b. Proposed changes to the road development charge calculation methodology;
- c. Proposed changes to the road development charge calculation variables;
- d. Proposed changes to the road development charge rates or schedules.

2. The County Commission in preparing the annual report, shall obtain and review the following information:

- a. A statement from the County Treasurer summarizing road development charges collected and disbursed during the preceding year for road maintenance and/or repair projects;
- b. A statement from the County Road and Bridge Department summarizing road maintenance and/or repair projects;
- c. A statement from the County Planning Department summarizing the applications for service approved during the preceding year;
- d. A statement from the County Road and Bridges Department that the road maintenance and/or repair projects undertaken with road development charge funds are consistent with the adopted project list;
- e. A revision of the project list and road development charge calculation, as appropriate.

3. The report shall be presented to the County Commission.

4. Based on the annual report and other factors as the County Commission deems relevant and appropriate, the County Commission may amend this section.
5. The annual review shall be completed by the date of the second regularly scheduled meeting of the County Commission in the months of July of each year.
6. Nothing herein precludes the County Commission of limits its discretion to amend this section at such other times as may be deemed necessary.

J. Appeals.

1. The application for a new P&Z permit or approval (construction and/or development) may appeal the following decisions to the County Commission: (a) the applicability of the construction and/or development; (b) the amount of the road development charge due; (c) the amount of a refund due, if any.
2. The burden of proof shall be on the appellant to demonstrate that (a) the road development charge is not applicable; (b) the amount of the fee does not reasonably reflect the applicant's pro rata share of the cost of road maintenance and/or repair required to serve the applicants construction and/or development; and/or (c) the amount of the refund was not calculated in accordance with provisions of this section.
3. The applicant shall file a notice of appeal with the County Clerk within thirty (30) days following the determination of the applicability of the road development charge, , of the amount of the refund due. An application for a P&Z permit or approval (service) may continue to be processed while the appeal is pending, provided that the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the County Attorney in an amount equal to the original determination of the road development charge due.
4. Within ten (10) days of notice of appeal, or by such date as shall be agreed upon in writing between the applicant and the County, the applicant shall submit to the County Commission studies, calculations and other documentation appropriate to the determination of a road development charge for new construction and/or development or the determination of a refund.

Section 2: That the provisions of this Ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

Section 3: That should any sentence, clause part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 4: That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5: That this ordinance shall be in full force and effect as of Dec 1, 2007.

PASSED by the Commission of Camden County, Missouri, this 27th day of Nov, 2007.

Carolyn Loraine, Commissioner
Rowland Rodd, County Clerk

APPROVED by the Commissioner of Camden County this 27th day of Nov, 2007.
Beverly Thomas, Commissioner
Thom Gumm, Commissioner

ORDINANCE NO 11-27-07

AN ORDINANCE AMENDING SECTION F OF ORDINANCE NO 11-27-07-1 OF THE CODE OF ORDINANCES FOR CAMDEN COUNTY, MISSOURI, BY REVISING THE CALCULATION OF ROAD DEVELOPMENT CHARGES.

WHEREAS, the Camden County Commission has assessed the existing economic conditions in the Camden County, Missouri and assessed the existing conditions of its road maintenance systems and explored mechanisms for financing such improvements; and

WHEREAS, the Camden County Commission has determined that the current road development charges set forth in Section F of Ordinance No 11-27-07-1 should be revised and reduced by fifty (50%) percent in order to accommodate and promote future economic development in Camden County, Missouri; and

WHEREAS, the Camden County Commission has determined that it would be prudent to review the calculation of the road development charges on an annual basis.

NOW THEREFORE, be it ordained by the Commission of Camden County, Missouri as follows:

Section 1: Amendment. That Section F of Ordinance No 11-27-07-1 of the Code of Ordinances of Camden County, Missouri, be amended to read as follows:

A. Calculation of the road development charge.

1. For low density residential garages and additions, the road development charge shall be as follows:
 - a. Less than 400 square feet: No charge.
 - b. 400 to 999 square feet: \$200.00
 - c. 1,000 to 1,999 square feet: \$350.00
 - d. 2,000 to 4,499 square feet: \$500.00
 - e. 4,500 to 6,499 square feet: \$750.00
 - f. 6,500 to 9,999 square feet: \$1,000.00
 - g. 10,000 or larger square feet: \$1,250.00
2. For medium density residential development the road development charge shall be \$375.00 per residential unit.
3. For high density residential development the road development charge shall be \$375.00 per residential unit.
4. For manufactured home park development the road development charge shall be \$250.00.
5. For office/low impact commercial development the road development charge shall be \$250.00 per 1,000 square feet.

6. For general commercial development the road development charge shall be \$300.00 per 1,000 square feet.
7. For high impact commercial development the road development charge shall be \$350.00 per 1,000 per square feet.
8. For industrial development the road development charge shall be \$250.00 per 1,000 feet.
9. For marina dry storage development the road development charge shall be \$125.00 per square feet.
10. All road development charges will be reviewed on an annual basis and if not reviewed on an annual basis, then this Ordinance and Ordinance No 11-27-07-1 as amended herein, and the road development charges set forth herein shall remain in full force and effect until this Ordinance is amended or repealed.

Section 2: Ratification. That the balance of Ordinance No 11-27-07-01 shall remain in full force and effect and b enforceable as such, except as amended by the within Ordinance.

Section 3: Repeal. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4: Effective Date. That this Ordinance shall be in full force and effect as of 3/18/15.

Rowland Todd, County Clerk
Charles E McElyea, County Attorney

Camden County, Missouri
Greg Hasty, Presiding Commissioner
Beverly Thomas, 1st District Commissioner
Cliff Lubert, 2nd District Commissioner

ORDINANCE NO 3-5-08-01

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S) AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN NORMAC ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI.

Be it ordained by the County Commission of the County of Camden, State of Missouri, acting in its capacity as the governing body of the Normac Estates Sewer District of Camden County, Missouri, as follows:

ARTICLE I

Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1: “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2: “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of building and conveys it's to the inner face of the building wall.

Section 3: “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: “Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

Section 5: “Garbage” shall mean solid wastes from the domestic commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Section 6: “Industrial Wastes” shall mean the liquid wastes from industrial manufacturing process, trade or business as distinct from sanitary sewage.

Section 7: “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or group.

Section 8: “Person” shall mean any individual, firm, company, association, society, corporation or group.

Section 9: “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 10: “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in dimensions.

Section 11: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 12: “Sanitary Sewer” shall mean a sewer that carries sewage and to which storm, surface and groundwater is not intentionally admitted.

Section 13: “Sewage” shall mean a combination of water-carried wastes from residences, business buildings, institutions establishments, together with such ground, surface and storm waters may be present.

Section 14: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 15: “Sewage Works” shall mean all facilities for collection, pumping, treating, and disposing of sewage.

Section 16: “Sewer” shall mean a pipe or conduit for carrying sewage.

Section 17: “Shall is mandatory; “May” is permissive.

Section 18: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any give constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four(24) hour concentration or glows during normal operation.

Section 19: “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer, which carries storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

Section 20: “Superintendent” shall mean the person in charge of the wastewater operations for the County of Camden or his or her authorized deputy, agent or representative.

Section 21: “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 22: “Watercourse” shall all mean a channel in which a flow of water course, either continuously or intermittently.

Section 23: “Hearing Board” shall mean any Board appointed by the governing body of the district to hear or review appeals, complaints, petitions or issues related to unpaid sewer service charges and termination of service in behalf of the governing body.

ARTICLE II

Section 1: Mandatory Connection. The owner of all houses, buildings or condominiums or other properties used for human residence, employment, recreation or other purpose situated within the district and abutting any street, alley or right-of-way in which there is located or may in the future be located a public sanitary or combined sewer of the district is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance within 60 days after date of official notice to do so, if said public sewer is within one hundred (100) feet of the property line.

Section 2: Time of connection. When a public sewer becomes available, the building sewer shall be connected to the district sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with suitable material.

Section 3: Liability of Owner or Occupant or Both. Pursuant to Section 249.803 RSMo., sewage service furnished by the sewer district is deemed to be furnished to the occupant and owner of the premises receiving the services and the sewer district rendering services has the right to pursue either, or both, for payment of the fees for services, plus a reasonable attorney fee to be fixed by the Court. A seller under a contract for deed shall not be considered to terminate ownership until a deed has been executed, delivered and filed for record divesting the seller of all right, title and interest in the property.

Section 4: Continuation of Service. Once a service connection is established the owner and occupant are required to continue that service connection and to pay the charges for service as the same become due for so long as the improvements on the property are inhabitable as either a permanent, temporary, or vacation dwelling during any part of the calendar year.

Section 5: Unpaid Bill-Over Three Months Delinquent-Notice by Certified Mail-Interruption or Termination of Service until Paid-Additional personal notice-Opportunity to Present Customer's Position.

Service may be temporarily terminated (interrupted) for failure to pay to pay routine bills, or to reasonable repair, maintain or replace the customer connection apparatus and lines, or in the case of an unauthorized connection, by closing any shut-off valve, disabling a pump or interrupting the electrical connection. The District shall have no obligation with respect to stoppage, back-up or equipment wear or failure by reason thereof, but will give prior notice of the shut0off in conformity with Section 5249.645.4 RSMo. This stature provides that "Should the sewer charges remain unpaid for a period in excess of three months, the district after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's service line from the district's line or request any private water company, public water supply district or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid. "This provision shall not prohibit any other lawful means of collecting the delinquent bill or any other lawful means of interrupting service. The district management will endeavor to give prior notice and additional personal or telephone contact and permit a customer to be heard as to any response the customer may desire to present or any position the customer may have as to the billing and proposed interruption in service or other relevant matter.

ARTICLE IV

Section 1: Permit to Connect. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a service agreement/written permit from the Camden County Wastewater Department.

Section 2: Classes of Permits. There shall be two classes of sewer connection permits-residential/commercial permits and condominium complex permits.

Section 3: Cost of Connections to be paid by customer. All costs and expenses incident to the installation and connection of the sewer shall be borne by the owner. The owner shall indemnify the district from any such loss or damage that may directly or indirectly be occasioned by the installation of the

connection facilities. All connections must meet the district's engineer's specifications for connections, unless a variance is granted by the board.

Section 4: Separate Connection for Each Improvement. A separate and independent sewer shall be provided for every improvement except where one building stands at the rear of another or an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoin alley, courtyard or driveway, the building sewer from the front building may be approved by the District in hardship cases and in the case of condominium complexes.

Section 5: Old Collector Line Connections. Old building sewers may be used in connection with new building only when they are found, on examination and test by the Camden County Wastewater Department, to meet all requirements of this Ordinance.

Section 6: General Specifications for Excavation Lines. The size, slope, alignment, materials of construction of a building sewer, and the methods t be used in excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the requirements and standard specifications or applicable rules of the district. In the absence of code provisions or in amplification thereof, the materials and procedures set form in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Proactice No 9 shall apply. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 7: General Specifications for Connection to the Public Sewer. The connection of the building sewer into the public sewer shall conform t the requirements of the Ordinance of the district or procedures set forth in appropriate specifications of the A.S.T.M and W.E.F Manual of Practice No 9 or its replacement volume, Wastewater Treatment Plant Design. [2003] I.S.B.N #1-5728-177-7, published by Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314. Tel: [1-800-666-0206] All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by District before installation. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 8: Entry below Basement Floor. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 9: Inspection of Connection Apparatus. The applicant for a wastewater connection shall notify the Camden County Wastewater Department when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Camden County Wastewater Department.

Section 10: Public Safety. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard, Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory t to the Camden County Wastewater Department.

ARTICLE V

Section 1: Infiltration Prohibited. No person shall permit the discharge of any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of runoff or groundwater, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 2: Exceptions of Specific Approval. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Camden County Wastewater Department. Industrial cooling water or unpolluted process waters may be discharged on approval by the Camden County Wastewater Department, to a storm sewer, combined sewer, or natural outlet.

Section 3: Prohibited Discharge into Sanitary Sewers-Class 1 Contaminates. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to the receiving water so the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- c. Any waters or wastes having a pH lower than .5 or having any other corrosive property capable of causing damage or hazard to structure, equipment, and personnel of the sewage works
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshing's, entrails and paper dishes, cups molded containers, etc., either whole or ground by garbage grinders.

Section 4: Prohibited Discharge into Sanitary Sewers.-Class II Contaminates. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Camden County Wastewater Department that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on a receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of wastes, the Camden County Wastewater Department will give consideration to such factors as the quantities of subject wastes in relations to flows and velocities in the sewers, the materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatable waste in the sewage and other pertinent factors. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
- b. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify for

become viscous at temperatures between thirty-two (32) and fifty (50) degrees F (0 and 65 Degrees)

- c. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- d. Any waters or wastes contain strong acid, iron, pickling wastes or concentrated plating solutions, whether neutralized or not.
- e. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exceed excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the District for such materials.
- f. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with the applicable State or Federal regulations.
- h. Any waters or wastes having a pH in excess 9.5.
- i. Materials which exert or cause:
 - i. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - ii. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution).
 - iii. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - iv. Unusual Volumes or flow or concentration of wastes constituting "slugs" as defined herein.
- j. Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over discharge to the receiving waters.
- k. Any waters or wastes having (1) a 5-day BOD greater than 250 parts per million by weight or (2) containing 300 parts per million by weight of suspended solids or (3) having an average daily flow greater than 2 percent of the average flow of the respective sewer district, shall be subject to the review of the District. Where necessary in the opinion of the District. Where necessary in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical demand to 250 parts per million by weight or (2) reduce suspended solids to 300 parts per million by weight, or (3) control the quantities and

rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5: Enforcement in the Event of Prohibited Discharges. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Camden County Wastewater Department, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Camden County Wastewater Department may:

- a. Reject the wastes.
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers.
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating wastes not covered by existing taxed or sewer charges under the provisions of Section 10 of the Article.

If the Camden County Wastewater Department permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Camden County Wastewater Department and subject to the requirements of all applicable Codes, regulations and laws.

Section 6: Special Interceptors. Grease, oil and sand interceptors shall be required and provided at customer expense when, in the opinion of the Camden County Wastewater Department, they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients: except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Camden County Wastewater Department, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7: Pre-Treatment and Flow equalizing Facilities. Where preliminary treatment or low-equalizing facilities are deemed needed the district may require the same at customer expense and they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 8: Control Manholes. When required by the Camden County Wastewater Department, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Camden County Wastewater Department. The manhole shall be installed by the owner at his expense and shall be maintained by owner so as to be safe and accessible at all times.

Section 9: Measurements and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or

upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazard to life, limb and property. (This particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls or a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH analyses are determined from periodic grab samples.)

Section 10: Special Contracts. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the district and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the county for treatment, subject to the payment therefore, by the industrial concern.

ARTICLE VI

Section 1: Tampering/Damage/Destruction of Sewerage Facilities. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to criminal prosecution under this ordinance or similar state law.

ARTICLE VII

Section 1: District May Provide Notice of Violation and Opportunity to Correct. Any person found to be violating any provision of this Ordinance except Article VI may be served by the district with written notice stating the nature of the violation and providing a reasonable time, which will usually, but not in all cases be thirty days, for the satisfactory connection thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provision is permissive and it not required.

Section 2: Violation-Conviction-Punishment. Any person who shall continue a violation or who after notice any violation beyond the time limit provided for in Article VII, Section 1, continues a violation shall be guilty of a misdemeanor authorized by Section 249.565 RSMo., and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100) dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Section 3: Damages. Any person violating any of the provision of this Ordinance shall become liable to the District for the expense, loss or damage occasioned by the District by reason of such violation.

ARTICLE VIII

Section 1: Prior Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 2: Savings Clause. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

Section 3: Authority of Camden County Wastewater Department. At the direction of the Camden County Commission and with the consent of the District, the Camden County Wastewater Department has been assigned responsibility and authority to provide enforcement services, inspection services and technical services as herein outlined for the district, it being contemplated that other districts will utilize the services of the Camden County Wastewater Department to the end that efficient, uniform and consistent sewerage service and Ordinance enforcement can be established throughout Camden County.

ARTICLE IX

This Ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Passed; approved and adopted by the Camden County commission of Camden County, Missouri acting in its capacity as the governing body of the Normac Estates Sewer District of Camden County, Missouri, on the 5th day of March, 2008.

Normac Estates Sewer District of Camden
County Missouri
Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Beverly Thomas, Commissioner

Attest: Rowland Todd, Count Clerk

Service Agreement

At the direction of the Camden County Commission and with the consent of the Normac Estates Sewer District, the Camden County Wastewater Department is assigned and accepts the responsibility and authority to provide enforcement services, inspection services and technical services for the Normac Sewer District as outlined in the district's sewer use Ordinance, to which this service agreement is appended, it being contemplated that other Camden County Sewer Districts will utilize the services of the Camden County Wastewater Department to the end that efficient operation, uniform development of policy, and consistent service and Ordinance can be established throughout the sewer districts of Camden County. The Scope of services and compensation therefore will be established by separate agreements and budgeting from time to time.

Approved by the Camden County Commission of Camden County, Missouri on the 5th day of March, 2008, in behalf of the Camden County Wastewater Department.

Certification

I, Rowland Todd, Clerk of the Camden County Commission, Camdenton, Missouri, and Clerk of the Commission, acting in its capacity at the governing body of the Normac Estates Sewer District of Camden County, Missouri, a sewer district and political corporation of the State of Missouri organized under Chapter 249 RSMo., do hereby certify that I am the custodian of the records of said sewer district, that the above Ordinance and Service Agreement was duly adopted by the governing bodies of said sewer district an commission, and that the same is in full force and effective and has not been amended, modified or repealed.

Dated this 5th day of March, 2008.

ORDINANCE NO 3-5-08-02

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S) AND PROVIDING PENALTIES FOR VIOLATIONS THEROF IN CAMELOT ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI.

Be it ordained by the County Commission of the County of Camden, State of Missouri, acting in its capacity as the governing body of the Camelot Estates Sewer District of Camden County, Missouri as follows:

ARTICLE I

Definitions: Unless the context specifically indicates otherwise, the meaning of items used in this ordinance shall be as follows:

Section 1: “BOD” (decoding Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2: “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, water, and other drainage pipes inside the walls of building and conveys it to the inner face of the building wall.

Section 3: “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: “Combined Sewer” shall means a sewer receiving both surface runoff and sewage.

Section 5: “Garbage” shall mean solid wastes from the domestic commercial preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Section 6: “Industrial Wastes” shall mean the liquid waters from industrial manufacturing processes, trade or business as district form sanitary sewage.

Section 7: “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

Section 8: “Person” shall mean any individual, form, company, association, society, corporation or group.

Section 9: “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 10: “Properly Shredded Garage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all practices will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Section 11: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 12: “Sanitary Sewer” shall mean a sewer that carries sewage and to which storm, surface and groundwater is not intentionally admitted.

Section 13: “Sewage” shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Section 14: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 15: “Sewage Works” shall mean all facilities for collection, pumping, treating, and disposing of sewage.

Section 16: “Sewer” shall mean a pipe or conduit for carrying sewage.

Section 17: “Shall” is mandatory; “May” is permissive.

Section 18: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) times the average twenty-four (24) hour concentration for flows during normal operation.

Section 19: “Storm Drain” (Sometimes termed “storm sewer”) shall mean sewer, which carries storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

Section 20: “Superintendent” shall mean the person in charge of the wastewater operations for the County of Camden or his or her authorized deputy, agent representative.

Section 21: “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 22: “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 23: “Hearing Board” shall mean any Board appointed by the governing body of the district to hear or review appeals, complaints, petitions or issues related to unpaid sewer service charges and termination of service in behalf of the governing body.

ARTICLE II

Section 1: Mandatory Connection. The owner of all houses, buildings or condominiums or other properties used for human residence, employment, recreation or other purposes situated within the district and abutting any street, alley or right-of-way in which there is located or may in the future be located a public sanitary or combined sewer of the district is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance within 60 days after date of official notice to do so, if said public sewer is within one hundred (100) feet of the property line.

ARTICLE III

Section 1: Connection. At such time as a public sewer becomes available to a property served by a private disposal system, as provided in Article II, a direct connection shall be made to the public sewer in compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities not approved by the district for incorporation into the public sewer connection facility, shall be abandoned and filled with suitable material.

Section 2: Time of Connection. When a public sewer becomes available, the building sewer shall be connected to the district sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with suitable material.

Section 3: Liability of Owner or Occupant or Both. Pursuant to Section 249.803 RSMo., sewage service furnished by the sewer district is deemed to be furnished to the occupant and owner of the premises receiving the services and the sewer district rendering services has the right to pursue either, or both, for payment of the fees for services, plus a reasonable attorney fee to be fixed by the Court. A seller under a contract for deed shall not be considered to terminate ownership until a deed has been executed, delivered and filed for record divesting the seller of all right, title and interest in the property.

Section 4: Continuation of Service. Once a service connection is established the owner and occupant are required to continue that service connection and to pay the charges for service as the same become due for so long as the improvements on the property are inhabitable as either a permanent, temporary, or vacation dwelling, during any part of the calendar year.

Section 5: Unpaid Bill-Over Three Months Delinquent Notice by Certified Mail-Interruption or Termination of Service Until Paid-Additional personal notice-Opportunity to Present Customer's Position. Service may be temporarily terminated (interrupted) for failure to pay routing bills, or to reasonably repair, maintain or replace the customer connection apparatus and lines, or in the case of any unauthorized connection, by closing any shut-off valve, disabling a pump or interrupting the electrical connection. The District shall have no obligation with respect to stoppage, back-up or equipment wear or failure by reason thereof, but will give prior notice of the shut-off in conformity with Section 249.645.4, RSMo. This statute provides that "Should the sewer charges remain unpaid for a period in excess of three months, the district after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's service line from the district's line or request any private water company, public water supply district or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid. "This provision shall not prohibit any other lawful means of collecting the delinquent bill or any other lawful means of interrupting service, The district management will endeavor to give prior notice and additional personal or telephone contact and permit a customer to be heard as to any response the customer may desire to present or any position the customer may have as to the billing ad proposed interruption in service, or other relevant matter.

ARTICLE IV

Section 1: Permit to Connect. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a service agreement/written permit from the Camden County Wastewater Department.

Section 2: Classes of Permits. There shall be two classes of sewer connection permits-residential/commercial permits and condominium complex permits.

Section 3: Costs of Connections to be paid by customer. All costs and expenses incident to the installation and connection of the sewer shall be home by the owner. The owner shall indemnify the district from any such loss or damage that may indirectly be occasioned by the installation fo the connection facilities. All connections must meet the district's engineer's specifications for connections, unless a variance is granted by the board.

Section 4: Separate Connection for Each Improvement. A separate and independent sewer shall be provided for every improvement except where one building stands at the rear of another on an interior lots and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Variances may be approved by the District in hardship cases and in the case of condominium complexes.

Section 5: Old Collector Line Connection. Old building sewers may be used in connection with new building only when they are found, on examination and test by the Camden County Wastewater Department, to meet all requirements of this Ordinance.

Section 6: General Specifications of Evacuation Lines. The size, slope, alignments, materials of construction of a building sewer, and the methods to be used excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the requirements and standard specifications or applicable rules of the district. In the absence of code provisions or in amplification thereof. The materials and procedures set form in appropriate specifications of the A/S/T/M and W.E.F Manual of Practice No 9 shall apply. Other more specific specifications will be proceed the bye district's engineer and will be adopted as standard specifications from time to time.

Section 7: General Specifications for Connection to the Public Sewer. The connection of the building sewer into the public sewer shall conform t the requirements of the Ordinance of the district or procedures set forth in appropriate specifications of the A.S.T.M and W.E.F Manual of Practice No 9 or its replacement volume, Wastewater Treatment Plant Design. [2003] I.S.B.N #1-5728-177-7, published by Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314. Tel: [1-800-666-0206] All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by District before installation. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 8: Entry below Basement Floor. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 9: Inspection of Connection Apparatus. The applicant for a wastewater connection shall notify the Camden County Wastewater Department when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Camden County Wastewater Department.

Section 10: Public Safety. All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard, Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Camden County Wastewater Department.

ARTICLE V

Section 1: Infiltration Prohibited. No person shall permit the discharge of any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of runoff or groundwater, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 2: Exceptions of Specific Approval. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Camden County Wastewater Department. Industrial cooling water or unpolluted process waters may be discharged on approval by the Camden County Wastewater Department, to a storm sewer, combined sewer, or natural outlet.

Section 3: Prohibited Discharge into Sanitary Sewers-Class 1 Contaminates. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- e. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- f. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to the receiving water so the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.
- g. Any waters or wastes having a pH lower than .5 or having any other corrosive property capable of causing damage or hazard to structure, equipment, and personnel of the sewage works
- h. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshing's, entrails and paper dishes, cups molded containers, etc., either whole or ground by garbage grinders.

Section 4: Prohibited Discharge into Sanitary Sewers.-Class II Contaminates. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Camden County Wastewater Department that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on a receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance, In forming an opinion as to the acceptability of wastes, the Camden County Wastewater Department will give consideration to such factors as the quantities of subject wastes in relations to flows and velocities in the sewers, the materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage

treatment plant, degree of treatable waste in the sewage and other pertinent factors. The substances prohibited are:

- j. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
- k. Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify for become viscous a temperatures between thirty-two(32) an fifty (150) degrees F (0 and 65 Degrees)
- l. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- m. Any waters or wastes contain strong acid, iron, pickling wastes or concentrated planting solutions, whether neutralized or not.
- n. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes expand excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established b the District for such materials.
- o. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- p. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with the applicable State or Federal regulations.
- q. Any waters or wastes having a pH in excess 9.5.
- r. Materials which exert or cause:
 - i. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - ii. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution.
 - iii. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - iv. Unusual Volumes of how or concentration of wastes constituting “slugs” as defined herein.
- j. Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over discharge to the receiving waters.
- k. Any waters or wastes having (1) a 5-day BOD greater than 250 parts per million by weight or (2) containing 300 parts per million by weight of suspended solids or (3)

having an average daily flow greater than 2 percent of the average flow of the respective sewer district, shall be subject to the review of the District. Where necessary in the opinion of the District. Where necessary in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical demand to 250 parts per million by weight or (2) reduce suspended solids to 300 parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the District and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5: Enforcement in the Event of Prohibited Discharges. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgment of the Camden County Wastewater Department, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Camden County Wastewater Department may:

- a. Reject the wastes.
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers.
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating wastes not covered by existing taxed or sewer charges under the provisions of Section 10 of the Article.

If the Camden County Wastewater Department permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Camden County Wastewater Department and subject to the requirements of all applicable Codes, regulations and laws.

Section 6: Special Interceptors. Grease, oil and sand interceptors shall be required and provided at customer expense when, in the opinion of the Camden County Wastewater Department, they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients: except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Camden County Wastewater Department, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 7: Pre-Treatment and Flow equalizing Facilities. Where preliminary treatment or low-equalizing facilities are deemed needed the district may require the same at customer expense and they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Section 8: Control Manholes. When required by the Camden County Wastewater Department, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the

Camden County Wastewater Department. The manhole shall be installed by the owner at his expense and shall be maintained by owner so as to be safe and accessible at all times.

Section 9: Measurements and Tests. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazard to life, limb and property. (This particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls or a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH analyses are determined from periodic grab samples.)

Section 10: Special Contracts. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the district and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the county for treatment, subject to the payment therefore, by the industrial concern.

ARTICLE VI

Section 1: Tampering/Damage/Destruction of Sewerage Facilities. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to criminal prosecution under this ordinance or similar state law.

ARTICLE VII

Section 1: District May Provide Notice of Violation and Opportunity to Correct. Any person found to be violating any provision of this Ordinance except Article VI may be served by the district with written notice stating the nature of the violation and providing a reasonable time, which will usually, but not in all cases be thirty days, for the satisfactory connection thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provision is permissive and it not required.

Section 2: Violation-Conviction-Punishment. Any person who shall continue a violation or who after notice any violation beyond the time limit provided for in Article VII, Section 1, continues a violation shall be guilty of a misdemeanor authorized by Section 249.565 RSMo., and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100) dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Section 3: Damages. Any person violating any of the provision of this Ordinance shall become liable to the District for the expense, loss or damage occasioned by the District by reason of such violation.

ARTICLE VIII

Section 1: Prior Conflicting Ordinances Repealed. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 2: Savings Clause. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

Section 3: Authority of Camden County Wastewater Department. At the direction of the Camden County Commission and with the consent of the District, the Camden County Wastewater Department has been assigned responsibility and authority to provide enforcement services, inspection services and technical services as herein outlined for the district, it being contemplated that other districts will utilize the services of the Camden County Wastewater Department to the end that efficient, uniform and consistent sewerage service and Ordinance enforcement can be established throughout Camden County.

ARTICLE IX

This Ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Passed; approved and adopted by the Camden County commission of Camden County, Missouri acting in its capacity as the governing body of the Camelot Estates Sewer District of Camden County, Missouri, on the 5th day of March, 2008.

Camelot Estates Sewer District of Camden
County Missouri
Carolyn Loraine, Presiding Commissioner
Thom Gumm, Commissioner
Beverly Thomas, Commissioner

Attest: Rowland Todd, Count Clerk

Service Agreement

At the direction of the Camden County Commission and with the consent of the Camelot Estates Sewer District, the Camden County Wastewater Department is assigned and accepts the responsibility and authority to provide enforcement services, inspection services and technical services for the Camelot Sewer District as outlined in the district's sewer use Ordinance, to which this service agreement is appended, it being contemplated that other Camden County Sewer Districts will utilize the services of the Camden County Wastewater Department to the end that efficient operation, uniform development of policy, and consistent service and Ordinance can be established throughout the sewer districts of Camden County. The Scope of services and compensation therefore will be established by separate agreements and budgeting from time to time.

Approved by the Camden County Commission of Camden County, Missouri on the 5th day of March, 2008, in behalf of the Camden County Wastewater Department.

Certification

I, Rowland Todd, Clerk of the Camden County Commission, Camdenton, Missouri, and Clerk of the Commission, acting in its capacity at the governing body of the Estates Sewer District of Camden County,

Missouri, a sewer district and political corporation of the State of Missouri organized under Chapter 249 RSMo., do hereby certify that I am the custodian of the records of said sewer district, that the above Ordinance and Service Agreement was duly adopted by the governing bodies of said sewer district an commission, and that the same is in full force and effective and has not been amended, modified or repealed.

Dated this 5th day of March, 2008.

ORDINANCE NO 3-14-08

**AN ORDINANCE OF THE CAMELOT ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI
AMDENDING ARTICLE V, SECTION 2 ESTABLISHING RATES FOR CONDOMINIUM/MULTIPLEX
COMPLEXES.**

Be it ordained by the County Commission of Camden County, Missouri, sitting in its capacity as governing body of Camden County Camelot Estates Sewer District of Camden County, Missouri that:

1. Article V, Section 2 of Ordinance No. 11-13-07-01 is hereby amended so that such Section shall hereafter read as follows:

Section 2: Condominium/Multiplex Complexes. "Flat Rate" billing is available to customers under condominium/multiplex service and transition agreements, paying for the entire complex. In calculating the charge, each condominium is considered one unit. Each multiplex is considered two units. The number of units is multiplied by the flat rate monthly and the contracting entity is billed and obligated to pay the entire bill regardless of whether it has or has not collected the costs from the respective condominium/multiplex owners.

Monthly flat charge for condo/multiplex

Individual residences

\$47.50

By the way of example, if there is one condo unit containing 12 individual residences or six multiplexes containing 12 individual residences, the charge for each would be
 $12 \times \$47.50 = \570.00 per month.

2. All ordinances or parts of ordinances in conflict with the ordinance are, in so much as they conflict with this ordinance, hereby repealed.

3. That this ordinance shall be in full force and effect from and after its date of passage.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the governing body of the Camden County Camelot Estates Sewer District of Camden County, Missouri on the 14th day of March, 2008.

Rowland Todd, County Clerk

Camden County Camelot Estates Sewer District
Carolyn Loraine, Presiding Commissioner
Thomm Gumm, Commissioner
Beverly Thomas, Commissioner

ORDINANCE NO 9-29-08

**AN ORDINANCE ESTABLISHING THE TOAD COVE COMPLEX COMMUNITY IMPROVEMENT DISTRICT,
APPROVING THE INITIAL BOARD OF DIRECTORS THEREOF, AND APPROVING FURTHER ACTIONS AND
DOCUMENTS RELATING THERETO.**

WHEREAS, the County of Camden, Missouri (the “County”) is authorized and empowered pursuant to the Community Improvement District Act, Sections 67.10401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “CID Act”), to establish a community improvement district as proposed by a verified petition; and

WHEREAS, on September 18, 2008, a Petition for Creation of Community Improvement District (the “Petition”), a copy of which is attached hereto as **Exhibit A**, was filed with the Clerk of the County in accordance with the CID Act, requesting the formation of a community improvement district known as the Toad Cove Complex Community Improvement District (the “District”); and

WHEREAS, on September 18, 2008 the County Clerk did review and determine that the Petition substantially complies with the requirements of the CID Act and verified said Petition in accordance with the requirements of the CID Act; and

WHEREAS, after notice of the public hearing by publication on September 19, 2008 and September 26, 2008, and waiver of written notice by the sole property owner within the proposed District, a public hearing was held on September 29, 2008 regarding creation of the District; and

WHEREAS, subject to and in accordance with the CID Act and the Petition, and upon the approval of the qualified voters of the District, the District intends to impose sales tax in an amount not to exceed one percent (1%) on the receipts from the sales at retail of all tangible personal property or taxable services at retail within the proposed District, if such property and services are subject to taxation by the State of Missouri pursuant to the provisions of Sections 144.010 to 144.525 of the Revised Statutes of Missouri, as emended, except such sales tax shall not apply to the sale or use of motor vehicles, trailers, boat, or outbound motors, not to public utilities; and

WHEREAS, the Petition sets forth the names and terms of the initial Board of Directors and further proves that successor Directors of the District be elected by the District; and

WHEREAS, a duly noticed public hearing was held on September 29, 2008, at the Camden County Courthouse, 1 Court Circle, Camdenton, Missouri 65020 (the “Public Hearing”); and

**NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN,
MISSOURI, AS FOLLOWS:**

1. The County Commission finds that notice of the formation of the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements have been heard, all in accordance with the CID Act.
2. The County Commission further finds that the Petition to form the District is proper in that it meets all of the requirements of Section 67.1421 of the CID Act.

3. Pursuant to Section 67.1411 of the CID Act and subject to the terms of the Petition, the Toad Cove Complex Community Improvement District is hereby formed as a political subdivision of the State of Missouri. The legal description of the District is set forth in Exhibit A.

4. The District shall be in existence for a period not to exceed 40 years from the date of this Ordinance.

5. Pursuant to the CID Act, the District shall have all the powers necessary to carry out and effectuate the purposes and provisions of the CID Act, except as such as powers are limited in the Petition.

6. Pursuant to Section 67.1451.6 of the CID Act, the initial Board of Directors of the District is as follows:

<u>Name</u>	<u>Initial Term</u>
Roger Rand	4 years from date of appointment
Rhonda Martin	4 years from date of appointment
Ray Salassa	2 years from date of appointment
Lisa Larsen	2 years from date of appointment
Justin Generally	2 years from date of appointment

The date of appointment for each of the initial Board of Directors shall be the date of passage of this Ordinance.

7. The Board of Directors of the District shall have its initial meeting on September 29, 2008 at 2 p.m. provided a quorum of Directors is available, and if not, as soon thereafter as a quorum is available.

8. Pursuant to Section 67.1421.6 of the CID Act, the County Clerk shall notify in the writing the Missouri Department of Economic Development of the District's creation.

9. The County shall, and the officers, agents and employees of the County are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

10. It is hereby declared to be the intention of the County Commission that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the County Commission intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

11. This Ordinance shall take effect and be in full force immediately after its adoption by the County.

Passed, adopted and approved this 29th day of September, 2008.

Carolyn Loraine, Presiding Commissioner

Attest: Rowland Todd, County Clerk

ORDINANCE NO 3-25-09

**AN ORDINANCE ESTABLISHING THE TOAD COVE RESORT COMMUNITY IMPROVEMENT DISTRICT,
APPROVING THE INITIAL BOARD OF DIRECTORS THEREOF, AND APPROVING FURTHER ACTIONS AND
DOCUMENTS RELATING THERETO.**

WHEREAS, the County of Camden, Missouri (the “County”) is authorized and empowered pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “CID Act”), to establish a community improvement district as proposed by a verified petition; and

WHEREAS, on March 4, 2009, a Petition for Creation of a Community Improvement District (the “Petition”), a copy of which is attached hereto as **Exhibit A**, was submitted to the Clerk of the County in accordance with the CID Act, requesting the formation of a community improvement district known as the Toad Cove Resort Community Improvement District (the “District”); and

WHEREAS, on March 6, 2009, the County Clerk did review and determine that the Petition substantially complies with the requirements of the CID Act and verified said Petition in accordance with the requirements of the CID Act; and

WHEREAS, subject to and in accordance with the CID Act at the Petition, and upon the approval of the qualified voters of the District, the District intends to impose sales tax in an amount not to exceed one percent (1%) on the receipts from the sales at retail of all tangible personal property or taxable services at retail within the proposed District, if such property and services are subject to taxation by the State of Missouri pursuant to the provisions of Sections 144.010 to 144.525 of the Revised Statutes of Missouri, as amended, except such sales tax shall not apply to the sale or use of motor vehicles, trailers, boats, or outbound motors, not to public utilities; and

WHEREAS, the Petition sets forth the names and terms of the initial Board of Directors and further provides that successor Directors of the District be elected by the District; and

WHEREAS, the duly noticed public hearing was held on March 25, 2009, at the Camden County Courthouse, 1 Court Circle, Camdenton, Missouri 65020 (the “Public Hearing”); and

**NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN,
MISSOURI AS FOLLOWS:**

1. The County Commission finds that the notice of the formation of the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements, have been heard, all in accordance with the CID Act,
2. The County Commission further finds that the Petition to form the District is proper in that it meets all of the requirements of Section 67.1421 of the CID Act.
3. Pursuant to Section 67.1411 of the CID Act and subject to the terms of the Petition, the Road Cove Resort Community Improvement District is hereby formed as a political subdivision of the State of Missouri. The legal description of the District is set forth in **Exhibit A**.
4. The District shall be in existence for a period not to exceed 40 years form the date of this Ordinance.

5. Pursuant to the CID Act, the District shall have all the powers necessary to carry out and effectuate the purposes and provisions of the CID Act, except as such powers are limited in the Petition.

6. Pursuant to Section 67.1451.6 of the CID Act, the initial Board of Directors of the District as follows :

<u>Name</u>	<u>Initial Term</u>
Roger Rand	4 years from date of appointment
Rhonda Martin	4 years from date of appointment
Ray Salassa	2 yeas from date of appointment
Lisa Larsen	2 years from date of appointment
Justin Generally	2 years from date of appointment

The date of appointment for each of the initial Board of Directors shall be the date of passage of this Ordinance.

7. The Board of Directors of the District shall have its initial meeting on March 25, 2009 at 1 p.m. provided a quorum of Directors is available, and if not, as soon thereafter as a quorum is available.

8. Pursuant to Section 67.1421.6 of the CID Act, the County Clerk shall notify in writing the Missouri Department of Economic Development of the District's creation.

9. The County shall, and the officers, agents and employees of the County are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of the Ordinance.

10. It is hereby declared to be the intention of the County Commission that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the County Commission intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

11. This Ordinance shall take effect and be in full force immediately after its adoption by the County.

Passed, adopted and approved this 25th day of March, 2009.

Carolyn Loraine, Presiding Commissioner

Attest: Rowland Todd, County Clerk

Approves as to form:

Charles E McElyea, County Attorney

ORDINANCE NO 12-17-10

**AN ORDINANCE OF CAMDEN COUNTY, MISSOURI ESTABLISHING RATES FOR 2011 FOR CUSTOMERS OF
NORMAC ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, CAMELOT ESTATES SEWER
DISTRICT OF CAMDEN COUNTY, MISSOURI, AND SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT
OF CAMDEN COUNTY, MISSOURI.**

WHEREAS, in accordance with the Ordinances of Camden County, Missouri, governing establishment of sewer rates for the customers of Normac Estates Sewer District of Camden County, Missouri, Camelot Estates Sewer District of Camden County, Missouri, the Camden County Commission of Camden County sitting in its capacity of Governing Body for said Sewer Districts, annually reviews sewer rates for each District and sets the sewer rates for the upcoming year in an amount sufficient to cover operation and maintenance and replacement funds; and

WHEREAS, the Camden County Commission has reviewed the balances in the various accounts for the three Sewer Districts and reviewed the anticipated costs and expenses for the three Sewer Districts and has determined the rates for the upcoming year.

NOW THEREFORE,

Section 1: Sewer Rates. The sewer rates for the upcoming year for each of the following Sewer Districts within the Camden County are hereby set and established as follows:

A. Normac Estates:

- (1) Seventy-Three (\$73.00) Dollars per month per individual residence.
- (2) One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.
- (3) The annual deposits to the debt service account will be \$19,320.00 for 2011.
- (4) The annual deposits to the debt service reserve account will be \$1,944.00 for 2011.
- (5) The annual deposits to the replacement and extension account will be \$1,944.00 for 2011.

B. Camelot Estates:

- (1) Sixty-Eight (\$68.00) Dollars per month per individual residence and villa.
- (2) Fifty-Nine (\$59.00) Dollars per month per unit as the Shores.
- (3) Forty-Seven and 50/100 (\$47.50) Dollars per month per unit at Tuscan, representing the continuation of an existing contract.
- (4) One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.
- (5) The annual deposits to the debt service account will be \$272,568.00 for 2011.
- (6) The annual deposits to the debt service reserve account will be \$27,660.00 for 2011.
- (7) The annual deposits to the replacement and extension account will be \$27,660.00 for 2011.

C. Sunny Slope:

- (1) Fifty-Four (\$54.00) Dollars per month per individual residence.
- (2) Fifty (\$50.00) Dollars per month per condominium unit.
- (3) One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.

- (4) The annual deposits to the debt service account will be \$84, 012.00 for 2011.
- (5) The annual deposits to the debt service reserve account will be \$8,820.00 for 2011.
- (6) The annual deposits to the replacement and extension account will be \$8,820.00 for 2011.

Section 2: Effective Date. The sewer rates set forth in Section 1 will become effective on January 1, 2011, and shall remain in full force and effect until changes for modifications are made by the Camden County Commission.

Section 3: Sewer Ordinances. All prior Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed and the Ordinances governing the three Sewer Districts not in conflict with this Ordinance shall remain in full force and effect and be binding.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of the Normac Estates Sewer District of Camden County, Missouri, the Camelot Estates Sewer District of Camden, County, Missouri and the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri on the 3rd day of November, 2010.

Camden County, Missouri

By Carolyn Loraine, Presiding Commissioner

Attest: Rowland Todd, County Clerk

Thomas Gumm, Commissioner

Beverly Thomas, Commissioner

Approved as to Form:

Charles E McEllyea, County Attorney

ORDINANCE NO 5-5-11

AN ORDINANCE OF CAMDEN COUNTY, MISSOURI, AUTHORIZING TAXPAYERS AT THEIR OPTION TO PAY ALL OR ANY PART OF CURRENT REAL AND PERSONAL PROPERTY TAXED ON A QUARTERLY BASIS AS AUTHORIZED IN SECTION 139.053 RSMo.

WHEREAS, in accordance with Section 139.053 RSMo., the Camden County Commission may provide by Ordinance or Order the payment of all or any part of current real and personal property taxes which are owed at the option of the taxpayer on an annual, semi-annual or quarterly bases at such times as determined by the Camden County Commission; and

WHEREAS, the Camden County Collector has submitted to the Camden County Commission a proposed **Optional Payment Plan Agreement** which is attached hereto as Exhibit A; and

WHEREAS, the Camden County Commission has reviewed the applicable State statutes and the proposed optional Payment Plan Agreement and has determined that an Optional Payment Plan should be offered to the taxpayers of Camden County for the payment of all or any part of current real and personal property taxed which are owed.

NOW THEREFORE,

Section 1: Optional Tax Payment Plan. Those taxpayers who owe current real and personal property taxes in Camden County, Missouri, are hereby granted the option of paying those current real and personal property taxes on quarterly installment payments due in March, June, September, and December toward the current year taxes. The final payment due in December will be based upon the actual tax amounts due for that calendar year which means that the payment due in December may be more or less than the installments due in the prior three quarters.

Section 2: Optional Tax Payment Plan. That attached to this Ordinance is an Optional Payment Plan Agreement presented by the Camden County Collector which is hereby adopted and approved.

Section 3: Interest on Installments. No interest shall be paid by the County on excess amounts paid to the taxpayer. Any refund payable to a taxpayer, pursuant to Section 139.053 RSMo. shall be an amount paid by the County only once in a calendar year.

Section 4: Interest on the Installments. If the taxpayer fails to make an installment payment of a portion of the real or personal property taxed owed to the County, then Camden County may charge the taxpayer interest on the amount of property taxes still owed for that year.

Section 5: Effective Date. This ordinance shall take effect immediately upon its passage and approval and shall be applicable for the tax year 2011 with taxpayers being allowed to commence making quarterly payments in accordance with this Ordinance for 2011 and future years. Provided however, if a taxpayer elects the optional partial payment plan, the taxpayer shall be required to make the March payment at such time as the June payment is made for 2011 only.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on this 5th day of May, 2011.

Camden County, Missouri
By Kris Franken, Presiding Commissioner

Attest: Rowland Todd, County Clerk
Approved as to Form:
Charles E McElyea, County Attorney

Thomas Gumm, Commissioner
Beverly Thomas, Commissioner

ORDINANCE NO. 6-1-11

FLOODPLAIN MANAGEMENT ORDINANCE 60.3(d)

ARTICLE 1: Statutory authorization, finding of fact, and purposes.

Section A: Statutory authorization

The Legislature of the State of Missouri has in RSMO 64.090 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety, and general welfare. Therefore, the County Commission of Camden County, Missouri ordains as follows:

Section B: Findings of fact

1. Flood Losses Resulting from Periodic Inundation

The special flood hazard areas of Camden County, Missouri are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.

2. General Causes of the Flood Losses

These flood losses are caused by (1) the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and (2) the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to other, inadequately elevated, or otherwise unprotected from flood damages.

3. Methods Used to Analyze Flood Hazards

The Flood Insurance Study (FIS) that is the bases of this ordinance uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.

- a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this ordinance is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials for Camden County, Missouri dated June 16, 2011 as amended, and any future revisions thereto.
- b. Calculation of water surface profiles are bases on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- c. Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
- d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.

- e. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.

Section C: *Statement of purpose*

It is the purpose of this ordinance to promote the public health, safety, and general welfare; to minimize those losses described in Article 1, Section B (1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this ordinance to:

1. Restrict or prohibit used that are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities;
2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
3. Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

ARTICLE 2: General Provisions

Section A: *Lands to which ordinance applies*

This ordinance shall apply to all lands within the jurisdiction of Camden County identified as numbered and unnumbered A zones and AE zones, on the Flood Insurance Rate Map (FIRM) for Camden County Index Panel 29029CIND0A dates June 16, 2011 as amended, and any future revisions thereto. In all areas covered by this ordinance, no development shall be permitted except through the issuance of a floodplain development permit, granted by the County Commission or its duly designated representative under such safeguards and restrictions as the County Commission or the designated representative may reasonable impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Article 4.

Section B: *Floodplain Administrator*

The Camden County Planning Administrator is hereby designated as the Floodplain Administrator under this ordinance.

Section C: *Compliance*

No development located within the special flood hazard areas of this community shall be located, extended, converted, and structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

Section D: *Abrogation and greater restrictions*

It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions, However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

Section E: *Interpretation*

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, shall be liberally construed in favor of the governing body, and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

Section F: *Warning and disclaimer of liability*

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by man-made or natural causes, such as ice jams and bridge opening restricted by debris. This ordinance does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This ordinance shall not create a liability on the part of Camden County, any officer or employee thereof, for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

Section G: *Severability*

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this ordinance shall not be affected thereby.

ARTICLE 3: Administration

Section A: *Floodplain development permit (REQUIRED)*

A floodplain development permit shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in Article 2, Section A. No person, firm, corporation, or unit of government shall initiate any development or substantial-improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.

Section B: *Designation of floodplain administrator*

The Camden County Planning Administrator is hereby appointed to administer and implement the provisions of this ordinance.

Section C: *Duties and responsibilities of floodplain administrator*

Duties of the Camden County Planning Administrator shall include, but no limited to:

1. Review of all applications for floodplain development permits to assure that sites are reasonable safe from flooding and that he floodplain development permit requirements of this ordinance have been satisfied;
2. Review of all applications for floodplain development permits for proposed development to assure that tall necessary permits have been obtained form Federal, State, or local governmental agencies from which prior approval is required by Federal, State, or local law;
3. Review al subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;

5. Notify adjacent communities and the Missouri State Emergency Management Agency (MO SEMA) to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management (FEMA);
6. Assure that the flood carrying capacity is not diminished and shall be maintained within the altered or relocated portion of any watercourse.
7. Verify and maintain a record of the of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved non-residential structures have been floodproofed;
9. When floodproofing techniques are utilized for a particular non-residential structure, the Camden County Planning Administrator shall require certification from a registered professional engineer or architect.

Section D: *Application for floodplain development permit*

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:

1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
2. Identify and describe the work to be covered by the floodplain development permit;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Indicate the assessed value of the structure and the fair market value of improvement;
5. Specify whether development is located in designated flood fringe or floodway;
6. Identify the existing base flood elevation and the elevation of the proposed development;
7. Give such other information as reasonable may be required by the Camden County Planning Administrator;
8. Be accompanied by plans and specifications for proposed construction; and
9. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

ARTICLE 4: Provisions for flood hazard reduction

Section A: *General Standards*

1. No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones and AE, unless the conditions of this section are satisfied.
2. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the – year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If Flood Insurance Study data is not available, the community shall obtain, review and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources.

3. Until a floodway is designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within any numbered A zone or AE zone on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
4. All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - 1) Design of adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - 2) Construction with materials resistant to flood damage;
 - 3) Utilization of methods and practices that minimize flood damages;
 - 4) All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the component during conditions of flooding;
 - 5) New or replacement water supply systems and or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
 - 6) Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 1. All such proposals are consistent with the need to minimize flood damage;
 2. All public utilities and facilities, such as sewer, gas electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 3. Adequate drainage is provided so as to reduce exposure to flood hazards; and
 4. All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty(50) lots, whichever is lesser, include within such proposals base flood elevation data.

5. Storage, material, and equipment

- a. the storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- b. Storage of the other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

6. Agriculture Structures

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be

constructed at-grade and wet-flood proofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure ; a variance has been granted from the floodplain management requirements of this ordinance; and a floodplain development permit has been issued.

7. Accessory Structures

Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-all design; a variance has been granted from the standard floodplain management requirements of this ordinance; and a floodplain development permit has been issued.

Section B: Specific Standards

1. In all areas identified as numbered and unnumbered A zones and AE zones, where base flood elevation data have been provided, as set forth in Article 4, Section A(2), the following provisions are required:

a. Residential Construction

New construction or substantial-improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above base flood elevation.

[In all unnumbered and numbered A zones and AE zones, the FEMA, Region VII office recommends elevating to one foot above the base flood elevation to accommodate floodway conditions when the floodplain is fully developed.]

b. Non-Residential Construction

New construction or substantial-improvement of any commercial, industrial, or other residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural competent having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyance A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 3, Section C(9).

[The FEMA, Region VII office recommends elevating to one foot above the base flood elevation to qualify for flood insurance rates based upon floodproofing.]

c. Require, for all construction and substantial-improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in area

other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; and
- (2) The bottom of all opening shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section C: Manufactured Homes

1. All manufactured homes to be placed within all unnumbered and numbered A zones and AE zones, on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage.
2. outside of Manufactured Home Park or subdivision;
 - a. outside of manufactured home park or subdivision;
 - b. in a new manufactured home park subdivision;
 - c. in an expansion to and existing manufactured home park subdivision; or
 - d. in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial-damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated at one (1) foot above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones and AE zones, on the community's Firm, that are not subject to the provisions of Article 4, Section C(2) of this ordinance, be elevated so that either:
 - a. the lowest floor of the manufactured home is at one (1) foot above the base flood level; or
 - b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

[In all unnumbered and numbered A zones and AE zones, the FEMA, Region VII office recommends elevating to one foot above the base flood elevation to accommodate floodway conditions when the floodplain is fully developed.]

Section D: Floodway

Located within areas of special flood hazard established in Article 2, Section A are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:

1. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point.
2. The community shall prohibit any encroachments, including fill, new construction, substantial-improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
3. If Article 4, Section D(2) is satisfied, all new construction and substantial-improvements shall comply with all applicable flood hazard reduction provisions of Article 4.
4. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State or other sources as set forth in Article 4, Section A(2).

Section E: Recreational Vehicles

1. Require the recreational vehicles placed on sited within all unnumbered and numbered A zones and AE zones on the community's FIRM either:
 - a. be on the site for fewer than 180 consecutive days, or
 - b. be fully licensed and ready for highway use; or
 - c. meet the permitting, elevation, and the anchoring requirements for manufactured homes of this ordinance.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

ARTICLE 5: Floodplain Management Variance Procedures

Section A: Establishment of appeal board

The County Commission as established by Camden County shall hear and decide appeals and request for variances from the floodplain management requirements of this ordinance.

Section B: Responsibility of appeal board

Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the Camden County Planning Administrator, the applicant may apply for such floodplain development permit or variance directly to the Camden County Commission, as defined in Article 5, Section A.

Section C: *Further Appeals*

Any person aggrieved by the decision of the Camden County Commission or any taxpayer may appeal such decision to the Circuit Court of Camden County as provided in RSMo 64.10.

Section D: *Floodplain management variance criteria*

In passing upon such application for variances, the Camden County Commission shall consider all technical data and evaluations, all relevant factors, standards specified in other sections of this ordinance, and the following criteria:

1. The danger to life and property due to flood damage;
2. The danger that materials may be swept onto other lands to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, if applicable, expected at the site; and
11. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems; streets; and bridges.

Section E: *Conditions for approving floodplain management variances*

1. Generally, variances may be issued for new construction and substantial-improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 2 through 6 below have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination provided the proposed activity will not preclude the structures continued historic designation.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon (a) a showing of good and sufficient cause, (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (c) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
6. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level with result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.

Section F: *Conditions for approving variances for agricultural structures*

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Section D and E of this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to the public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed.

1. All agricultural structures considered for a variance from the from the floodplain management regulations of this ordinance shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm housed, cannot be considered agricultural structures.
2. Use of the varied structures must be limited to agricultural purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements, (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance.
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Article 4, Section A (4)(a) of the ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyance, and hydrodynamic and debris impact forces.
5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance.

6. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Article 4, Section B (1)(c) of this ordinance.
7. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section D (2) of this ordinance. NO variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
8. Major equipment, machinery, or other contents must be protected from any flood damage.
9. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
10. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
11. Wet-floodproofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

Section G: *Conditions for approving variances for accessory structures*

Any variance granted or an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Article 5, Sections D and E of this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed.

1. Use of the accessory structures must be solely for parking and limited storage purposes in zone A only as identified only as identified on the community's Flood Insurance Rate Map (FIRM).
2. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finished, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance.
3. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (4)(a) of the ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyance, and hydrodynamic and debris impact forces.
4. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance.

5. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure for foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this ordinance.
6. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section D (2) of this ordinance. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
7. Equipment, machinery, or other contents must be protected from any flood damage.
8. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
9. A community shall notify the applicant in writing over the signature of a community official that (1) the issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage and (2) such construction below the base flood level increases risks of life and property. Such notification shall be maintained with the record of all variance actions as required by this ordinance.
10. Wet-floodproofing construction techniques must be reviewed and approved by the community and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

ARTICLE 6: PENALTIES FOR VIOLATION

Violation of the provision of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offence. Nothing herein contained shall prevent Camden County or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 7: AMENDMENTS

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or repealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in Camden County. At least 20 days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this ordinance are in compliance with the National Flood Insurance Program (NFIP) regulations.

ARTICLE 8: DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning they have in common usage and to give this ordinance its most reasonable application.

“100-year Flood” see “base flood.”

“Accessory structure” means the same as “appurtenant structure.”

“Actuarial Rates” see “risk premium rates.”

“Administrator” means the Federal Emergency Management Agency (FEMA)

“Agricultural Commodities” means agricultural products and livestock.

“Agricultural Structure” means any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

“Appeal” means a request for review of the Floodplain Administrator’s interpretation of any provisions of this ordinance or a request for a variance.

“Appurtenant Structure” means a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

“Area of Special Flood Hazard” is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

“Base Flood” means the flood having a one percent chance of being equaled or exceeded in any given year.

“Basement” means any area of the structure having its floor subgrade (below ground level) on all sides.

“Building” See “structure”

“Chief Executive Officer” or “Chief Elected Official” means the official of the community who is charged with the authority to implement and administer laws, ordinances, and regulation for that community.

“Community” means any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

“Development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

“Elevated Building” means for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Eligible Community” or “Participating Community” means a community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP)

“Existing Construction” means for the purposes of determining rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “existing construction” may also be referred to as “existing structures.”

“Existing Manufactured Home Park or Subdivision” means manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

“Expansion to an Existing Manufactured Home Park or Subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FMBM)” means an official map of a community on which the Administrator has delineated both special flood hazard areas and the designated regulatory floodway.

“Flood Elevation Determination” means a determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has one percent or greater chance of occurrence in any given year.

“Flood Elevation Study” means an examination, evaluation and determination of flood hazards.

“Flood Fringe” means the area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

“Flood Insurance Study (FIS)” means an official of a community, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

“Floodplain” or “Flood-prone Area” means any land area susceptible to being inundated by water from any source (see “flooding”).

“Floodplain management” means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

“Floodplain Management Regulations” means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

“Floodway” or “Regulatory Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface more than one foot.

“Floodway Encroachment Lines” means the lines marking the limits of floodways on Federal, State and local floodplain maps.

“Freeboard” means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

“Functionally Dependent Use” means a use that cannot perform its intended purpose unless it is located or carried in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

“Highest Adjacent Grade” means the highest natural elevation of the ground surface prior to construction next to the purposed walls of a structure.

“Historic Structure” means and structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for the individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the secretary of the Interior in states without approved programs.

“Lowest Floor” means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access, or storage, in an area other than a basement area, is not considered a building’s lowest floor,

provided that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this ordinance.

“Manufactured Home” means a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Map” means the Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

“Market Value” or “Fair Market Value” means an estimate of what is fair, economic, just and equitable value under normal local market conditions.

“Mean Sea Level” Means, for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map (FIRM) are referenced.

“New Construction” means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

“New Manufactured Home Park or Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

“(NFIP)” means the National flood Insurance Program (NFIP).

“Participating Community” also known as an “eligible community” means a community in which the Administrator has authorized the sale of flood insurance.

“Person” includes any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State, and local governments and agencies.

“Principally Above Ground” means that at least 51 percent of the actual cash value of the structure, less land value, is above ground.

“Recreational Vehicle” means a vehicle which is (1) build on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or

permanently towable by light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

“Remedy A Violation” means to bring the structure or other development into compliance with Federal, State or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

“Repetitive Loss” means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred.

“Risk Premium Rates” means those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. “Risk premium rates” include provisions for operating costs and allowances.

“Special Flood Hazard Area” see “area of special flood hazard.”

“Special Hazard Area” means an area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A and AE.

“Start of Construction” includes substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvements were within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, and work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

“State Coordinating Agency” means that the agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (FNIP) in that state.

“Structure” means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. “Structure” for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building

materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within and enclosed building on the premises.

“Substantial-Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term includes Repetitive Loss buildings (see definition).

For the purposes of this definition, “repair” is considered to occur when the first repair or reconstruction of any wall, ceiling, floor or other structural part of the building commences.

The term does not apply to:

- a) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”, or
- c) Any improvement to a building

Substantial Improvement means any combination of reconstruction, alteration, or improvement to a building, taking place during the life of the building, in which the cumulative percentage of improvement equals or exceeds fifty percent of the current market value of the building. For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. This term includes structures, which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work done.

The term does not apply to:

- a) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b) Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”. Or
- c) Any building that has been damaged from any source or is categorized as repetitive loss.

**** Recommended development of written and adopted policy and procedure.**

Substantially improved existing manufactured home parks or subdivisions is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

“Variance” means a grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.

“Violation” means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this ordinance is presumed to be in violation until such time as the documentation is provided.

“Water Surface Elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

ARTICLE 9 Certificate of Adoption

This floodplain Management Ordinance for the Community of Camden County, Missouri.

ADOPTED AND APPROVED by the Governing Body of Camden County, Missouri.

This 1st day of June, 2011.

Kris Franken, Presiding Commissioner

ATTEST: Barbara Willis, Deputy Clerk

ORDINANCE NO 9-16-11

AN ORDINANCE OF CAMDEN COUNTY, MISSOURI TO REQUIRE ALL SEWAGE TREATMENT PLANTS AND SYSTEMS WITHIN CAMDEN COUNTY, MISSOURI, TO BE COVERED BY STRUCTURES TO PREVENT NOISE FROM SAID SEWAGE TREATMENT PLANTS AND SYSTEMS FROM DISTURBING THE PEACE OF PROPERTY OWNERS LOCATED ADJACENT THERETO.

Be it enacted by the Camden County Commission as follows:

Section 1: Any commercial or private septic or sewage treatment plants or systems which have power driven pumps and/or equipment shall be covered by a permanent structure which shall be sound insulated.

Section 2: Any commercial or private septic or sewage treatments plants or systems not be operated such as to be audible by neighboring residence or land owners.

Section 3: Any such commercial or private septic or sewage treatment plants or systems not in compliance with this Ordinance shall become in compliance within ninety (90) days of the adoption of this Ordinance.

Section 4: Any violation of this Ordinance shall subject the owner of the commercial or private septic or sewage treatments plants or systems to a fine of not less than One Hundred (\$100.00) Dollars a day until said plant or system is brought into compliance.

PASSED, APPROVED, AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of the Sewer Districts of Camden County, Missouri, on the 16th day of September, 2011.

Rowland Todd, County Clerk

Camden County, Missouri
Kris Franken, Presiding Commissioner
Thomas Gumm, Commissioner
Beverly Thomas, Commissioner

Approved as to Form:
Charles E McElyea, County Attorney

ORDINANCE NO 1-12-12

AN ORDINANCE OF CAMDEN COUNTY, MISSOURI ESTABLISHING RATES FOR 2012 FOR CUSTOMERS OF NORMANC ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, CAMELOT ESTATES SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI, AND SUNNY SLOPE COUNTRY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI.

WHEREAS, in accordance with the Ordinances of Camden County, Missouri, governing establishment of sewer rates for the customers of Normac Estates Sewer District of Camden County, Missouri, Camelot Estates Sewer District of Camden County, Missouri and Sunny Slope County Club Drive Sewer District of Camden County, Missouri, the Camden County Commission of Camden County sitting in its capacity as Governing Body for said Sewer Districts, annually reviews sewer rates for each District and sets the sewer rates for the upcoming year in an amount sufficient to cover operation and maintenance and replacement funds; and

WHEREAS, the Camden County Commission has reviewed the balances in the various accounts for the three Sewer Districts and reviewed the anticipated costs and expenses for the three Sewer Districts and has determined the rates for the upcoming year.

NOW THEREFORE,

Section 1: Sewer Rates. The sewer rates for the upcoming year for each of the following Sewer Districts within the Camden County are hereby set and established as follows:

A. Normac Estates:

- (1) Seventy-Three (\$73.00) Dollars per month per individual residence.
- (2) One Hundred Twenty-Five (\$125.00) Dollars per months for each commercial user.
- (3) The annual deposits to the debt service account will be \$19,320.00 for 2012
- (4) The annual deposits to the debt service reserve account will be \$1,944.00 for 2012.

B. Camelot Estates:

- (1) Sixty-Eight (\$68.00) Dollars per month per individual residences and villa.
- (2) Fifty-Nine (\$59.00) Dollars per month per unit at The Shores.
- (3) Forty-Seven and 50/100 (\$47.50) Dollars per month per unit at Tuscan, representing the continuation of an existing contract.
- (4) One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.
- (5) The annual deposits to the debt service account will be \$272,568.00 for 2012.
- (6) The annual deposits to the debt service reserve account will be \$27,660.00 for 2012.
- (7) The annual deposits to the replacement and extension account will be \$17,660.00 for 2012.

C. Sunny Slope:

- (1) Fifty-Four (\$54.00) Dollars per month per individual residence.
- (2) Fifty (\$50.00) Dollars per month per condominium unit.
- (3) One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.
- (4) The annual deposits to the debt service account will be \$84,012.00 for 2012.

- (5) The annual deposits to the debt service reserve account will be \$8,820.00 for 2012.
(6) The annual deposits to the replacement and extension account will be \$8,820.00 for 2012.

Section 2: Effective Date. The sewer rates set forth in Section 1 will become effective on January 1, 2012, and shall remain in full force and effect until changes for modifications are made by the Camden County Commission.

Section 3: Sewer Ordinances. All prior Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed and the Ordinances governing the three Sewer Districts not in conflict with this Ordinance shall remain in full force and effect and be binding.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of the Normac Estates Sewer District of Camden County, Missouri, the Camelot Estates Sewer District of Camden County, Missouri and the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri on the 12th day of January, 2012.

Camden County, Missouri
Kris Franken, Presiding Commissioner
Thomas Gumm, Commissioner

Rowland Todd, County Clerk
Approved as to Form:
Charled E McElyea, County Attorney

ORDINANCE NO 4-24-2012

BILL NO 2012-06

SUBJECT MATTER: An ordinance of the City of Laurie, Missouri approving a Brush Mowing Intergovernmental Agreement (2012) between Camden County and the City of Laurie, for the brush mowing on Chelsie Drive that is within the city limits.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LAURIE, MISSOURI, AS FOLLOWS:

WHEREAS, the City does not have the equipment to do brush mowing on a street being Chelsie Drive (hereinafter referred to as “street”) and;

WHEREAS, the street is in need of brush mowing as part of regular maintenance efforts and;

WHEREAS, it is agreed that it would be beneficial to the traveling public to brush mow the street to provide a safety service for the City.

The mayor and city clerk are authorized and directed to fully execute the Intergovernmental Agreement and to affix the city seal.

Approved and adopted by the Board of Aldermen of the City of Laurie, Missouri, this 11th day of April 2012.

City of Laurie, Missouri

Herb Keck, Mayor

Attest: Olive Wood, City Clerk

ORDINANCE NO 7-3-12

AN ORDINANCE APPROVING THE PETITION OF VARIOUS OWNERS OF CERTAIN REAL PROPERTY TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE OZARK BAR-B-QUE COMMUNITY IMPROVEMENT DISTRICT, FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE OZARK BAR-B-QUE COMMUNITY IMPROVEMENT DISTRICT, AND CONTAINING A SEVERABILITY CLAUSE

WHEREAS, Mo. Rev. Stat. Sec. 67.1400 et seq. (the “CID Act”) authorizes the County Commission to approve the petitions of property owners to establish a Community Improvement District; and

WHEREAS, a petition has been filed with the County, requesting formation and establishment of the Ozark Bar-B-Que Community Improvement District, signed by owners or authorized representatives of the owners for more than fifty percent by assessed value and per capita of the property located within the proposed boundaries of the Ozark Barb-B-Que Improvement District (the “Petition”); and

WHEREAS, the Clerk of the County of Camden County did review and determine that the Petition substantially complies with the requirements of the CID Act; and

WHEREAS, a public hearing, duly noticed and conducted as required by and accordance with the CID Act was held at 10:00 a.m. on June 13, 2012, by the County Commission; and

WHEREAS, this County Commission hereby finds that the adoption of this ordinance is in the best interest of the County of Camden and that the owners of real property located within the Ozark Bar-B-Que Community Improvement District, as well as the County as a whole, will benefit from the establishment of the Ozark Bar-B-Que Community Improvement District.

NOW, THEREFORE, BE IT ORDAINED BY THE CAMDEN COUNTY COMMISSION AS FOLLOWS:

Section 1: Establishment of the Community Improvement District.

1(a) A community improvement district, to be known as “The Ozark Bar-B-Que Community Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant to the CID Act on certain real property described below to provide services, construct improvements, impose taxes as carry out other functions as set forth in the Petition, which is attached hereto as Appendix A and incorporated herein by this reference.

1(b) The District boundaries are set forth in the Petition in Appendix A and are generally described as follows: all of lots 17, 18 and 19 of SPORTSMAN LODGE SUBDIVISION, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record in the Office of the Recorder of Deeds, Camden County Missouri.

Section 2: Authorization to impose sales tax

The District is authorized by the Petition, in accordance with the CID Act, to impose a tax upon retail sales within the District to provide funds to accomplish an power, duty or propose of the District.

Section 3: Authorization to enter into agreements

The District is authorized by the CID Act, at any time, to enter into agreements with other entities for the purpose of carrying out any of its powers, duties or purposes. Such obligations shall be payable out

of all or part of the revenues of the District. Such obligations shall be authorized by resolution of the District.

Section 4: The Conduct of business by the District

4(a) Pursuant to the Petition, the District shall be in the form of a political subdivision of the State of Missouri, known as “The Ozark Bar-B-Que Community Improvement District.”

4(b) Pursuant to Section of the CID Act, the fiscal year of the District shall be the same as the fiscal year for the County of Camden.

4(c) The District shall hold annual meeting, adopt annual budgets and conduct its affairs consistent with its bylaws contained within and attached to the Petition.

Section 5: Use of Funds

The District is authorized to use the funds of the District for any of the improvements services or other activities authorized under the CID Act.

Section 6: Powers of the District

Pursuant to the CID Act, the District shall have all of the powers necessary to carry out and effectuate the purposes of the District and the CID Act as set forth in the CID Act.

Section 7: Finding of Public Purpose

The County of Camden hereby finds that the uses of the District proceeds as provided for in the Petition hereto will serve a public purpose by encouraging the redevelopment and improvement of real property within the District.

Section 8: Reporting

Within one hundred twenty (120) days after the end of each fiscal year, the District shall submit a report to the Clerk of the County and the Missouri Department of Economic Development stating the Services provided, revenues collected and expenditures made by the District during such fiscal year, and copies or written resolutions approved by the board of directors of the District during the fiscal year. The Clerk of the County shall retain this report as part of the official records of the County and shall also cause this report to be spread upon the records of the County Commission, pursuant to Section 67.1471 of the CID Act.

Section 9: Term of Existence

The terms for the existence of the District shall be as set forth in the Petition, as may be amended from time to time or as such term may be otherwise modified in accordance with the CID Act.

Section 10: Continued Services

Pursuant to the CID Act, the County Commission shall not decrease the level of publicly funded services in the District existing prior to the creation of the District or transfer the burden of providing the services to the District unless the services at the same time are decreased throughout the County, nor shall the

County Commission discriminate in the provision of publicly funded services between areas included in the District and areas not so included.

Section 11: Report to the Missouri Department of Economic Development

The County Clerk shall report in writing the creation of the Ozark Barb-B-Que Community improvement District to the Missouri Department of Economic Development.

Section 12: Board of Directors

The Petition provides that the District shall be governed by a Board of Directors consisting of five directors (collectively the “Directors” and each a “Director”), such Directors to be elected by the District. The election of the Directors shall be conducted in accordance with law, by mail-in ballot. See APPENDIX B

Section 13: Imposition of Sales Tax

The Petition provides that the qualified voters of the District will be asked to approve a sales tax up to one percent (1%) in accordance with the CID Act. The approval of such proposal shall be conducted in accordance with the law, by mail-in ballot. See APPENDIX C

Section 14: Severability

If any section, subsection, sentence, clause, phrase or portion of the ordinance is held to be invalid or unconstitutional, or unlawful for any reason, by any court of competent jurisdiction, such portion shall be deemed and is hereby declared to be a separate, distinct and independent provision of this ordinance, and such holding or holdings shall not affect the validity of the remaining portions of this Ordinance.

Enacted July 3, 2012

Kris Franken, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Thom Gumm, 2nd District Commissioner

Rowland Todd, Clerk

Approved as to from: Charles E McElyea, County Attorney

ORDINANCE NO 11-29-12

AN ORDINANCE OF CAMDEN COUNTY, MISSOURI TO REQUIRE ALL SEWAGE TREATMENT PLANTS AND SYSTEMS WITHIN CAMDEN COUNTY, MISSOURI, TO BE COVERED BY STRUCTURES TO PREVENT NOISE FROM SAID SEWAGE TREATMENT PLANTS AND SYSTEMS FROM DISTURBING THE PEACE OF PROPERTY OWNERS LOCATED ADJACENT THERETO.

Be it Enacted by the Camden County Commission as follows:

Section 1: Any commercial or private septic or sewage treatment plants or systems which have power driven blowers and/or equipment shall have such blowers and/or equipment “cushion” mounted, i.e. rubber or springs, on a concrete pad to reduce vibration noise and covered by a permanent structure which shall be sound insulated, or such equipment shall be submerged. It will be the responsibility of the owner of the plant to specifically engineer the structure to insure proper operation, maintenance, and service life of the treatment facility and its components.

Section 2: Compliance is expected to occur within 90 days of notice of violation, however, if the violator is making a good faith effort to come into compliance, and has shown progress on the work required to come into the compliance, the County Commission may extend the timeframe for compliance completion. No system will be forced to make the changes outlined in this ordinance unless a compliant has been filed with Camden County, which will initiate the violation procedure. Compliance with this ordinance will be achieved when the insulated structure has been installed or the equipment has been submerged. If the structure has been properly installed, and/or the equipment submerged, and noise still emits from the plant, it will still be considered to be in compliance with this ordinance.

Section 3: All onsite sewage systems are exempt from enforcement under the ordinance. Further, direct discharging systems that utilize fixed film type advanced treatment units which include, but are not limited to Microfast, Ecopod, and Advantex systems are also exempt from enforcement under this ordinance.

Section 4: Recirculating rock/and filters are exempt from enforcement under this ordinance.

Section 5: Sewer treatment facilities that have a permitted average daily flow in excess of 70,000 gallons per day are exempt from enforcement under this ordinance.

Section 6: Any such commercial or private septic or sewage treatments plants or systems not in compliance with this Ordinance shall be in compliance within ninety (90) days of the adoption of this Ordinance.

Section 7: Any violation of this Ordinance shall subject to the owner of the commercial or private septic or sewage treatment plants or systems to a fine of not less than One Hundred (\$100.00) Dollars a day until said plant or system is brought into compliance.

Section 8: This Ordinance nullifies and supersedes Ordinance No 9-16-11-01, passed September 16, 2011 by the Camden County Commission of Camden County, Missouri.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of the Sewer Districts of Camden County, Missouri, on the 29th day of November, 2011.

Rowland Todd, County Clerk
Charles E McElyea, County Attorney

Camden County, Missouri
Kris Franken, Presiding Commissioner
Thomas Gumm, Commissioner
Beverly Thomas, Commissioner

ORDINANCE NO 12-18-12

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE FO WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S) AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF IN SUNNY SLOPE COUNTY CLUB DRIVE SEWER DISTRICT OF CAMDEN COUNTY, MISSOURI.

Be it ordained by the Camden County Commission of the County of Camden, State of Missouri, acting in its capacity as the governing body of the Sunny Slope Country Club Drive Sewer District of Camden County, Missouri, as follows:

ARTICLE I

Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

Section 1: “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Section 2: “Building Drain” shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of building and conveys it to the inner face of the building wall.

Section 3: “Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 4: “Combined Sewer” shall mean a sewer receiving both surface runoff and sewage.

Section 5: “Garbage” shall mean solid wastes from the domestic commercial preparation, cooking and dispensing of food, and from the handling, storage and the sale of produce.

Section 6: “Industrial Wastes” shall mean liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

Section 7: “Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Section 8: “Person” shall mean and individual, firm, company, association, society, corporation or group.

Section 9: “pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 10: “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried.

Section 11: “Properly Shredded Garbage” shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than on-half (112) inch (1.27 centimeters) in any dimension.

Section 12: “Public Sewer” shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by a public authority.

Section 13: “Sanitary Sewer” shall mean a sewer that carries sewage and to which storm, surface and groundwater is not intentionally admitted.

Section 14: “Sewage” shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

Section 15: “Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Section 16: “Shall” is mandatory; “May” is permissive.

Section 17: “Slug” shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Section 18: “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer, which carried storm and surface waters and drainage, and unpolluted cooling water, but excludes sewage and industrial wastes.

Section 19: “Superintendent” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 20: “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 21: “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 22: “Hearing Board” shall mean any Board appointed by the governing body of the district to hear or review appeals, complaints, petitions or issued related to unpaid sewer service charges and termination of service in behalf of the governing body.

ARTICLE II

Section 1: Mandatory Connection. The owner of all houses, buildings or condominiums or other properties used for human residence, employment, recreation or other purposes situated within the district and abutting any street, alley or right-of-way in which there is located or may in the future be located a public sanitary or combined sewer of the district is hereby required at his or her expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance within 60 days after date of official notice to do so, if said public sewer is within three hundred (300) feet of the property line.

ARTICLE III

Section 1: Connection. At such time as a public sewer becomes available to a property served by a private disposal system, as provided in Article II, a direct connection shall be made to the public sewer in

compliance with this Ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities not approved by the district for incorporation into the public sewer connection facility, shall be abandoned and filled with suitable material.

Section 2: Time of Connection. When a public sewer becomes available, the building sewer shall be connected to the district sewer within 60 days and the private sewage disposal system shall be cleaned of sludge and filled with suitable material.

Section 3: Liability of Owner or Occupant or Both. Pursuant to Section 249.803 RSMo., sewage service furnished by the sewer district is deemed to be furnished to the occupant and owner of the premises receiving the services and the sewer district rendering services has the right to pursue either, or both, for payment of the fees for services, plus a reasonable attorney fee to be fixed by the Court. A seller under a contract for deed shall not be considered to terminate ownership until a deed has been executed, delivered and filed for record divesting the seller of all right, title and interest in the property.

Section 4: Continuation of Service. Once a service connection is established the owner and occupant are required to continue that service connection and to pay the charges for service as the same become due for so long as the improvements on the property are inhabitable as either a permanent, temporary , or vacation dwelling, during any part of the calendar year.

Section 5: Unpaid Bill-Over Three months delinquent- Notice by certified mail- Interruption or Terminations of Service until paid- Additional personal notice- Opportunity to Present Customer's Position. Service may be temporarily terminated (interrupted) for failure to pay routine bills, or to reasonably repair, maintain or replace the customer connection apparatus and lines, or in the case of any unauthorized connection, by closing any shut-off valve, disabling a pump or interrupting the electrical connection. The District shall have no obligation with respect to stoppage, back-up or equipment wear or failure by a reason thereof, but will give prior notice of the shut-off in conformity with Section 249.645.4, RMSo. This statute provides that "Should the sewer charges remain unpaid for period in excess of three months, the district after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's service line from the district's line or request any private water company, public water supply district or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid." This provision shall not prohibit any other lawful means of collecting the delinquent bill or any other lawful means of interrupting service. The district management will endeavor to give prior notice and additional personal or telephone contact and permit a customer to be heard as to any response the customer may desire to present or any position the customer may have as to the billing and proposed interruption in service, or other relevant matter.

ARTICLE IV

Section 1: Permit to Connect. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a service agreement/written permit from the Camden County Wastewater Department.

Section 2: Classes of Permits. There shall be two classes of sewer connection permits- residential/commercial permits and condominium complex permits.

Section 3: Costs of Connections to be paid by customer. All costs and expenses incident to the installation and connection of the sewer shall be borne by the owner. The owner shall indemnify the district from any such loss or damage that may directly or indirectly be occasioned by the installation of the connection facilities. All connections must meet the district's engineer's specifications for connections, unless a variance is granted by the board.

Section 4: Separate Connection for Each Improvement. A separate and independent sewer shall be provided for every improvement except where one building stands at the rear of another on an interior lot and not private sewer is available or can be constructed to the rear building though an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Variances may be approved by the District in hardship case of condominium complexes.

Section 5: Old Collector Line Connections. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Camden County Wastewater Department, to meet all requirements of this Ordinance.

Section 6: General Specifications for Evacuation Lines. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing and backfilling the trench, shall all conform to the requirements and standard specifications or applicable rules of the district. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the amplifications thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No 9 shall apply. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 7: General Specifications for Connection to the Public Sewer. The connection of the building sewer into the public sewer shall conform to the requirements of the Ordinances of the district or procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No 9 or its replacement volume, Wastewater Treatment Plant Design [2003] I.S.B.N. #0-5728-17-7, published by Water Environment Federation, 601 Wythe Street, Alexandria, VA 22314, Tel [1-800-666-0206]. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by District before installation. Other more specific specifications will be provided by the district's engineer and will be adopted as standard specifications from time to time.

Section 8: Entry below Basement Floor. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 9: Inspection of Connection Apparatus. The applicant for a wastewater connection shall notify the Camden County Wastewater Department when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Camden County Wastewater Department.

Section 10: Public Safety. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and

other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Camden County Wastewater Department.

ARTICLE V

Section 1: Infiltration Prohibited. No person shall permit the discharge any storm water, surface water, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, other sources of runoff or groundwater, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

Section 2: Exceptions on Specific Approval. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Camden County Wastewater Department. Industrial cooling water or unpolluted process waters may be discharged on approval by the Camden County Wastewater Department, to a storm sewer, combined sewer, or natural outlet.

Section 3: Prohibited into Sanitary Sewers-Class 1 Contaminates. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- b. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public water.
- c. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair, fleshings, entrails and paper dishes, cups, molded containers, etc., either whole or ground by garbage grinders.

Section 4: Prohibited Discharge into Sanitary Sewers- Class II Contaminates. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Camden County Wastewater Department that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on a receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of wastes, the Camden County Wastewater Department will give consideration of such factors as the quantities of subject wastes in relations to flows and velocities in the sewers, the materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage

treatment plant, degree of treatable waste in the sewage and other pertinent factors. The substances prohibited are:

- a) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C)
- b) Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F (0 and 65 degrees C).
- c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the District.
- d) Any waters or wastes containing strong acid, iron, pickling wastes or concentrated plating solutions, whether neutralized or not.
- e) Any waters or wastes or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the District for such materials.
- f) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.
- h) Any waters or wastes having a pH in excess of 9.5.
- i) Materials which exert or cause:
 - i) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - ii) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - iii) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - iv) Unusual Volumes of flow or concentration of wastes constituting "slugs" as defined herein.
- j) Waters or wastes containing substances which are not amenable to treatment or reduction by sewage treatment processes employed, or are amenable treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over discharge or the receiving waters.

- k) Any waters or wastes having (1) a 5-day BOD greater than 250 parts per million by weight or (2) containing 300 parts per million by weight suspended solids or (3) having an average daily flow greater than 2 percent of the average flow of the respective sewer district, shall be subject to the review of the District. Where necessary in the opinion of the District, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical demand to 250 parts per million by weight or (2) reduce suspended solids to 300 parts per million by weight, or (3) control the quantities and rates of discharge of such wastes or wastes. Plans, specifications and any other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for the approval of the District and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 5: Enforcement in the Event of Prohibited Discharges. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters containing the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgement of the Camden County Wastewater Department, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Camden County Wastewater Department may:

- a. Reject the wastes,
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers,
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treatment wastes not covered by existing taxed or sewer charges under the provisions of Section 10 of the Article.

If the Camden County Wastewater Department permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the receive and approval of the Camden County Wastewater Department and subject to the requirements of all applicable codes, regulations and laws.

Section 6: Special Interceptors. Grease, oil and sand interceptors shall be required and provided at customer expense when, in the opinion of the Camden County wastewater Department, they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients: except that such interceptors shall be of a type and capacity approved by the Camden County Wastewater Department, and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 8: Control Manholes. When required by the Camden County Wastewater Department, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Camden County Wastewater Department. The manhole shall be installed by the owner at his expense and shall be maintained by owner so as to be safe and accessible at all times.

Section 9: Measurements and Testes. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with

the latest editions of “Standard Methods for the Examination of Water and Wastewater” published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazard to life, limb and property. (This particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls or a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls whereas pH analyses are determined from periodic grab samples.)

Section 10: Special Contracts. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the district and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the county for treatment, subject to the payment therefore, by the industrial concern.

ARTICLE VI

Section 1: Tampering/Damage/Destruction of Sewerage Facilities. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to criminal prosecution under this ordinance or similar state law.

ARTICLE VII

Section 1: District may provide notice of violation and opportunity to correct. Any person found to be violating any provision of this Ordinance except Article VI may be served by the district with written notice stating the nature of the violation and providing a reasonable time, which will usually, but not in all cases be thirty days, for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. This provision is permissive and is not required.

Section 2: Violation-Conviction-Punishment. Any person who shall continue a violation or who after notice any violation beyond the time limit provided for in Article VII, Section 1, continues a violation shall be guilty of a misdemeanor authorized by Section 249.565 RSMo., and on conviction thereof shall be fined in the amount not exceeding One Hundred (\$100) dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Section 3: Damages. Any person violating any of the provision of this Ordinance shall become liable to the District for the expense, loss, or damage occasioned by the District by reason of such violation.

ARTICLE VIII

Section 1: Prior Conflicting Ordinances Repealed. All Ordinances or parts or Ordinances in conflict herewith are hereby repealed.

Section 2: Savings Clause. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

Section 3: Authority of Camden County Wastewater Department. At the direction of the Camden County Commission and with the consent of the District, the Camden County Wastewater Department has been assigned responsibility and authority to provide enforcement services, inspection services and technical services as herein outlined for the district, it being contemplated that other districts will utilize the services of the Camden County Wastewater Department to the end that efficient, uniform and consistent sewerage service and Ordinance enforcement can be established throughout Camden County.

ARTICLE IX

This Ordinance shall be in full force and effect from after its passage, approval, recording, and publication as provided by law.

Approved by the Camden County Commission of Camden County, Missouri on the 18th day of December 2012, in behalf of the Sunny Slope County Club Drive Sewer District.

Camden County Commission
Kris Franken, Presiding Commissioner
Beverly Thomas, Commissioner
Thom Gumm, Commissioner

Rowland Todd, County Clerk

ORDINANCE NO 12-18-12

CAMDEN COUNTY ON-SITE SEWAGE DISPOSAL SYSTEM ORDINANCE

An ordinance governing the construction, modification, installation and operation of on-site sewage disposal systems within Camden County, requiring certain permits and qualifications and providing penalties for violation thereof.

It is hereby ordered by the Camden County Commission as follows:

Section 1: Authority and Scope of Coverage

This ordinance is enacted pursuant to:

- 1.1. Section 701.025 et seq. of the Revised Statutes of Missouri which provides, in part, that political subdivisions may establish a system for the regulation and inspection of on-site sewage disposal contractors and a minimum code of standards for design, construction, materials, operation and maintenance of on-site sewage disposal systems, for the transportation and disposal of wastes there from and for on-site sewage disposal systems

servicing equipment, provided such ordinances, rules and regulations establish a system at least equal to those laws, rules and regulations established pursuant to the laws of the State of Missouri; and

- 1.2. Section 192.300 of the Revised Statutes of Missouri which provides, in part, that the county commissions and the county health center boards of the several counties may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with chapter 192 of the revised Statutes of Missouri or by the department of social services under chapter 198 of the Revised Statutes of Missouri.

The provisions of this Ordinance apply to all property within Camden County except:

- 1.3. Properties located within Camden County, and outside the jurisdictional boundaries of the Village of Four Seasons that are subject to the control and supervision of the Four Seasons Property Owners Association.
- 1.4. Residential property consisting of 3 acres or more used for a single-family residence except that the provisions of this Ordinance shall apply to such property if:
 - 1.4.1. Such Property is adjacent to a lake operated by the Corps of Engineers or by a public utility; or
 - 1.4.2. Effluent from a sewage disposal system on such property enters adjoining property, contaminates surface waters or groundwater or creates a nuisance; or
 - 1.4.3. Any point of an on-site sewage disposal system is located within ten feet of any adjoining property line.
- 1.5. Property within any city, town or village, whether organized under the general law or by constitutional or special charter, any sewer district organized under chapter 204 or chapter 249, any public water supply district organized under chapter 247, or any other municipality, political subdivision or district which owns or operates a sewer system that provides for the collection and treatment of sewage and sewage and waste from such property is disposed of by discharging into a sewer system.
- 1.6. Property on which sewage and waste is disposed of by discharging into a sewer system regulated under Chapter 644 of the Revised Statutes of Missouri.

Section 2: Definitions

As used in this Ordinance, the following words and phrases shall have the following meaning:

- 2.1. "Advanced System", an alternative or engineered on-site sewage disposal system incorporating modifications or additions to the system that include but are not limited to a sand filter, media bio-filter, fixed film filter, advanced aerobic treatment unit, constructed wetland, sand mound, low pressure pipe, drip irrigation or modified shallow placed gravity lateral trenches or other system using fill material;
- 2.2. "Bedroom", any room within a residential dwelling used as a sleeping room;
- 2.3. "Department of Health", the Department of Health of the State of Missouri;

- 2.4. "Emergency Repair", and act or work verbally authorized by the Wastewater Department and performed to correct an on-site sewage disposal system causing or creating an immediate health hazard or the threat of an immediate health hazard;
- 2.5. "Existing System", and on-site sewage disposal system in operation prior to January 1, 1996;
- 2.6. "Human excreta", undigested food and by-products of metabolism which are passed out of the human body;
- 2.7. "Imminent health hazard, a condition which is likely to cause an immediate threat to life of a serious risk to health, safety, and welfare of the public if immediate action is not taken;
- 2.8. "Maintenance", an act or work undertaken to keep an on-site sewage disposal system properly functioning, including, but not limited to: adjusting flow, repairing baffles, replacing pumps, cleaning or replacing an effluent screen or pumping accumulated solids out of a tank;
- 2.9. "Major modification" or "major repair", the redesigning and alteration of an on-site sewage system by relocation of the system or part of the system, replacement of the septic tank or construction of a new absorption field;
- 2.10. "Malfunctioning or failing on-site wastewater system", any on-site sewage disposal system in which sewage or effluent overflows from any of the component parts and ponds or surfaces; or in which sewage or effluent backs-up into any system component, the plumbing system or building; or with failed structural components; or an on-site sewage disposal system that contaminates surface waters or groundwater or presents a nuisance or imminent health hazard.
- 2.11. "Manhole", a hole or structural component on an on-site sewage disposal system with a removable cover through which a person may enter or access an on-site sewage disposal system or tank.
- 2.12. "Nuisance", sewage, human excreta or other human organic waste discharged or exposed on the owner's land or any other land from an on-site sewage disposal system in a manner that makes it a potential instrument or medium for the breeding of flies and mosquitoes, the production of odors, or the transmission of disease to or between a person or persons, or which contaminates surface waters or groundwater.
- 2.13. "On-site Sewage disposal system", any system handling or treatment facility receiving domestic sewage which discharges into a subsurface soil absorption system and discharges less than three thousand gallons per day.
- 2.14. "On-site Sewage disposal system contractor", any person who constructs, alters, repairs, or extends an on-site sewage disposal system on behalf of, or under contract with, the property owner;
- 2.15. "Operating Permit", a permit issued by the Camden County Wastewater Department authorizing the operation and use of an advanced system and which sets forth the proper operation and maintenance functions for the advanced system'

- 2.16. "Person", any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the state of Missouri or any department thereof, or any political subdivision of this state;
- 2.17. "Property Owner", the person in whose name legal title to the real estate is recorded;
- 2.18. "Registered Service Tech", a repair or service technician trained, authorized and registered as an "advanced installer" with the Department of Health and the Camden County Wastewater Department.
- 2.19. "Repair", an act or work on an on-site wastewater system required to restore the proper functioning of the system that does not result in a change to or modification of the size or location of the system;
- 2.20. "Sewage" or "Domestic sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste and other similar waste from household or establishment appurtenances, Sewage and domestic sewage waste are further categorized as:
 - 2.21. "Blackwater", waste carried off by toilets, urinals and kitchen drains;
 - 2.22. "Graywater", all domestic waste not covered in paragraph (a) of this subdivision, including bath, lavatory, laundry and sink waste;
- 2.23. "Site Visit or Site Inspection", a mandatory investigation of a proposed on-site wastewater system installation site performed by the Camden County Wastewater Department prior to approval of the issuance of a permit;
- 2.24. "Soil Morphology Test", a report of the suitability and soil characteristics for a proposed soil absorption type of on-site wastewater system installation site which includes texture, structure, porosity, consistency, color and other physical, mineral and biological properties of various horizons, and the thickness and arrangement of the horizons in the soil profile;
- 2.25. "Stop Order", a written order issued by the Camden County Wastewater Department to stop all construction, installation, modification or operation of an on-site wastewater system.
- 2.26. "Subdivision", land divided or proposed to be divided for predominantly residential purposes into such parcels as required by local ordinances, or in the absence of local ordinances, or in the absence of local ordinances, "subdivision" means any land which is divided or proposed to be divided by a common owner or owners into three or more lots or parcels, any of which contains less than three acres, or into platted or unplatted unites, any of which contains less than three acres, as a part of a uniform plan of development.
- 2.27. "Subsurface soil absorption system", a system for the final renovation of the sewage tank effluent and return of the renovated wastewater to the hydrologic cycle, including the lateral lines, the perforated pipes, the rock material and the absorption trenches. Included within the scope of this definition are: sewage tank absorption systems, privies, chemical toilets, single-family lagoons and other similar systems; except that a subsurface sewage disposal system does not include a sewage system regulated pursuant to chapter 644, RSMo.

- 2.28. "Variance Board", a board consisting of five (5) full-time members, with one (1) alternate member being the Camden County presiding commissioner or an appointee by the Camden Commission, with members serving two (2) year terms, a chairman to be elected by the board members.
- 2.29. "Waste", sewage, human excreta or domestic sewage.

Section 3: Disposal of domestic sewage- requirements

- 3.1. Property owners of all buildings where people live, work or assemble shall provide for the sanitary disposal of all domestic sewage. Sewage and waste from such buildings shall be disposed of by discharging into an on-site sewage disposal system unless disposed of by discharging in to a sewer system within any city, town or village, whether organized under the general law or by constitutional or special charter, any sewer district organized under chapter 204 or chapter 249 of the Revised Statutes of Missouri, or owned or operated by any other municipality, political subdivision or district, or regulated under chapter 644, of the Revised Statutes of Missouri.
- 3.2. Any construction, installation, modification, repair or operation of an on-site sewage disposal system shall be in accordance with rules promulgated under this ordinance, regardless of when the on-site sewage disposal system was originally constructed.

Section 4: Disposal of domestic sewage-prohibitions and restrictions

- 4.1. A person or property owner commits the Ordinance of improper disposal of sewage or waste if he or she knowingly permits sewage or waste to contaminate surface water or groundwater or to cause a nuisance or imminent health hazard to any other person or property owner. Improper disposal of sewage or waste is a class B misdemeanor. The range of punishment for class B misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed six (6) months; by a fine not to exceed five hundred dollars (\$500); or by both imprisonment and a fine.
- 4.2. A person or property owner commits the Ordinance violation of constructing, installing, modifying, repairing or operating an on-site sewage disposal system without a permit if he or she constructs, installs, modifies, repairs or operates an on-site sewage disposal system without obtaining the required permit or permits for such construction, installation, modification, repair or operation or after such permit has expired or been suspended or revoked. Constructing, installing, modifying, repairing or operating an on-site sewage disposal system without a permit is a class C misdemeanor. The range of punishment for a class C misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed fifteen (15) days; by a fine not to exceed three hundred dollars (\$300); or by both imprisonment and a fine and shall further be subject to a penalty in an amount double the amount of the permit required but not obtained.
- 4.3. A person property owner commits the Ordinance violation of improper construction, installation, modification, repair or operation of an on-site sewage disposal system in a manner that does not comply with the state standard established under section 701.025 to 701.059 of the revised Statutes of Missouri as adopted in this Ordinance or in the rules,

regulations and standards governing the construction, installation, modification, repair or operation of on-site sewage disposal systems as set forth in this Ordinance. Improper construction, installation, modification, repair or operation an on-site sewage disposal system is a class C misdemeanor. The range of punishment for a class C misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed fifteen (15) days; by a fine not to exceed three hundred dollars (\$300); or by both imprisonment and a fine.

- 4.4. A person commits the Ordinance violation of spraying, dumping or otherwise applying effluent or other waste if he or she sprays, dumps or otherwise applies effluent or other waste from any component of an on-site sewage disposal system to any land location within Camden County without specific approval granted by the Missouri Department of Natural Resources pursuant to a site specific land application permit. Spraying, dumping or otherwise applying effluent or other waste is a class B misdemeanor. The range of punishment for a class B misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed six (6) months; by a fine not to exceed five hundred dollars (\$500); or by both imprisonment and a fine.
- 4.5. A person or property owner commits the Ordinance violation of failure to comply with a Stop Order if he or she fails to obey or comply with a stop order is a class B misdemeanor. The range of punishment for a class B misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed six (6) months; by a fine not to exceed five hundred dollars (\$500); or by both imprisonment and a fine.

Section 5: Creation and authority- Camden County Wastewater Department.

There is created a Wastewater Department which shall be under the direction and authority of the County Commission. The Camden County Wastewater Department shall have the power and duty to:

- 5.1. Receive and consider applications for permits and issue permits for the construction, installation, modification, repair and operation of on-site sewage disposal systems as set forth in this Ordinance.
- 5.2. Authorize emergency repairs as provided for in this Ordinance.
- 5.3. Cause investigations to be made when a violation of any provision of this Ordinance or of sections 701.025 to 701.059 of the Revised Statutes of Missouri or the on-site sewage disposal rules contained in the Code of State Regulations;
- 5.4. Enter private or public property at reasonable times, and in compliance with the provisions of the Constitutions of the United States and the State of Missouri and with the provisions of the Revised Statutes of Missouri based upon probable cause that a violation exists, for the purpose of inspecting and investigating conditions relating to the administration and enforcement of this Ordinance or of sections 701.025 to 701.059 of the Revised Statutes of Missouri or the on-site sewage disposal rules contained in the code of State Regulations.
- 5.5. Authorize the trial or experimental use of innovative systems for on-site sewage disposal, after consultation with the staff of the Missouri clean water commission, and upon such conditions as the Missouri Department of Health may set.

Section 5: Construction, Installation and modification and Inspection of On-Site Sewage Disposal Systems

- 6.1. All on-site sewage disposal systems subject to the provisions of the ordinances of Camden County shall be constructed, installed, modified, repaired and operated in accordance with the rules, regulations and provisions of this ordinance, the Missouri Code of State Regulations, and the Revised Statutes of Missouri, which are by this reference incorporated into this Ordinance.
- 6.2. Specifically, on-site sewage disposal systems installed, constructed or modified in Camden County Shall
 - 6.2.1 Use only poly, fiberglass or concrete tanks. No metal tanks shall be used in any such construction, installation or repair;
 - 6.2.2 Allow access to both the intel & outlet devices of each tank and to each separate compartment of each tank by means of a manhole> Manhole risers shall be required when the top of the septic tank is more than six (6) inched below the final grade.
 - 6.2.3 Provide for a watertight seal around any pipe, conduit, wiring or manhole entering or exiting a septic tank.
 - 6.2.4 Be constructed, installed or repaired in such a manner that all septic tanks are embedded in sand or gravel not more than one inch (1”) in size unless otherwise specifically recommended in a tank manufacturer’s installation guidelines.
 - 6.2.5 Not be constructed, installed, modified or repaired using composting toilets on property adjoining the Lake of the Ozarks.
- 6.3. All conventional and advanced on-site sewage disposal systems shall be constructed, installed modified or repaired by an on-site sewage disposal system contractor authorized by and registered with the State of Missouri and Camden County except that the installation or replacement of a septic tank may be performed by a property owner. The installation or replacement of any septic tank whether by a property owner or an on-site sewage disposal system contractor shall not be performed without a permit issued by the Camden County Wastewater Department approving such installation or replacement.
- 6.4. All on-site sewage disposal system shall be inspected by a state registered inspector as a prerequisite for the issuance of building permits issued by Camden County Planning and Zoning related to the remodeling or rebuilding of, or additions to, all buildings where people live, work or assemble except where such on-site sewage disposal systems is being operated pursuant to valid operating permit.

Section 7: Permit applications and permits for the construction, installation, modification or repair of on-site sewage disposal systems.

7.1. Any person desiring to construct install modify, or repair an on-site sewage disposal system must first obtain a valid permit issued by the Camden County Wastewater Department

7.2. Any person who proposes to construct, install, modify, or repair an on-site sewage disposal system shall submit to the Wastewater Department a written application certified by a State Registered Engineer or on a form supplied by Wastewater Department.

7.3. Proposed on-site sewage disposal systems shall be designed in accordance with this Camden County On-site Sewage Disposal Ordinance, the Missouri Code of State Regulations, and the Revised Statutes of Missouri governing on-site sewage disposal systems.

7.4. All applications for the construction, installation, modification or repair of on-site wastewater sewage disposal systems shall include a report detailing the results of a soil evaluation of the site of the proposed or existing system conducted by a professional soil scientist, engineer, sanitarian or registered geologist with special training in determining soil morphological characteristics in the field. A soil evaluation report shall not be based upon percolation tests.

7.5. Permits for the construction, installation, modification or repair of on-site wastewater sewage disposal systems issued by the Camden County Wastewater Department shall be posted on the property during the time of construction and shall include the name of the person or entity constructing, installing, modifying or repairing the wastewater treatment system.

Section 8: Permit applications and permits for the repair of on-site sewage disposal systems.

8.1. Any person desiring to repair an on-site sewage disposal system must first obtain a valid repair permit. Repairs must meet or exceed the requirements of this ordinance and the current Missouri Department of Health regulations relating to on-site wastewater systems.

8.2. Emergency repairs of on-site sewage disposal systems made to relieve an imminent health hazard may be performed before the issuance of a repair permit provided the property owner or person or entity repairing the system obtains prior verbal consent from the Camden County Wastewater Department and submits the required permit application and fee within five (5) working days after beginning the emergency repair. No emergency repair shall be backfilled without the approval of the Camden County Wastewater Department. Emergency repairs shall meet or exceed the requirements of this ordinance and the current Missouri Department of Health regulations relating to on-site wastewater systems.

Section 9: Permit applications and permits for the operation of certain on-site sewage disposal systems.

9.1. On-site sewage disposal systems installed after on or after January 1, 2011 incorporating and advanced system as defined in section 2.1 as a component of on-site wastewater system shall not be operated without the issuance of a valid operating permit. Permits required for the operation of Advanced Systems shall be issued by the Wastewater department after granting final approval for the construction, installation, modification or repair of an Advanced System.

- 9.2. A Valid operating permit shall also be required for any on-site sewage disposal system the use of which has been determined to have caused contamination of surface water or groundwater or a nuisance or imminent health hazard to any other person or property owner. Permits required for the operation of such on-site sewage disposal system shall be issued by the Wastewater department after the termination of proceedings initiated to address such contamination, nuisance or health hazard.
- 9.3. Application for renewal of Operation Permits shall be made upon a form approved by the Wastewater Department and shall include proof of a current maintenance agreement and any service reports along with the applicable operating permit fee.
- 9.4. A site visit may be required by the Wastewater Department before approving an application for renewal of an operating permit and issuing a new Operating Permit.

Section 10: Permit application processing procedures

- 10.1. The Camden County Wastewater Department shall review all permit applications for completeness including permit fees. Incomplete applications shall be returned to the applicant, but may be resubmitted to the Camden County Wastewater Department for reconsideration.
- 10.2. Pre-site visits by the Camden County Wastewater Department shall be conducted to evaluate and to determine the suitability of the property for the construction, installation, modification, or repair of the proposed on-site wastewater system prior to the issuance of permit or prior to submission of the application to the Variance Board.
- 10.3. Applications shall mark by field marking such as paint, flags or other identifying objects or materials the location of the on-site wastewater system components, the locations of the proposed soil absorption system including the location and length of any lateral trenches and the location of property boundaries together with applicable setback restriction locations prior to the application submission to or the pre-site visit by the Camden County Wastewater Department.
- 10.4. Each application shall be approved or disapproved as soon as reasonable possible, but in no event to exceed thirty (30) business days from the date the application is received.
- 10.5. IF the permit application is approved, the Wastewater Department will notify the applicant in writing, by mail or in person, of the approval of the application for the permit or permits and issue the permit or permits to the application.
- 10.6. The Camden County Wastewater Department may deny any permit application for reasons that include but are not limited to: inadequate design or construction methods or materials; incomplete application; inconsistencies or design or implementation defects discovered during site visits; location of the proposed site within 100 feet of a sewer system that provides for the collection and treatment of sewage and sewage and waste operated by any city, town or village, whether

organized under the general law or by constitutional or special charter, any sewer district organized under chapter 204 or chapter 249, any public water supply district organized under chapter 247, or any other municipality, political subdivision or district which owns or operates such a system provided a connection is allowed or permitted by the authority for such system. If the Wastewater Department denies any permit application, the applicant shall be notified in writing, by mail or in person, of all the reasons for said denial and of all changes required for the permit or permits to be issued.

- 10.7. Any applicant aggrieved by the requirements of the Wastewater Department, or who have been denied a permit by the Wastewater Department may request and shall receive a hearing in accordance with the provisions of Section 16.

Section 11: Compliance with issued permits.

11.1. Any person constructing, installing, modifying or repairing an on-site sewage disposal system shall report any conditions not in accordance with the system permit to the Camden County Wastewater Department without delay and shall cease all construction, installation, modification or repair until approval to proceed is granted.

11.2. Any person constructing, installing, modifying or repairing an on-site sewage disposal system shall perform such construction, installation, modification or repair in accordance with the terms and conditions of the permit. A new application or amended application must be filed with the Wastewater Department if the permittee desires to modify a permit. No modification shall be implemented until a new or modified permit has been issued or a variance is approved.

11.3. Any person required to provide notice and apply to the Wastewater Department as provided herein shall not complete the construction, installation, modification or repair of an on-site sewage disposal system without first providing notice and an opportunity for inspection by the Wastewater Department as provided in the section. Such notification shall be made to the Wastewater Department prior to a 9:00 a.m. on the day proceeding completion.

11.4. The on-site sewage disposal system shall be maintained in a condition which allows for a complete inspection until 3:00 p.m. on the day of completion; unless the Wastewater Department provides confirmation that the system has been inspection and, approved prior to that time.

11.5. The on-site sewage disposal system shall not be closed or completed if the city, county or department determines upon inspection that the system does not meet the standards set forth in this ordinance, and the Wastewater Department shall provide, at the time of inspection, a conspicuous maker or other form of notice indicating that the system does not meet the standards. The Wastewater Department shall provide written confirmation of the results of the inspection or confirmation that the department did not inspect the system to the property owner within three working days of the day of completion.

Section 12: Permit duration and extensions.

12.1. All permits issued for the construction, installation or modification of an on-site sewage disposal system shall be valid for one year after the date of issuance, unless for good cause shown, the Wastewater Department determines that a permit duration of a shorter period of time is appropriate under the circumstance, but in no even shall the duration of such a permit be less than 60 days. If such construction, installation or modification is not completed within the time permitted, the permit will no longer be valid and a new permit must be applied for and obtained before commencing or continuing the construction, installation, modification or repair of the system.

12.2. All permits issued for the operation of an on-site sewage disposal system shall be valid for a period of two (2) years.

12.3. Permits will be issued only to the person who applied for the permit or such person's authorized representative, and such authorization must be in writing from the person who applied for the permit.

12.4. A permit may be extended by the Wastewater Department. Such extension request shall be in writing to the office of the Wastewater Department and shall be approved or disapproved within ten (10) business days after the request is received

Section 13: Permit Suspension or revocation.

13.1. The Wastewater Department may suspend or revoke a permit for a wastewater treatment system for any of following reasons:

- a. Substantial noncompliance with the terms of the permit;
- b. Modifications in design or construction which are not authorized by the Wastewater Department;
- c. Intentional falsification of information submitted; or
- d. Substantial non-compliance with the terms of this Ordinance as determined by the Wastewater Department.

13.2. Before the suspension or revocation of a permit by the Wastewater Department, the permittee will be given a reasonable opportunity of not less than twenty (20) business days after receipt of written notice of non-compliance to perform the corrections in order to come into compliance with the permit.

Sections 14: Stop Orders

14.1. A Stop Order may be issued by the Wastewater Department.

- a. For a new construction or installation, if the materials and and/or manner of installation fails to meet the requirements contained in the permit.
- b. For existing systems which are being operated in violation of this Ordinance, if the property owner fails to submit a plan of compliance within thirty (30) days, or fails to fully comply within ninety (90) days after receipt of written notice of the violation. If the property owner or occupant refuses to permit an inspection as provided by the section 12 herein, the Wastewater Department may assume the system is being operated in violation of this Ordinance.

c. If there exists a condition of such extreme nature which presents an immediate danger in public health requiring immediate corrective action. Examples of such an immediate danger include direct contamination of a potable water source.

14.2. No stop order shall be enforced while an appeal is in process, unless there exists a conditions of such extreme nature which presents an immediate danger to public health.

Section 15: Special provisions for a prior violators

15.1. A person who has, within the preceding twenty-four months, been found guilty or pleaded guilty to a violation of section 701.046, 701.050 of the Revised Statutes of Missouri, or a violation of Section 4 of this Ordinance, may not begin construction, installation, modification or repair of an on-site sewage disposal system that is owned by another person unless the person constructing, installing, modifying or repairing the system has provided to the Wastewater Department a performance bond or letter of credit as provided under this section.

15.2. Any such performance bond or letter of credit shall be conditioned upon faithful compliance with the standards for on-site sewage disposal systems as established in this ordinance.

15.3. Such performance bond, placed on file with the Wastewater Department, shall be in the form of a performance bond, payable to the department and issued by an institution authorized to issue such bonds in this state; or an irrevocable letter of credit issued in favor of an payable to the department from a commercial bank or savings and loan having an office in the state of Missouri.

15.4. Upon a determination by the Wastewater Department that a person has failed to construct, install, modify or repair an on-site sewage disposal system in compliance with the provisions of this ordinance, the department shall notify the person that the bond or letter of credit shall be forfeited and the moneys shall be used for remedial action, if that person does not bring the system up to the standards for on-site sewage disposal systems as established in this ordinance within thirty days after notice of such determination has been given.

15.5. If the system is not brought into compliance with the provisions of this ordinance within thirty days, the Wastewater Department shall, within thirty days of the expiration of the notice period, expend whatever portion of the bond or letter of credit is necessary to hire a registered on-site sewage disposal system contractor to bring the system into compliance.

15.6. The requirement for a person to provide a performance bond or a letter of credit under this section shall cease for that person after two consecutive years in which the person has not been found guilty or pleaded guilty to a violation of section 701.046, 701.047, 701.048 or 701.050 of the Revised Statutes of Missouri or a violation of Section 4 of this Ordinance.

Section 16: Fees and Costs

16.1. The fee for a permit to construct, install or modify an on-site sewage disposal system is \$150.00 and is non-refundable.

16.2. The fee for a permit to repair an on-site sewage disposal system is \$150.00 and is non-refundable.

16.3. The fee for a permit to operate an on-site sewage disposal system is \$100 biennial and is non-refundable.

16.4. The cost of dye tracing liquids is \$5.00 per 8 ounces.

16.5. The registration fee for an Installer is \$100.00 biennial.

16.6. The registration fee for a Tank Cleaner is \$100.00 per truck, biennial.

16.7. The registration fee for a Registered Service/Repair Tech is \$100 biennial.

Section 17: Appeals process

17.1. Any person aggrieved by the Wastewater Department may appeal by filing a written application with the Camden County Wastewater Department.

17.2. All appeal applications shall be accompanied by a \$50.00 deposit. Such deposit shall be refunded to the applicant upon the completion of the appeal process provided the applicant attends all appeal meetings and performs all requirements for appeal applicants. Appeals may be withdrawn and the deposit refunded by the applicant delivering written notice to the Wastewater Department no less than three (3) business days prior to meeting scheduled to hear the appeal as provided herein.

17.3. Appeals from the Wastewater Department shall be heard by the Variance Board within fourteen (14) business days after the appeal is filed (unless a later date is requested by the applicant) and the applicant shall be given a reasonable opportunity to be heard. The Variance Board shall render a decision as soon as practical but in no event later than fourteen (14) business days after the meeting in which the appeal is heard.

17.4. Appeal hearing to the Variance Board shall be conducted in accordance with rules and procedures adopted by the Variance Board.

17.5. Variance Board decisions can be appealed to the circuit court of Camden County, Missouri in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 18: Violations, notice of, contents, prosecuting attorney to institute proceedings, when

18.1. Whenever the Camden County Wastewater Department determines after an inspection, or after receipt of a complaint, that there are reasonable grounds to believe that there has been violation to the person responsible, as herein provided. The notice shall:

- a. Be in writing;
- b. Include a statement of the reasons for the issuance of the notice;
- c. Allow reasonable time as determined by the Camden County Wastewater Department for the performance of any act it requires;
- d. Be served upon the resident, owner, operator or contractor, as the case may require, provided that such notice or order shall be deemed to have been properly served upon such person when a copy thereof has been sent by registered or certified mail to the

person's last known address, as listed in the local property tax records concerning such property, or when such person has been served with such notice by any other method authorized by the laws of this state;

e. Contain an outline of remedial action which is required to effect compliance with the provisions of this Ordinance and with the laws and regulations of the State of Missouri.

18.2. If an aggrieved person files a written request for a hearing within ten days of the date of receipt of a notice, a hearing shall be held within fourteen (14) days from the date of the receipt of the notice, before the Variance Board, the review the appropriateness of the remedial action. The Variance Board shall issue a written decisions within thirty calendar days of the date of the hearing. Any final decision of the Variance Board may be appealed to the Circuit Court of Camden County wherein the offense is alleged to have occurred for a trial de novo on the merits.

18.3. The Camden County Wastewater Department, may require a property owner to abate a nuisance or repair a malfunctioning on-site sewage disposal system on the owner's property not later than the thirtieth day from which the owner receives notification from the department of the malfunctioning system or a final written order, if a hearing or hearings were held pursuant to this section. If weather conditions prevent the abatement of the nuisance or repair of the system within the thirty-day period or if the owner is unable, after reasonable effort, to obtain the services of a contractor or repair service within the thirty-day period, the abatement of the nuisance or repair of the system shall be made, weather permitting, no later than sixty days notification. Such extension for abatement or repair shall be subject to approval by the Camden County Wastewater Department.

18.4. The prosecuting attorney shall, at the request of Camden County Wastewater Department, institute appropriate proceedings for correction in cases of noncompliance with or violation of the provisions of this ordinance or of the provisions of sections 701.025 to 701.059 RSMo.

18.5. When it is determined by the Camden County Wastewater Department, after receipt of a complaint, where an emergency exists which requires immediate action to protect the health and welfare of the public, the department is authorized to seek a temporary restraining order and injunction. Such action shall be brought at the request of the Camden County Wastewater Department by the prosecuting attorney. When such conditions are corrected and the health of the people of Camden County is no longer threatened, the department shall request such temporary restraining order and injunction be dissolved. For the purposes of this subsection, an "Emergency" means any set of circumstances that constitute an imminent health hazard or the threat of an imminent health hazard.

18.4. The prosecuting attorney shall, at the request of Camden County Wastewater Department, institute appropriate proceedings for correction in cases of noncompliance with or violation of the provisions of this of sections 701.025 to 701.059 RSMo.

18.5. When it is determined by the Camden County Wastewater Department, after receipt of a complaint, where an emergency exists which requires immediate action to protect the health and welfare of the public, the department is authorized to seek a temporary restraining order and injunction. Such action shall be brought at the request of the Camden County Wastewater

Department by the prosecuting attorney. When such conditions are corrected and the health of the people of Camden County is no longer threatened, the department shall request that such temporary restraining order and injunction be dissolved. For the purposes of this subsection, and “emergency” means any set of circumstances that constitute an imminent health hazard or the threat of an imminent health hazard.

Section 19: Private rights of action not preempted.

Nothing contained in the Ordinance shall be interpreted so as to preempt any private right of action or prevent any person from pursuing remedies which might otherwise exist from matter involving the disposal of domestic sewage.

Section 20: Investigation by the Camden County Wastewater Department-right to inspect adjoining property.

The Camden County Wastewater Department or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

Section 21: Notices

21.1. Any notice required herein or any Stop Order shall be provided to the property owner, or record, and the permittee and to all other appropriate parties and shall be as follows:

21.2. by personal delivery; or

21.3. by depositing said notice of Stop Order in first class mail, postage prepaid.

21.4. All Stop Orders shall be posted at the wastewater treatment system site in a conspicuous place.

Section 22: Severability

If any portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and that holding shall not affect the validity of the remaining portion of this ordinance.

Section 23: Amendments

This Ordinance may be amended by a resolution passed by the Camden County Commission in accordance with 701.025 et seq. of the Revised Statutes of Missouri.

Section 24: Effective date and approval

This Ordinance shall be effective upon its approval by a properly passed resolution of the Camden County Commissioners.

Section 24: Registration of persons and businesses engaged in wastewater Treatment and/or on-site septic systems.

25.1. Every person engaged in the design, construction, installation, modification or repair of an on-site sewage disposal system and persons engaged in the business of cleaning on-site sewage disposal systems within Camden County must register with the Camden County Wastewater Department. Any person constructing, installing or modifying on-site sewage disposal systems shall also be required to register with the Missouri Department of Health and Senior Services as per amended section of 701.031 under House Bill 1433 (HB1433) before registering with the Camden County Wastewater Department. Proof of State registration must be on file with the County Wastewater Department.

25.2. The Camden County Wastewater Department may adopt rules and regulations, establishing qualifications and minimum standards for persons desiring to register under this Ordinance.

25.3. Any person whose application for registration under this section has been denied will be notified in writing as to the reasons for denial, and said person may appeal such denial pursuant to the appeal provisions in the Ordinance.

25.4. Whenever the Camden County Wastewater Department determines that a holder of a valid registration under this section has violated any provisions of this Ordinance, or the rules and regulations adopted by the County, or the Missouri Department of Health. The Camden County Wastewater Department may suspend or revoke said registration and shall set the term of revocation and/or suspension within fourteen (14) days after a violation is determined. The said person under violation may appeal pursuant to Section 16 of this Ordinance within ten (10) days of notification from the Camden County Wastewater Department.

Section 26: Septic Tank Cleaning Standards

26.1. The Camden County Wastewater Department may inspect the equipment and land application/storage site of the Registered Tank Cleaner for the purpose of determining if his equipment and land application are in good operating condition, and are being operated and maintained in a healthful manner and are in compliance with this Ordinance and the rules and regulations of the Missouri Department of Natural Resources.

26.2. The Registered Tank Cleaner must use one of the following methods for disposal: a) Discharge in a municipal wastewater treatment plant; or b) Land application with approval from Missouri Department of Natural Resources.

26.3. The Registered Tank Cleaner and the Property owner of the land application/storage site must have an agreement on file with the Camden County Wastewater Department; said land application/storage site must be approved by the Missouri Department of Natural Resources and the Camden County Wastewater Department.

26.4. The Registered Tank Cleaner must keep on file for up to tow (2) years, all records of said application times and amounts of sewage dumped or land applied. The Camden County Wastewater Department has the right to inspect said files periodically if deemed necessary.

26.5. No wastewater effluent or other waste component of any on-site sewage disposal system shall be sprayed, dumped or otherwise applied to any land location within Camden County

unless otherwise specified and approved pursuant to a site specific land application permit issued through the Missouri Department of Natural Resources.

Approved by the Camden County Commission of Camden County, Missouri on the 18th day of December, 2012.

Camden County Commission

Kris Franken, Presiding Commissioner

Beverly Thomas, Commissioner

Thom Gumm, Commissioner

Rowland Todd, County Clerk

ORDINANCE NO 12-20-12

AN ORDINANCE SETTING FORTH PROVISIONS AND REGULATIONS FOR PARKING ON ROADS AND STREETS WITHIN THE COUNTY.

Be it Ordained by the Camden County Commission, as follows:

Section 1: Stopping, standing or parking prohibited

- A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Law Enforcement Officer of official traffic control device, no person shall stop, stand or park a vehicle:
 1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 2. On a sidewalk or between the curb line of the street and the sidewalk;
 3. Within an intersection;
 4. On a crosswalk;
 5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite of the ends of a safety zone;
 6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 7. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 8. On any railroad tracks;
 9. At any place where official signs prohibit stopping or parking; or
 10. On the travelled portion of a street or roadway.
- B. No person shall stand or park a vehicle whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
 1. In front of a public or private driveway;
 2. Within fifteen (15) feet of a fire hydrant;
 3. Within twenty (20) feet of a crosswalk at an intersection;
 4. Within thirty (30) feet upon the approach to any flashing signal, stop sign or traffic control signal located at the side of the roadway;
 5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within, seventy-five (75) feet of said entrance, when properly signposted; or
 6. At any place where official signs prohibit standing or parking.

- C. No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
 - 1. Within fifty (50) feet of the nearest rail of a railroad crossings; or
 - 2. At any place where official signs prohibit parking.
- D. No person shall move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such a distance as is unlawful.
- E. No person shall park a vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway for the free movement of vehicular traffic.
- F. The Camden County Road and Bridge Supervisor or other jurisdictional authority of special road districts are hereby authorized to determine and designate by proper sign placement areas in which the stopping, standing or parking of vehicles would be prohibited. In addition, the Camden County Road and Bridge Supervisor or other jurisdictional authority of special road districts, more specifically the Board of Commissioners of the Horseshoe Bend Special Road District, are authorized to determine and designate by proper sign placement areas in which the stopping, standing, or parking of vehicles would be permitted within the jurisdictional authority of said districts.
- G. When official signs are erected as authorized in Section, no person shall stop, stand or park a vehicle in any such designated place.
- H. Enforcement By Sheriff's Department.
 - 1. The Sheriff's Department shall have the authority to enforce all provisions of this ordinance and may issue a traffic complaint or parking ticket to the vehicle driver or vehicle owner of any vehicle found to be in violation of this ordinance. Violation of this Section shall be subject to a fine of from twenty-five dollars (\$25.00) to five hundred dollars (\$500.00). The Sheriff's Department shall have the authority to tow vehicles so long as it is posted that vehicles are subject to being towed at the owner's expense.
 - 2. A Law Enforcement Officer may have a ticketed vehicle towed if in the officer's opinion the vehicle causes a hazard to the movement of emergency vehicles.

Section 2: Parking on a private property

- A. Where Prohibited. No person shall park any vehicle upon the private property or parking lot of another without the owner's consent, during non-business hours, or to frequent another business.
- B. Owner's Responsibility.

1. The owner of the property must post the entrance of the property with a sign prohibiting parking approved by the County Commission, except for private driveways which do not need to be posted.
 2. The owner of the property may have a vehicle towed at the vehicle owner's expense.
- C. Enforcement by Sheriff's Department.
1. When property is properly posted, or is a private driveway, the Sheriff's Department, upon complain of any property owner or person who may have the right to occupy or process said property, may issue a traffic complaint or parking ticket to the vehicle driver or vehicle owner. Violation of this Section shall be subject to a fine of from twenty-five dollars (\$25.00) to five hundred dollars (\$500.00).
 2. A Law Enforcement Officer may have a ticketed vehicle towed if in the officer's opinion the vehicle causes a hazard to the movement of emergency vehicles.

Section 3: Physically Disabled Parking

- A. It shall be unlawful for any person to park or stand any vehicle in any stall or space designated or reserved for physically disabled persons, as defined in Section 301.142, RSMo., as amended, whether upon public or private property open to the public use, unless the vehicle bears the State of Missouri license plate or placard for, the disabled as provided for in Sections 301.071. or 301.142, RSMo., as amended. The space shall be indicated by an upright sign whether on a pole or attached to a building upon which shall be inscribed the international symbol of accessibility and may also include, and appropriate working to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this Subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "\$50 to \$300 fine". See Section 301.143 RSMo.
- B. Any vehicle operator who is not physically disabled shall not use the handicapped parking space unless there is a physically disabled person in the vehicle, or while the vehicle is being used to transport a physically disabled person.
- C. Any person convicted of violating this Section is guilty of an offense and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Every day upon which such violation occurs shall constitute a separate offense.

Section 4: Parking Prohibited at all times- parking zones- generally

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described by this or other ordinance.

Section 5: Parking signs required

Whenever by this Title or any other ordinance of the County any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the County Roads and Bridges Department to erect appropriate signs giving notice thereof and no such regulations shall be effective unless such signs are erected and in place at the time of any alleged offense.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 20th day of December, 2012.

Camden County, Missouri

Kris Franken, Presiding Commissioner

Thomas Gumm, Commissioner

Beverly Thomas, Commissioner

Attest:

Rowland Todd, County Clerk

Approved as to Form Charles e McElyea

ORDINANCE NO 2-11-13

AN ORDINANCE REQUIRING THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR REVIEW OF FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE ISSUANCE OF CERTIFICATES FOR FOOD HANDLERS.

Be it ordained by the Camden County Commission as follows:

Section 1: Definitions

- A. "Approved" means acceptable to the regulatory authority based on a determination of conformity with principles, practices and generally recognized standards that protect public health.
- B. "Consumer" means a PERSON who is a member of the public, takes possession of FOOD, is not functioning in the capacity of an operator of a FOOD ESTABLISHMENT and does not offer the FOOD for sale.
- C. "Employee" means the permit holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- D. "Food" means a raw, cooked or processed edible substance, ice, beverage, or ingredient used for intended for use or for sale in whole or in part for human consumption.
- E. "Food Establishment"
 - 1. "Food Establishment" means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption:
 - A. Such as a restaurant; satellite or central preparation facility; catered feeding location; catering operation if the operation provides food directly to a Consumer or to a conveyance used to transport people; market; vending (Location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and
 - B. That relinquishes possession of food to a Consumer directly or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carrier.
 - 2. "Food Establishment" includes:
 - A. An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or a satellite feeding location unless the vending or feeding location is permitted by the regulatory authority satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and
 - B. An operation that is conducted in a mobile, stationary, temporary or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.
- F. "Imminent Health Hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance or

event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:

1. The number of potential injuries, and
 2. The nature, severity, and duration of the anticipated injury.
- G. "Law" means applicable local, state and federal statutes, regulations and ordinances.
- H. "Permit" means the document issued by the Regulatory Authority that authorizes a person to operate a food establishment.
- I. "Permit holder" means the entity that:
1. Is legally responsible for the operation of the Food Establishment such as the owner, the owner's agent, or other person; and
 2. Possesses a valid permit to operate a Food Establishment.
- J. "Person" means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.
- K. "Regulatory Authority" means the local, state or federal enforcement body or authorized representative having jurisdiction over the Food Establishment.

Section 2: Facility and Operating Plans.

- B. When plans are required. A permit applicant shall submit to the regulatory authority properly prepared plans and specifications for review and approval before:
1. The construction of a Food Establishment;
 2. The conversion of an existing structure for use of a Food Establishment, or
 3. The remodeling of a Food Establishment or a change of type of Food Establishment or food operation if the regulatory authority determines that plans and specifications are necessary.
- C. Contents of the Plans and Specifications: The plans and specifications for a Food Establishment, shall include, as required by the Regulatory Authority based on the type of operation, type of Food preparation, and Foods prepared, the following information to demonstrate conformance with 1999 Missouri Food Code provisions.:
1. Intended menu;
 2. Anticipated volume of food to be stored, prepared, and sold or served;
 3. Proposed layout, mechanical schematics, construction materials, and finish schedules;
 4. Proposed equipment types, manufacturers, model numbers, locations, dimensions, performance capacities, and installation Specifications;
 5. Other information that may be required by the Regulatory Authority for the proper review of the proposed construction, conversion or modification, and procedures for operating a Food Establishment.
- D. Other Required Documentation: Provide documentation to verify that the Food Establishment is in compliance with any and all applicable local fire and building codes.
- E. Preoperational Inspections. The regulatory authority shall conduct one or more preoperational inspections to verify that the Food Establishment is constructed and equipped in accordance with the Approved plans and Approved modifications of those plans and is in compliance with the Law.

Section 3: Permit to Operate.

- B. Prerequisite for Operation. A person may not operate a Food Establishment without a valid permit to operate issued by the Regulatory Authority.
- C. Notification. An applicant shall notify the Regulatory Authority at least calendar days before the date planned for opening a Food Establishment. An application for Permit must be submitted upon first routine inspection.
- D. Form of Submission. A person desiring to operate a Food Establishment shall submit to the Regulatory Authority a written application for a Permit on a form provided by the Regulatory Authority.
- E. Qualifications and Responsibilities of Applicants. To qualify for a Permit, an applicant shall:
 - 1. Be an owner of the Food Establishment or an officer of the legal ownership;
 - 2. Pay the applicable Permit fees at the time the application is submitted.
- F. Contents of Application. The application shall include:
 - 1. The name, birth date, mailing address, telephone number, and signature of the person applying for the permit and the name, mailing address, and location of the Food Establishment;
 - 2. Information specifying whether the Food Establishment is owned by an association, corporation, individual, partnership, or other legal entity;
 - 3. A statement specifying whether the Food Establishment is mobile or stationary and temporary or permanent.
 - 4. The name, title, address, and telephone number of the person directly responsible for the Food Establishment;
 - 5. A statement signed by the applicant that attests to the accuracy of the information provided in the application;
 - 6. An approved annual inspection report from the fire protection district having jurisdiction, where applicable.
 - 7. Other information required by the Regulatory Authority.
- G. New, Converted, or Remodeled Establishments. For Food Establishments that are required to submit plans, the regulatory authority shall issue a permit to the applicant after:
 - 1. A properly completed application submitted;
 - 2. The required fee is submitted;
 - 3. The required plans, specifications, and information are reviewed and approved; and
 - 4. A preoperational inspection showing that the establishment is built or remodeled in accordance with the approved plans and specifications.

- H. Existing Establishments, Permit Renewal and Change of Ownership. The regulatory authority may renew a permit for an existing Food Establishment or may issue a permit to a new owner of an existing Food Establishment after a properly completed application is submitted, reviewed and approved, the fees are paid, and an inspection shows that the establishment is in compliance with this Code.
- I. Denial of Application for Permit, Notice. If an application for a permit to operate is denied, the regulatory authority shall provide the applicant with a notice that includes:
 - 1. The specific reasons and Code Citations for the Permit denial;
 - 2. The actions, if any, that the applicant must take to qualify for a Permit; and
 - 3. Information on the right of appeal.
- J. Right of appeal. An applicant whose application for a permit to operate has been denied may appeal the denial by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the denial of the permit. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri.
- K. Responsibilities of the Regulatory Authority.
 - 1. At the time a Permit is first issued, the Regulatory Authority shall provide to the Permit Holder a copy of the applicable code so that the Permit Holder is notified of the compliance requirements.
 - 2. Failure to provide the information specified in paragraph (1) of this Section does not prevent the Regulatory Authority from taking authorized cation or seeking remedies if the Permit Holder fails to comply with this Code or an order warning or directive of the Regulatory Authority.
- L. Responsibilities of the Permit Holder. Upon acceptance of the Permit issued by the Regulatory Authority, the Permit Holder in order to, retain the Permit shall;
 - 1. Post the Permit in a location in the Food Establishment that is conspicuous to Consumers;
 - 2. Comply with the provisions of this Code;
 - 3. Immediately contact the Regulatory Authority to report an illness of an Employee as specified under the Missouri Food Code;
 - 4. Immediately discontinue operations and notify the Regulatory Authority if an Imminent Health Hazard may exist;
 - 5. Allow representatives of the Regulatory Authority access to the Food Establishment;
 - 6. Comply with directives of the Regulatory Authority including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and

other directives issued by the Regulatory Authority in regard to the Permit Holder's Food Establishment or in response to community emergencies;

7. Accept notices issued and served by the Regulatory Authority according to LAW; and
8. Be subject to the administrative, civil, injunctive and criminal remedies authorized by Law for failure to comply with this Code for a directive of this Regulatory Authority, including time frames for corrective actions specified in inspection reports, notices, orders, warnings and other directives.

M. Permits not Transferable. A permit may not be transferred from one person to another person, from one Food Establishment to another, or from one type of operation to another of the Food operation changes from the type of operation specified in the application and the change in operation is not approved.

N. Food Service Worker Certificates.

1. Food Manager's Certificate. A food manager's certificate is required for all individuals employed by a Food Establishment in a management or person in charge capacity. The certificate must be obtained by the individual no later than sixty (60) days from employment as a manager or person in charge. A food manager's certificate shall be awarded to an individual only after successful completion of an accredited program or a course of instruction approved by the Regulatory Authority. A food manager's certificate shall be awarded to an individual only after successful completion of an accredited program or a course of instruction approved by the Regulatory Authority. A food manager's certificate shall be valid for five (5) years from the date of issuance and shall be renewable upon presentation of evidence of completion of a refresher course.
2. Food handler's or food manager's certificate will not be transferable from person to person, but shall be valid for the person to whom issued in any food service establishment within the county.
3. Responsibility of owner, operator. It shall be unlawful for any person engaged in owning, operating, or managing a Food Establishment to utilize the services of any employee who is required to possess but does not possess a valid food manager's certificate.
4. Custody of certificates. The food manager's certificate of each person in the employ of a Food Establishment shall be deposited with the management of the establishment during the tenure of that person's employment, and shall be returned to the person to whom issued upon termination of employment. Food manager's certificates suspended or revoked as hereinafter provided, shall be remanded to the custody of the Regulatory Authority. Management shall maintain a file of the food manager's certificates of its personnel in a manner which will provide convenient access for Regulatory Authority inspectors for inspection.

5. **Revocation of Certificate.** A food manager's certificate may be revoked by the Regulatory Authority, for repeated or continuing violations of accepted procedures and practices in the preparation, service or storage of Food or beverage offered for public consumption, or upon demonstration of the presence of a communicable disease in the infectious stage, or an infectious condition of potential hazard to the public or to the person's co-workers, or for falsification of information required for issuance of the certificate. A Food manager's certificate shall be revoked only after the certificate holder has been given written notice of the reasons for a proposed revocation and has been given written notice of the reasons for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The certificate holder must give written notice of a request for a hearing to the Camden County Commission within ten (10) days of receipt of the notice of proposed revocation. A food manager's certificate may be suspended pending a hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from a decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

O. **Suspension.**

1. A permit to operate shall be suspended if:
 - A. Conditions considered to be an imminent health hazard exists and the operator has not voluntarily discontinued operations; or
 - B. The operator refuses access to the Regulatory Authority for inspection; or
 - C. An inspection reveals violations which meet or exceed the following:
 1. Ten (10) critical violations, or
 2. Twenty-Five (25) non-critical violations, or
 3. Any combination of critical and non-critical violations totaling thirty (30) or more violations.
2. A permit to operate may be suspended if:
 - A. Upon re-inspection, violations are not corrected within the time frame specified by the Regulatory Authority.

- P. **Notice.** Upon suspension of a permit, a notice must be posted on the door of the establishment stating the facility has ceased food service operations. This notice must remain posted until removed by the Regulatory Authority.

- Q. **Reinstatement.** Any person whose permit has been suspended may, at any time, make application for the purpose of reinstatement of the Permit. Within three (3) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the Regulatory Authority shall make a re-inspection. If the applicant is complying with the requirements of this article, the Permit shall be reinstated.

R. Notice and Appeal.

1. When a permit to operate has been suspended, the Regulatory Authority shall provide the Permit Holder written notice of the suspension and a brief statement of the grounds for the suspension. The notice shall contain information on the right to appeal and on the requirements for reinstatement. The notice shall hand-delivered to the Permit holder or an agent of the Permit Holder or shall be mailed to the address shown on the Permit Holder's application or to the last known address of the Permit Holder.
2. A Permit Holder whose Permit to operate has been suspended may appeal the suspension by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the suspension. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

S. Revocation.

1. A Permit to operate may be revoked for serious or repeated violations of any of the requirements of this Code. A Permit to operate shall be revoked only after the Permit Holder has been given written notice of a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The notice shall be hand delivered to the Permit Holder or an agent of the Permit Holder or shall be mailed to the address shown on the Permit Holder's application or to the last known address of the Permit Holder.
2. A Permit Holder whose permit to operate is proposed to be revoked and who desires a hearing must be given written notice of a request for hearing to the Camden County Commission within ten (10) days of the receipt of the notice of proposed revocation. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Camden County Circuit Court in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 4: Hepatitis A Vaccination.

1. It shall be unlawful for a person to handle food in a Food Establishment without proof of Hepatitis A vaccination.
2. Records of Employees Hepatitis A vaccination shall be kept on file in the Food Establishment.
3. Employees must be vaccinated within ninety (90) days of adopting this Ordinance. New Employees must be vaccinated within thirty (30) days of employment.

4. Persons who serve food only on a volunteer basis on behalf of a non-for-profit group or a one day single event may be exempt from Hepatitis A vaccination. The Health Department does however encourage anyone handling food to receive the Hepatitis A vaccination and attend the food handler's class.

Section 5: Fees.

1. Food Establishments shall pay an annual inspection/permit fee based on public health priority according to the following schedule:
 - A. High priority \$150.00
 - B. Medium priority \$100.00
 - C. Low priority \$50.00Facilities operating more than one food service establishment must obtain an operating permit for each establishment.
2. The annual fee shall be paid to the Permit administrator when the application for operating permit is submitted or the Permit is renewed.
3. Food Establishments shall pay an administrative service fee per inspection for the second and subsequent re-inspections required to correct violations noted during the inspection process. The fees shall be as follows: 2nd re-inspection is \$100.00, 3rd re-inspection is \$200.00, and 4th re-inspection is \$400.00. The fee will double accordingly. The administrative service fee shall be paid to the Permit administrator prior to reissuance of any operating permit.
4. Persons conducting a temporary food event (an event lasting less than fifteen (15) days) shall pay a permit fee of Twenty Five (\$25.00) Dollars. Non-profit organizations shall not be charged a fee for temporary food events. The fee shall be paid to the Permit administrator prior to receipt of the operating permit.

Section 6: Penalty. Any person who violations any provision of this Ordinance shall be guilty of a misdemeanor punishable by fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment (not exceeding three (3) months) or by both such fine and imprisonment. Each day that a violation continues is a separate offence.

Section 7: Effective Date: Severability. This Ordinance shall be in full force and effect from and after its passage and approval. The provisions of the Ordinance are severable as provided in Section 1.140 RSMo.

Ordinance 2-11-13 replaces superseded Camden County Ordinance 3-1-06.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 11th day of February, 2013.

Camden County, Missouri

Kris Franken, Presiding Commissioner
Beverly Thomas, 1st District Commissioner
Cliff Lubber, 2nd District Commissioner
Rowland Todd, County Clerk

ORDINANCE NO 3-25-13

AN ORDINANCE TO ESTABLISH WORK ZONES ON DESIGNATED COUNTY ROADS WHEREAS A TEMPORARY REDUCTION OF THE CURRENT POSTED SPEED LIMIT TO 20 MPH WILL BE POSTED, WHILE CAMDEN COUNTY ROAD AND BRIDGE PERSONNEL ARE WORKING ON A ROADWAY, SHOULDER, OR OTHER SUCH PORTION OF A RIGHT OF WAY.

APPLICATION:

A CAMDEN COUNTY WORK ZONE WILL BE BOTH IDENTIFIED AND CONSTRUCTED TO INCLUDE THE FOLLOWING SIGNAGE SO MOTORISTS WILL CLEARLY BE AWARE THEY ARE APPROACHING A DESIGNATED WORK ZONE. THERE WILL BE A SERIES OF THREE SIGNS POSTED PRIOR TO THE AREA OF THE ACTUAL WORK LOCATION THAT WILL BE POSTED AS CLOSE TO POSSIBLE WITHIN THE FOLLOWING DISTANCES. ROAD AND BRIDGE EMPLOYEES WILL BE SO IDENTIFIED AS WEARING THEIR STANDARD WORK UNIFORMS AND THEIR SAFETY VEST WHICH WILL BE PRECLUDED TO ESTABLISH THEY ARE IN FACT ROAD AND BRIDGE PERSONNEL, WORKING IN A CONSTRUCTION ZONE.

Sign 1- Work Zone/and or Men working-To be posted not less than 300 feet of work location.

Sign 2- Reduce Speed- To be posted not less than 250 feet of work location.

Sign 3- Speed limit-20 mph-not less than 200 feet of work location.

Penalty:

The fines and penalties for such violations will be as follows as determined by Judges of Camden County

Speeding:

1-5 MPH. In construction Work Zone with workers present 323.00

6-10 MPH. In construction Work Zone with workers present 333.00

11-15 MPH. In construction Work Zone with workers present 358.00

16-19 MPH. In construction Work Zone with workers present 383.00

20-25 MPH. In construction Work Zone with workers present 458.00

More than 25mph over posted speed limit-a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment not to exceed 5 days or by both such fine and imprisonment.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of Camden County, Missouri, on the 25th day of March, 2013.

Camden County, Missouri

Kris Franken, Presiding Commissioner Beverly Thomas 1st District Commissioner

Cliff Luber, 2nd District Commissioner

Rowland Todd, Camden County Clerk

ORDINANCE NO 12-18-15

AN ORDINANCE OF THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI, ESTABLISHING THE PENINSULA DEVELOPMENT COMMUNITY IMPROVEMENT DISTRICT; APPROVING THE APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS THERETO AND FURTHER ACTION RELATED THERETO

WHEREAS, Camden County, Missouri (the “County”) is authorized and empowered pursuant to the Community Improvement District Act, Section 67.1401 to 67.1571 of the Revised States of Missouri, as amended (the “CID Act”), to establish a community improvement district as proposed by a verified petition; and

WHEREAS, on November 16, 2015 D&N Land Company, LLC, a Missouri limited liability company (the “Developer” and the “Petitioner”) filed a Petition to establish the Peninsula Development Community Improvement District (the “Petition”) with the County Clerk; and

WHEREAS, the County Clerk has verified that the Petition complies with the requirements for the CID Act; and

WHEREAS, after timely notice of the public hearing by publication and individually to each property owner within the proposed Peninsula Development Community Improvement District (the “District”) via registered or certified United States mail with a return receipt, the County Commission held a public hearing regarding the establishment for the District on December 18, 2015, at County Commission Meeting (the “Public Hearing”); and

WHEREAS, subject to and in accordance with the CID Act and the Petition, and upon the approval of the qualified voters of the District, the District intends; (a) to impose a sales tax in an amount at a rate of one percent (1%) (Sales Tax) on the receipts from the sales at retail of all tangible personal property or taxable services at retail within the District, if such property and services are subject to taxation by the State of Missouri pursuant to the provisions of Sections 144.010 to 144.525 of Revised Statutes of Missouri, as amended, except such Sales Tax shall not apply to the sale or use of motor vehicles, trailers, boats or outbound motors, nor to public utilities, and (b) if necessary to fund debt service shortfalls on any obligations issued by the District in an aggregate amount not to exceed \$50,000 per year (the “Special Assessment”) ; and

WHEREAS, the Petition provides that the proposed members of the initial Board of Directors of the District be appointed by the Presiding Commissioner of the County with the consent of the County Commission pursuant to Section 67.1451.5 of the CID Act; and

WHEREAS, the District proposes to apply the Sales Tax and the Special Assessment revenues to the payment of the costs related to the improvements described in the Petition; and

WHEREAS, following closure of the Public Hearing and upon due consideration of the comments received, the County Commission has determined that it is necessary and in the interest of the public health, safety, morals and general welfare of the people of the County to create the District.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI, as follows:

Section 1: Pursuant to Section 67.1411.3 of the CID Act, the Peninsula Development Community Improvement District is hereby formed as a political subdivision of the State of Missouri pursuant and subject to the terms of the Petition attached hereto as Exhibit A and incorporated herein by reference.

Section 2: The District shall not terminate sooner than one year from the date of this Ordinance.

Section 3: Pursuant to Section 67.1451.5 of the CID Act, the Presiding Commissioner of the County hereby appoints and the County Commission hereby approves the initial appointment of the District's Board of Directors as follows:

<u>Name</u>	<u>Initial Term</u>
Dan Foster	4 years from date of appointment
Christopher Foster	4 years from date of appointment
McKenzie McNally	2 years from date of appointment
Donald Roark	2 years from date of appointment
Ryan Gattermeier	2 years from date of appointment

The date of appointment for each of the initial Board of Directors shall be the date of passage of this Ordinance. No further action by the Presiding Commissioner or County Commission is necessary for appointment of the Board of Directors.

Section 4: The Board of Directors of the District shall have its initial meeting on such date and at such time when a quorum of Board of Directors is available.

Section 5: Pursuant of Section 67.1421.6 of the CID Act, the County Clerk shall notify in writing the Missouri Department of Economic Development of the District's creation.

Section 6: The County shall, and the officers, agents and employees of the County are hereby authorized and directed to take such further action and execute such other documents, certificates and instruments may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 7: The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the County Commission would have enacted the valid sections without the void ones; and (b) the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 8: This Ordinance shall be in full force and effect from and after its passage of the County Commission and approval by the Presiding Commissioner of the County.

Camden County, Missouri

Rowland Todd, County Clerk

Charles E McElyea, County Attorney

By: Greg Hasty, Presiding Commissioner
Beverly Thomas, 1st District Commissioner
Cliff Lubert, 2nd District commissioner

ORDINANCE NO 6-20-2016

AN ORDINANCE SETTING FORTH THE PROVISIONS AND REGULATIONS FOR PARKING IN PARKING LOTS OWNED BY CAMDEN COUNTY, MISSOURI, ADJACENT TO COURT CIRCLE NW AND THE COUNTY ADMINISTRATIVE, COURTS AND SHERIFF'S DEPARTMENT BUILDINGS.

Be it Ordained by the Camden County Commission, as follows:

Section 1: EMPLOYEE AND PUBLIC PARKING LOTS DESIGNATED. All parking lots adjacent to Court Circle NW in the City of Camdenton, Missouri, and in close proximity to the Camden County Administrative, Courts and Sheriff's Department buildings, are hereby declared to be employee and public parking lots for those County employees and patrons, who either work at the Administrative, Courts and Sheriff's Department buildings, are transacting business or are required to bin in one of the aforesaid buildings.

Section 2: THE LIMITS AND HOURS OF PARKING. The County parking lots herein referred to shall be available for parking by Camden County employees and patrons of the Administrative, Courts and Sheriff's Department buildings twenty-four (24) hours a day, unless further restricted by signage placed at the entrance and exit of the aforesaid Camden County parking lots.

Section 3: MAXIMUM SIZE OF VEHICLES; PARKING FOR PURPOSES OF SELLING GOODS; MANNER OF PARKING. No person shall park on any Camden County employee and public parking lot any vehicle over 8 feet in width or over 22 feet long overall, including any projection thereof, nor shall any person park any vehicle for the purpose of selling, displaying or offering for sale any goods, ware or merchandise, without the express written consent of the Camden County Commission. No person shall park on any Camden County Employee and public parking lot other than with the front of such vehicle directed to the front or curb of such angle or diagonal parking space.

Section 4: RESTRICTION OF OVERNIGHT PARKING. There shall be no overnight parking of any vehicles not owned by employees of Camden County, Missouri, or patrons visiting or having business in the Administrative, Courts or Sheriff's Department buildings. Provided however, the Camden County Sheriff's Department may give permits for overnight parking in emergency and hardship cases as determined by the Camden County Sheriff.

Section 5: PHYSICALLY DISABLED PARKING SPACES.

- A. All parking lots covered by this Ordinance shall have parking spaces designated or reserved for physically disabled persons as defined in Section 301.142 RSMo., as amended, and it shall be unlawful for any person to park or stand any vehicle in any stall or space designated or reserved for physically disabled persons, unless the vehicle bears the State of Missouri license plate or permit for the disabled as provided for in Sections 301.071 or 301.142 RSMo., as amended. The space shall be indicated by an upright sign either on a pole or attached to a building upon which shall be inscribed the international symbol of accessibility and may also include any county wording to indicate such space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card.
- B. Any vehicle operator who is not physically disabled shall not use the physically disabled parking space unless there is a physically disabled person in the vehicle while the vehicle is being used to transfer a physically disabled person.

- C. Any person convicted of violating this Section is guilty of an offense shall be subject to a fine of not less than Fifty (\$50.00) Dollars or more than Three Hundred (\$300.00) Dollars. Every day upon which such violation occurs shall constitute a separate offense.

Section 6: Penalty for Violation. Any person convicted of violating this Ordinance is guilty of an offense and shall be subject to a fine of not less than Fifty (\$50.00) Dollars or more than Three Hundred (\$300.00) Dollars. Every day upon which such violation occurs shall constitute a separate offense.

ALL ORDINANCES OR PARTS OR ORDINANCES IN CONFLICT WITH THE WITHIN ORDINANCE ARE HEREBY REPEALED.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 20th of June, 2016.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Cliff Lubert, 2nd District Commissioner

Rowland Todd, County Clerk

Charles E McElvey

ORDINANCE NO 1-27-17

AN ORDINANCE APPROVING THE PETITION OF BALLPARKS OF THE OZARKS, LLC, AS OWNER OF CERTAIN REAL PROPERTY, TO ESTABLISH A COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE BALLPARKS OF THE OZARKS COMMUNITY IMPROVEMENT DISTRICT; FINDING A PUBLIC PURPOSE FOR THE ESTABLISHMENT OF THE BALLPARKS OF THE OZARKS COMMUNITY IMPROVEMENT DISTRICT; AND CONTAINING A SEVERABILITY CLAUSE.

WHEREAS, Mo. Rev. Stat. 67.1400 et seq. (the “CID Act”) authorizes the Camden County, Missouri Commission (the “Commission”) to approve the petition of property owners to establish Community Improvement District; and

WHEREAS, a petition (the “Petition”) signed by an authorized representative of the owner of all property located within the Ballparks of the Ozarks Community Improvement District has been filed with the Commission, requesting formation and establishment of the Ballparks of the Ozarks Community Improvement District; and

WHEREAS, the County Clerk of Camden County, Missouri (the “Clerk”) did review and determine that the Petition substantially complies with the requirements of the CID Act; and

WHEREAS, a public hearing, duly noticed and conducted as required by and in accordance with the CID Act, was held on January 18, 2017 at 10:00 a.m. at the Camden County Commission Chamber located in the Camden County Courthouse Building, 1 Court Circle NW, Camdenton, Missouri 65020; and

WHEREAS, this Commission hereby find that the adoption of this ordinance is in the best interest of Camden County, Missouri (the “County”) and that the property owners of the Ballparks of the Ozarks Community Improvement District, as well as County as a whole, will benefit from the establishment of the Ballparks of the Ozarks Community Improvement District.

BE IT ORDAINED BY CAMDEN COUNTY, MISSOURI AS FOLLOWS:

Section One:

- A. A community improvement district, to be known as the “Ballparks of the Ozarks Community Improvement District” (hereinafter referred to as the “District”), is hereby established pursuant to the CID Act on that real property identified at the time of adoption of this Ordinance by Parcel Identification Numbers 17-2.0-04.0-000.0-000-

ORDINANCE NO 1-25-18

AN ORDINANCE REQUIRING THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR REVIEW OF FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE ISSUANCE OF CERTIFICATES FOR FOOD HANDLERS.

Be it Ordained by the Camden County Commission, as follows:

Section 1: Definitions.

- A. "APPROVED" means acceptable to the regulatory authority based on a determination of conformity with principles, practices and generally recognized standards that protect public health.
- B. "COMMISSARY" means a permitted base of operation for a mobile FOOD ESTABLISHMENT where food is stored or prepared. A COMMISSARY is not a private home, church or other facility that does not hold a valid permit. The COMMISSARY is to comply with all provisions applicable to FOOD ESTABLISHMENTS. Mobile units must report to COMMISSARY at least once every 24 hours to be cleaned, serviced, and restocked.
- C. "CONSUMER" means a person who is a member of the public, takes possession of food, is not functioning in the capacity of an operator of a Food Establishment and does not offer the Food for resale.
- D. "EMPLOYEE" means the permit holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- E. "FOOD" means a raw, cooked or processed edible substance, ice, beverage, or ingredient used for intended for use or for sale in whole or in part for human consumption.
- F. "FOOD ESTABLISHMENT"
 - 1. "Food Establishment" means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption:
 - A. Such as a restaurant; satellite or central preparation facility; catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending (location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and
 - B. That relinquishes possession of food to a Consumer directly or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.
 - 2. "Food Establishment" includes:
 - A. An element of the operation such as transportation vehicle or central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and

- B. An operation that is conducted in a mobile, stationary, temporary or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for food.
- G. "IMMINENT HEALTH HAZARD" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on;
 - 1. The number of potential injuries, and
 - 2. The nature, severity, and duration of the anticipated injury.
- H. "LAW" means applicable local, state and federal statutes, regulations and ordinances.
- I. "MOBILE FOOD ESTABLISHMENT" means a food service establishment that operates from a moveable vehicle and changes physical address daily. A COMMISSARY must be available. The vehicle and COMMISSARY must be inspected, approved and permitted as food service facility.
- J. "PERMIT" means the document issued by the Regulatory Authority that authorizes a person to operate a Food Establishment.
- K. "PERMIT HOLDER" means the entity that:]
 - 1. Is legally responsible for the operation of the FOOD ESTABLISHMENT such as the owner, the owner's agent, or other Person; and
 - 2. Possesses a valid permit to operate a Food Establishment.
- L. "PERSON" means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.
- M. "REGULATORY AUTHORITY" means the local, state or federal enforcement body or authorized representative having jurisdiction over the Food Establishment.
- N. "TEMPORARY FOOD ESTABLISHMENT" is a Food Establishment that operates for a period of not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Section 2: Facility and Operating Plans.

- A. When plans are required. A permit applicant shall submit to the regulatory authority properly prepared plans and specifications for review and approval before:
 - 1. The construction of a Food Establishment;
 - a. Be an owner of the Food Establishment or an officer of the legal ownership.
 - b. Pay the applicable Permit fees at the time the application is submitted.
 - 2. The conversion of an existing structure for use as a Food Establishment, or
 - 3. The remodeling of a Food Establishment or a change of type of Food Establishment or Food operation if the Regulatory Authority determines the plans and specifications are necessary.
- B. Contents of the Plans and Specifications: The plans and specifications for a Food Establishment, shall include, as required by the Regulatory Authority based on the type of operation, type of Food preparation, and Foods prepared, the following information to

demonstrate conformance with the most current edition of the Missouri Food Code provisions:

1. Intended menu;
 2. Anticipated volume of Food to be stored, prepared and sold or served;
 3. Proposed layouts, constructed materials, and finish schedules;
 4. Proposed Equipment
 5. Other information that may be required by the Regulatory Authority for the proper review of the proposed construction, conversion or modification, and procedures for operating a Food Establishment.
- C. Other Required Documentation: Provide documentation to verify that the Food Establishment is in compliance with any and all applicable local fire and building codes.
- D. Preoperational Inspections. The Regulatory Authority shall conduct one or more preoperational inspection to verify that the Food Establishment is constructed and equipped in accordance with the Approved plans and Approved modifications of those plans and is in compliance with the Law.

Section 3: Permit to Operate.

- B. Prerequisite for Operation. A Person may not operate a Food Establishment without a valid permit to operate issued by the Regulatory Authority.
- C. Notification. An applicant shall notify the Regulatory Authority at least 30 calendar days before the date planned for opening a Food Establishment. An application for Permit must be submitted upon first routine inspection.
- D. Form of Submission. A person desiring to operate a Food Establishment shall submit to the Regulatory Authority a written application for a Permit on a form provided by the Regulatory Authority.
- E. Qualifications and Responsibilities of Applicants. To qualify for a Permit, an applicant shall:
1. Be an owner of the Food Establishment or an officer of the legal ownership;
 2. Pay the applicable Permit fees at the time of application is submitted.\
- F. Contents of Application. The application shall include:
1. The name, birth date, mailing address, telephone number, and signature of the Person applying for the Permit and the name, mailing address, and location of the Food Establishment;
 2. Information specifying whether the Food Establishment is owned by an association, corporation, individual, partnership, or other legal entity;
 3. A statement specifying whether the Food Establishment is mobile or stationary and temporary or permanent.
 4. The name, title, address, and the telephone number of the Person directly responsible for the Food Establishment;
 5. A statement signed by the applicant that attests to the accuracy of the information provided in the application;
 6. An approval annual inspection report form the fire protection district having jurisdiction, where applicable.
 7. Other information required by the Regulatory Authority.

- G. New, Converted, or Remodeled Establishments. For Food Establishments that are required to submit plans, the Regulatory Authority shall issue a Permit to the applicant after:
1. A properly completed application is submitted;
 2. The required fee is submitted;
 3. The required plans, specifications, and information are reviewed and Approved; and
 4. A preoperational inspection showing that the establishment is built or remodeled in accordance with the Approved plans and specification.
- H. Existing Establishments, Permit Renewal and Change of Ownership. The Regulatory Authority may renew a permit for an existing Food Establishment or may issue a permit to a new owner of an existing Food Establishment after a properly completed application is submitted, reviewed and Approved, the fees are paid, and an inspection show that the establishment is in compliance with this code.
- I. Denial of Application for Permit, Notice. If an application for a Permit to operate is denied, the Regulatory Authority shall provide the applicant with a notice that includes:
1. The specific reasons and Code Citations for the Permit denial;
 2. The actions, if any, that the applicant must take to qualify for a Permit; and
 3. Information on the right of appeal.
- J. Right of appeal. An applicant whose application for a permit to operate has been denied may appeal the denial by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the denial of the permit. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri.
- K. Responsibilities of the Regulatory Authority.
1. At the time a Permit is first issued, the Regulatory Authority shall provide to the Permit Holder a copy of the applicable code so that the permit holder is notified of the compliance requirements.
 2. Failure to provide the information specified in paragraph (1) of this Section does not prevent the Regulatory Authority from taking authorized action or seeking remedies if the permit holder fails to comply with this Code or an order, warning or directive of the Regulatory Authority.
- L. Responsibilities of the Permit Holder. Upon acceptance of the Permit issued by the Regulatory Authority, the permit holder in order to, retain the Permit shall;
1. Post the permit in a location in the Food Establishment that is conspicuous to consumers;
 2. Comply with the provisions of this Code;
 3. Immediately contact the Regulatory Authority to report an illness of an employee as specified under the Missouri Food Code;
 4. Immediate discontinue operations and notify the Regulatory Authority if an imminent health hazard me exist.
 5. Allow representatives of the Regulatory Authority access to the Food Establishment;
 6. Comply with directives of the Regulatory Authority including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and

other directives issued by the Regulatory Authority in regard to the Permit Holder's Food Establishment or in response to community emergencies;

7. Accept notices issued and served by the Regulatory Authority according to Law; and
8. Be subject to the administrative, civil, injunctive and criminal remedies authorized by Law for failure to comply with this Code or a directive of the Regulatory Authority, including time frames for corrective actions specified in inspection reports, notices, orders, warnings and other directives.

M. Permits Not Transferable. A Permit may not be transferred from one Person to another Person, from one Food Establishment to another, or from one type of operation to another if the Food operation changes from the type of operation specified in the application and the change in operation is not Approved.

N. Food Service Worker Certificates.

1. Food Manager's Certificate. A food manager's certificate is required for all individuals employed by a Food Establishment in a management or person in charge capacity. The Certificate must be obtained by the individual no later than sixty (60) days from employment as a manager or person in charge. A food manager's certificate shall be awarded to an individual only after successful completion of an accredited program or a course of instruction approved by the Regulatory Authority. A food manager's certificate shall be valid for five (5) years from the date of issuance.
2. Food handler's or food manager's certificate will not be transferable from person to person, but shall be valid for the person to whom issued in any food service establishment within the country.
3. Responsibility of owner, operator. It shall be unlawful for any person engaged in owning, operating, or managing a Food Establishment to utilize the services of any employee who is required to possess but does not possess a valid food manager's certificate.
4. Custody of certificates. The food manager's certificate of each person in the employ of a Food Establishment shall be deposited with the management of the establishment during the tenure of that person's employment, and shall be returned to the person to whom issued upon termination of employment. Food manager's certificates suspended or revoked as hereinafter provided, shall be remanded to the custody of the Regulatory Authority. Management shall maintain a file of the food manager's certificates of its personnel in a manner which will provide convenient access for Regulatory Authority inspectors for inspection.
5. Revocation of certificate. A food manager's certificate may be revoked by the Regulatory Authority, for repeated or continuing violations of accepted procedures and practices in the preparation, service or storage of Food or beverage offered for public consumption, or upon demonstration of the presence of communicable disease in the infectious stage, or an infectious condition of potential hazard to the public or to the person's co-workers, or for falsification of information required for issuance of the certificate. A food manager's certificate shall be revoked only after the certificate holder has been given written notice of the reasons for a proposed revocation and has been afforded the opportunity for a hearing before the Camden

County Commission. The certificate holder must give written notice of a request for a hearing to the Camden County Commission within then (10) days of receipt of the notice of proposed revocation. A food manager's certificate may be suspended pending a hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from a decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

O. Suspension.

1. A permit to operate shall be suspended if:
 - A. Conditions considered to be an imminent health hazard exists and the operator has not voluntarily discontinued operations; or
 - B. The operator refuses access to the Regulatory Authority for inspection; or
 - C. An inspection reveals violates which meet or exceed the following:
 1. Ten (10) critical (priority) violations, or
 2. Twenty-five (25) non-critical (core) violations, or
 3. Any combination of critical (priority) and non-critical (core) violations totaling thirty (30) or more violations.
3. A permit to operate may be suspended if:
 - A. Upon re-inspection, violations are not corrected within the time frame specified by the Regulatory Authority.

P. Notice. Upon suspension of a Permit, a notice must be posted on the door of the establishment stating the facility has ceased food service operation. This notice must remain posted until removed by the Regulatory Authority.

Q. Reinstatement. Any person who's Permit has been suspended may, at any time, make application for the purpose of reinstatement of the permit. Within three (3) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the Permit have been corrected, the Regulatory Authority shall make a re-inspection. If the applicant is complying with the requirements of this article, the Permit shall be reinstated.

R. Notice and Appeal.

1. When a permit to operate has been suspended, the Regulatory Authority shall provide the permit holder written notice of the suspension and a brief statement of the grounds for the suspension. The notice shall contain information on the right to appeal and on the requirements for reinstatement. The notice shall be hand-delivered to the permit holder or an agent of the permit holder or shall be mailed to the address shown on the permit holder's application or the last known address of the permit holder.
2. A permit holder who's permit to operate has been suspended may appeal the suspension by filing a written request for hearing before the Camden County Commission. The request must be received by the Camden County within ten (10) days of the suspension. The Camden County Commission shall conduct any request hearing in accordance with the requirements of Chapter 536 of the Revised

Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the revised Statutes of Missouri.

S. Revocation.

1. A permit to operate may be revoked for serious or repeated violations of any of the requirements of this Code. A permit to operate shall be revoked only after the Permit Holder has been given written notice for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The notice shall be hand delivered to the Permit Holder or an agent of the Permit Holder or shall be mailed to the address shown on the Permit Holder's application or to the last known address of the Permit Holder.
2. A permit holder whose permit to operate is proposed to be revoked and who desires a hearing must be given written notice of a request for hearing to the Camden County Commission within then (10) days of the receipt of the notice of proposed revocation. A permit to operate may be suspended pending a hearing on the proposed revocation. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Camden County Circuit Court in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 4: Hepatitis A Vaccination.

1. It shall be unlawful for any person to handle food in a food establishment without proof of Hepatitis A vaccination.
2. Records of Employees Hepatitis A vaccination shall be kept on file in the Food Establishment.
3. New employees must be vaccinated within thirty (30) days of employment.
4. Persons who serve food only on a volunteer basis on behalf of a non-for-profit group or a one day single event may be exempt from Hepatitis A vaccination. The Health Department does however encourage anyone handling food to receive the Hepatitis A vaccination.
5. The requirements of this section shall not apply to women while they are pregnant, nor to those persons who have has an anaphylactic reaction to this vaccination documented by a licensed physician.

Section 5: Fees

1. Food Establishments shall pay an annual inspection/permit fee based on public health priority according to the following schedule:
 - a. High Priority \$150.00
 - b. Medium Priority \$100.00
 - c. Low Priority \$50.00

Facilities operating more than one food service establishment must obtain an operating permit for each establishment.

2. The annual fee shall be paid to the Permit administrator when the application for operating permit is submitted or the Permit is renewed.
3. Food Establishments shall pay an administrative service fee per inspection for the second and subsequent re-inspections required to correct violations noted during the inspection process. The fees shall be as follows: 2nd re-inspection is \$100.00, 3rd re-inspection is \$200.00, and 4th re-inspection is \$400.00. The fee will double accordingly. The administrative service fee shall be paid to the Permit administrator prior to reissuance of any operating permit.
4. Persons conducting temporary food event (and event lasting less than fifteen (15) days) shall pay a permit fee of Twenty Five (\$25.00) Dollars. Non-profit organizations shall not be charged a fee for temporary food events. The fee shall be paid to the permit administrator prior to receipt of the operating permit.
5. Business owners will be allowed one (1) non-permitted "Customer Appreciation Day" event annually. The owner must be in compliance with applicable regulations and post appropriate signage stating the food has not been inspected by the Regulatory Authority.

Section 6: Penalty.

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment (not exceeding three (3) months) or by both such fine and imprisonment. Each day that a violation continues is a separate offense.

Section 7: Effective Date: Severability.

This Ordinance shall be in full force and effect from and after its passage and approval. The provisions of the Ordinance are severable as provided in Section 1.140 RSMo.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 25 day of January, 2018.

Ordinance 1.25.18 replaces and supersedes Camden County Ordinance 2.11.13.

Greg Hasty, Presiding Commissioner Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE NO 2-15-18

AN ORDINANCE ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE STANDARD FOR INCIDENT MANAGEMENT BY THE COUNTY OF CAMDEN, MISSOURI.

WHEREAS, on February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD)-5 that directed the Department of Homeland Security, in cooperation with representatives of federal, state and local government, to develop a National Incident Management Systems (NIMS) to provide a consistent approach to the effective management of situations involving natural disasters, man-made disasters or terrorism; and

WHEREAS, the final NIMS was released on March 1, 2004, and

WHEREAS, the NIMS contains a practice model for the accomplishment of the significant responsibilities associated with prevention, preparedness, response, recovery, and mitigation of all major and national hazards situations, and

WHEREAS, the HSPD-5 requires that state and local governments adopt the NIMS by fiscal year 2005 as a pre-condition to the receipt of federal grants, contract and activities related to the management and preparedness for certain disaster and hazard situations; and

WHEREAS, the Commission for the County of Camden, Missouri does so desire to adopt the NIMS as required by HSPD-5.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI

Hereby adopts the National Incident Management System dates March 1, 2004.

READ AND APPROVED on this 15th day of February, 2018.

Presiding Commissioner Greg Hasty

District 1 Commissioner Beverly Thomas

District 2 Commissioner Don Williams

ORDINANCE NO 12-6-18

AN ORDINANCE AMENDING SUBSECTION 1 AND ADDING A NEW SUBSECTION 18 OF SECTION A-3, APPENDIX A: SUBDIVISION PLAT STANDARDS, CAMDEN COUNTY, MISSOURI UNIFORM LAND-USE CODES SETTING FORTH THE REQUIREMENTS FOR THE RECORDING OF SUBDIVISION PLATS AND SURVEY PLATS IN THE OFFICE OF THE CAMDEN COUNTY RECORDER.

Be it ordained by the Camden County Commission, as follows:

Section 1: Subsection 1 of Section A-3 of Appendix A of the Camden County Unified Land Use Codes is hereby amended to read as follows:

1. The name of the subdivision and/or survey plat name which name shall not duplicate the name of any existing subdivision or survey plat as recorded in the office of the Recorder of Deeds for the Camden County, Missouri. Any name used for a subdivision and/or survey plat shall not be confusing or offensive in nature as determined in the sole discretion of the Camden County Recorder and/or Camden County Assessor. The name for the subdivision plat and/or survey plat shall be a common name based on the normal language of everyday life. The Camden County Recorder and/or Camden County Assessor shall have the sole discretion in determining whether a subdivision name and/or survey plat name is an appropriate name for recording purposes. Said Recorder and Assessor shall not be arbitrary nor capricious in deciding whether a subdivision plat or survey plat name is appropriate and shall be recorded. All plats and surveys presented for recording shall first be presented to the Camden County Planning and Zoning Department for approval.

Section 2: A new Subsection 18 is hereby added to Section A-3 of Appendix A of the Camden County Unified Land Use Codes which shall read as follows:

18. The word "Amended" in the title or name of an amended plat or survey shall be used no more than twice for all plats or surveys amending an initial or survey with the same or similar name. Further, the name of a plat, survey or amendment to a plat or survey presented for approval and recording shall contain no more than 60 characters including spaces, letters and punctuation marks.

Section 3: All other parts and subsections of Section A-3 of Appendix A shall remain in full force and effect to be binding.

Section 4: REPEAL. All ordinances or parts or ordinances in conflict herewith are hereby repealed.

PASSED< APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 6th day of December, 2018.

Camden County, Missouri
Greg Hasty, Presiding Commissioner
Beverly Thomas, 1st District Commissioner
Don Williams, 2nd District Commissioner

Attest: Rowland Todd, County Clerk
Approved as to Form: Charles E McElyea

ORDINANCE NO 5-30-19

AN ORDINANCE REQUIRING THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR REVIEW OF FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE ISSUANCE OF CERTIFICATES FOR FOOD HANDLERS.

Be it ordained by the Camden County Commission, as follows:

Section 1: Definitions.

- A. "Approved" means acceptable to the regulatory based on a determination of conformity with principles, practices and generally recognized standards that protect public health.
- B. "Commissary" means a permitted base of operation for a mobile Food Establishment where food is stored or prepared. A Commissary is not a private home, church or other facility that does not hold a valid permit. The commissary is to comply with all provisions applicable to Food Establishments. Mobile units must report to commissary at least once every 24 hours to be cleaned, serviced and restocked.
- C. "Consumer" means a person who is a member of the public, takes possession of food, is not functioning in the capacity of an operator of a Food Establishment and does not offer the food for resale.
- D. "Employee" means the permit holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- E. "Food" means raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- F. "Food Establishment"
 - 1. "Food Establishment" means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption:
 - a. Such a restaurant; satellite or central preparation facility; catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending (location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and
 - b. That relinquishes possession of food to a Consumer directly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carrier.
 - 2. "Food Establishment" includes:
 - a. An element of the operation such as a transportation vehicle or a central preparation facility that supplied a vending location or satellite feeding location unless the vending or feeding location is permitted by a regulatory authority satellite catered feeding location, a vending

location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and

- b. An operation that is conducted in a mobile, stationary, temporary or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.

G. “Imminent Health Hazard” means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on.

- 1. The number of potential injuries, and
- 2. The nature, severity, and duration of the anticipated injury

H. “Law” means applicable local, state and federal statutes, regulations and ordinances.

I. “Mobile Food Establishment” means a food service establishment that operates no more than 4 days per week from a moveable vehicle that is self-contained and properly enclosed and is associated with a permitted Commissary.

I. “Permit” means the document issued by the Regulatory Authority that authorizes a person to operate a food establishment.

J. “Permit Holder” means the entity that:

- 1. Is legally responsible for the operation of the Food Establishment such as the owner, the owner’s agent, or other person; and
- 2. Possess a valid permit to operate a Food Establishment.

K. “Person” means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.

L. “Regulatory Authority” means the local, state or federal enforcement body or authorized representative having jurisdiction over the Food Establishment.

M. “Temporary Food Establishment” is a food establishment that operates for a period of not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Section 2: Facility and Operating Plans.

A. When, Plans are required. A permit applicant shall submit to Regulatory Authority properly prepared plans and specifications for review and approval before:

- 1. The construction of a Food Establishment;
- 2. The conversion of an existing structure for use as a Food Establishment, or

3. The remodeling of a Food Establishment or a change of type of Food Establishment or food operation if the regulatory authority determines that plans and specifications are necessary.
- B. Contents of the Plans and Specifications: The plans and specifications for a Food Establishment, shall include, as required by the regulatory Authority based on the type of operation, type of food preparation, and foods prepared, the following information to demonstrate conformance with the most current editions of the Missouri Food Code provisions and the Missouri Environmental Operations Guidelines.
1. Intended menu;
 2. Anticipated volume of Food to be stored, prepared, and sold or served;
 3. Proposed layouts, construction materials, and finish schedules;
 4. Proposed Equipment
 5. Other information that may be required by the Regulatory Authority for the proper review of the proposed construction, conversion or modification, and procedures for operating a Food Establishment.
- C. Other Required Documentation: Provide documentation to verify that the Food Establishment is in compliance with any and all applicable local fire, planning and zoning, and building codes.
- D. Preoperational Inspections. The Regulatory Authority shall conduct one or more preoperational inspections to verify that the Food Establishment is constructed and equipped in accordance with the Approved plans and Approved modifications of those plans and is in compliance with the law.

Section 3: Permit to Operate.

- A. Prerequisite for Operation. A person may not operate a Food Establishment without a valid permit to operate issued by the Regulatory Authority.
- B. Notification. An applicant shall notify the Regulatory Authority at least 30 calendar days before the date planned for opening a Food Establishment. An application for Permit must be submitted upon first routine inspection.
- C. Form of Submission. A person desiring to operate a Food Establishment shall submit to the Regulatory Authority a written application for a permit on a form provided by the Regulatory Authority.
- D. Qualifications and Responsibilities of Applicants. To qualify for a permit, an applicant shall:
1. Be an owner of the Food Establishment or an officer of the legal ownership;

2. Pay the applicable permit fees at the time the application is submitted.

E. Contents of Application. The application shall include:

3. The name, birth date, mailing address, telephone number, and signature of the person applying for the permit and the name, mailing address, and location of the Food Establishment;
4. Information specifying whether the Food Establishment is owned by an association, corporation, individual, partnership, or other legal entity;
5. A statement specifying whether the Food Establishment is mobile or stationary and temporary or permanent.
6. A statement signed by the applicant that attests to the accuracy of the information provided in the application;
7. A statement signed by the applicant that attests to the accuracy of the information provided in the application;
8. An approved annual inspection report from the fire protection district having jurisdiction, where applicable.
9. Other information required by the Regulatory Authority.

F. New, Converted, or Remodeled Establishments. For Food Establishments that are required to submit plans, the Regulatory Authority shall issue a permit to the applicant after:

10. A properly completed application is submitted;
11. The required fee is submitted;
12. The required plans, specifications showing that the establishment is built or remodeled in accordance with the approved plans and specifications.

G. Existing Establishments, permit renewal and change of ownership. The Regulatory Authority may renew a permit for an existing Food Establishment or may issue a permit to a new owner of an existing Food Establishment after a properly completed application is submitted, reviewed and approved, the fees are paid, and an inspection shows that the establishment is in compliance with this code.

13. Be an owner of the Food Establishment or an officer of the legal ownership;
14. Pay the applicable permit fees at the time the application is submitted.

H. Denial of Application for permit, notice. If an application for a permit to operate is denied, the Regulatory Authority shall provide the applicant with a notice that includes:

15. The specific reasons and Code Citations for the permit denial;
16. The actions, if any, that the applicant must take to qualify for a permit; and
17. Information on the right of appeal.

I. Right of appeal. An applicant whose application for a permit to operate has been denied may appeal the denial by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the denial of the permit. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri.

J. Responsibilities of the Regulatory Authority.

18. At the time a permit is first issued, the Regulatory Authority shall provide to the permit holder a copy of the applicable code so that the permit holder is notified of the compliance requirements.
19. Failure to provide the information specified in paragraph (1) of this Section does not prevent the Regulatory Authority from taking authorized action or seeking remedies if the permit holder fails to comply with this code or an order, warning or directive of the Regulatory Authority.

K. Responsibilities of the Permit Holder. Upon acceptance of the permit issued by the Regulatory Authority, the permit holder in order to, retain the permit shall;

20. Post the permit in a location in the Food Establishment that is conspicuous to consumers;
21. Comply with the provisions of this code;
22. Immediately contact the Regulatory Authority to report an illness of an employee as specified under the Missouri Food code;
23. Immediately discontinue operations and notify the Regulatory Authority if an imminent health hazard may exist.
24. Allow representatives of the Regulatory Authority access to the Food Establishment.
25. Mobile Food Establishments are required to be associated with a permitted, inspected and approved commissary. Both mobile unit and commissary must pass inspection, be permitted, and be in compliance with all applicable codes. All mobile Food Establishments must return to their commissary at the close of business for each day for Cleaning, Sanitizing, Servicing and Restocking purposes.

- A. The entire Mobile Unit along with all associated equipment and signage must be removed and returned to the commissary each day when the business is closed.
- B. To assure Safety of the food products:
 - A. Mobile Establishments at the option of the owner, the Mobile Establishment may be fitted with Regulatory Authority approved GPS devices that allow Regulatory Authority to confirm daily location and return to the commissary.

If an approved GPS device is installed, the Mobile Establishment may remain at one physical address/location for no more than four (4) consecutive days and no more than four (4) total days of any seven (7) day period from Monday through Sunday at any one physical address/location, subject to daily return to the Commissary. The costs of such GPS device shall be paid by the operator of the Mobile Establishment and the operator will give the Regulatory Authority full access to view the FPS location information and history.
 - B. If the establishment does not wish to install GPS device, the aforesaid four (4) consecutive day permission at one location does not apply and the Mobile Establishment will be required to show proof of returning to a Commissary at least once is each 24-hour period and moving to a new physical address/location daily.
- 26. Comply with directives of the Regulatory Authority including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the Regulatory Authority in regard to the Permit Holder's Food Establishment or in response to community emergencies;
- 27. Accept notices issued and served by the Regulatory Authority according to LAW; and
- 28. Be subject to the administrative, civil, injunctive and criminal remedies authorized by law for failure to comply with this code or a directive of the Regulatory Authority, including time frames for corrective actions specified in inspection reports, notices, orders, warnings and other directives.

L. Permits not Transferrable. A permit may not be transferred from one person to another person, from one Food Establishment to another, or from one type of operation to another if the Food operation changes from the type of operation specified in the application and the change in operation is not approved.

M. Food Service Worker Certificates.

29. Food Managers Certificate. A food manager's certificate is required for all individuals employed by a Food Establishment in a management or person in charge capacity. The certificate must be obtained by the individual no later than sixty (60) days from employment as a manager or person in charge. A food manager's certificate shall be awarded to an individual only after successful completion of an accredited program or a course of instruction approved by the Regulatory Authority. A food manager's certificate shall be valid for five (5) years from the date of issuance.
30. Food handler's or food manager's certificate will not be transferrable from person to person, but shall be valid for the person to whom issued in any food service establishment within the county.
31. Responsibility of owner, operator. It shall be unlawful for any person engaged in owning, operating, or managing a Food Establishment to utilize the services of any employee who is required to possess but does not possess a valid food manager's certificate.
32. Custody of certificates. The food manager's certificate of each person in the employ of a Food Establishment shall be deposited with the management of the establishment during the tenure of that person's employment, and shall be returned to the person to whom issued upon termination of employment. Food manager's certificates suspended or revoked as hereinafter provided, shall be remanded to the custody of the Regulatory Authority. Management shall maintain a file of the food manager's certificates of its personnel in a manner which will provide convenient access for Regulatory Authority inspectors for inspection.
33. Revocation of certificate. A food manager's certificate may be revoked by the Regulatory Authority, for repeated or continuing violations of accepted procedures and practices in the preparation, service or storage of Food or beverage offered for public consumption, or upon demonstration of the presence of a communicable disease in the infectious stage, or infectious condition of potential hazard to the public or to the person's co-workers, or for falsification of information required for issuance of

the certificate. A food manager's certificate shall be revoked only after the certificate holder is given the opportunity for a hearing before Camden County commission. The certificate holder must give written notice of a request for a hearing to the Camden County Commission within ten (10) days of receipt of the notice of proposed revocation. A food manager's certificate may be suspended pending a hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from a decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

N. Suspension.

1. A permit to operate shall be suspended if:

- A. Conditions considered to be an imminent health hazard exists and the operator has been voluntarily discontinued operations; or
- B. The operator refused access to the Regulatory Authority for inspection; or
- C. An inspection reveals violations which meet or exceed the following:
 - 1. Ten (10) critical (priority) violations, or
 - 2. Twenty-five (25) non-critical (core) violations, or
 - 3. Any combination of critical (priority) and non-critical (core) violations totaling thirty (30) or more violations.

2. A permit to operate may be suspended if:

- A. Upon re-inspection, violations are not corrected within the time frame specified by the Regulatory Authority.

O. Notice. Upon suspension of a permit, a notice must be posted on the door of the establishment stating the facility has ceased food service operations. This notice must remain posted until removed by the regulatory authority.

P. Reinstatement. Any person whose permit has been suspended may, at any time, make application for the purpose of reinstatement of the permit. Within three (3) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the Regulatory Authority shall make a re-inspection. If the applicant is complying with requirements of this article, the permit shall be reinstated.

Q. Notice and Appeal.

- 1. When a permit to operate has been suspended, the Regulatory Authority shall provide the permit holder written notice of the suspension and a brief statement of the grounds for the suspension. The notice shall contain information on the right to

appeal and on the requirements for reinstatement. The notice shall be hand-delivered to the permit holder or an agent of the permit holder or shall be mailed to the address shown on the permit holder's application or to the last known address of the permit holder.

2. A permit holder whose permit to operate has been suspended may appeal the suspension by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the suspension. The Camden County Commission within ten (10) days of the suspension. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Circuit Court of Camden, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

R. Revocation.

1. A permit to operate may be revoked for serious or repeated violations of any requirements of this Code. A permit to operate shall be revoked only after the permit holder has been given written notice for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The notice shall be had delivered to the permit holder or an agent of the permit holder or shall be mailed to the address shown on the permit holder's application or to the last known address of the permit holder.
2. A permit holder whose permit to operate is proposed to be revoked and who desires a hearing must be given written notice of a request for hearing to the Camden County Commission within then (10) days of the receipt of the notice of proposed revocation. A permit to operate may be suspended pending a hearing on the proposed revocation. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal form the decision of the Camden County Commission may be made to the Camden County Circuit Court in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 4: Hepatitis A Vaccination

1. It shall be unlawful for any person to handle food in a food establishment without proof of Hepatitis A vaccination.
2. Records of Employees Hepatitis A vaccination shall be kept on file in the Food Establishment.
3. New Employees must be vaccinated within thirty (30) days of employment.
4. Persons how service food only on a volunteer basis on behalf of a non-for-profit group or a one day single event may be exempt from Hepatitis A vaccination. The Health

Department does however encourage anyone handling food to receive the Hepatitis A vaccination.

5. The requirements of this section shall not apply to women while they are pregnant, nor to those persons who have had an anaphylactic reaction to this vaccination documented by a licensed physician

Section 5: Fees.

1. Food Establishments shall pay an annual inspection/permit fee based on public health priority according to the following schedule:

(a) High Priority	\$150.00
(b) Medium Priority	\$100.00
(c) Low Priority	\$50.00

Facilities operating more than one food service establishment must obtain an operating permit for each establishment.

2. The annual fee shall be paid to the permit administrator when the application for operating permit is submitted or the permit is renewed.
3. Food establishments shall pay an administrative service fee per inspection for the second and subsequent re-inspections required to correct violations noted during the inspection process. The fees shall be as follows: 2nd re-inspection is \$100.00, 3rd re-inspection is \$200.00, 4th re-inspection is \$400.00. The fee will double accordingly. The administrative service fee shall be paid to the permit administrator prior to reissuance of any operating permit.
4. Persons conducting a temporary food event (an event lasting less than fifteen (15) days) shall pay a permit fee of Twenty Five (\$25.00) Dollars. Non-profit organizations shall not be charged a fee for temporary food events. The fee shall be paid to the permit administrator prior to receipt of the operating permit.
5. Business Owners will be allowed one (1) non-permitted "Customer Appreciation Day" event annually. The owner must be in compliance with applicable regulations and post appropriate signage stating the food has not been inspected by the Regulatory Authority.

Section 6: Penalty.

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment (not exceeding three (3) months) or by both such fine and imprisonment. Each day that a violation continues is a separate offense.

Section 7: Effective Date: Severability

This Ordinance shall be in full force and effect from and after its passage and approval. The provisions of the Ordinance are severable as provided in Section 1.140 RSMo.

Section 8: Repeal

All ordinances or parts of ordinances currently in effect that are in conflict with this ordinance are hereby repealed upon the adoption of this ordinance.

PASSED APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri on the 30th day of May, 2019.

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, Count Clerk

Charles E McElyea, County Attorney

ORDINANCE NO 7-1-19

AN ORDINANCE REGULATING THE OWNERSHIP AND POSSESSION OF ANIMALS IN THE UNINCORPORATED AREAS OF CAMDEN COUNTY, MISSOURI UNDER THE AUTHORITY GRANTED IN SECTION 192.300 RSMo AND SECTIONS 322.090 THRU 322.30 RSMo. IN ORDER TO PROTECT AND PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE OF RESIDENTS AND VISITORS TO CAMDEN COUNTY, MISSOURI; AND TO PROVIDE FOR THE WELFARE OF DOMESTICATED ANIMALS.

Be it ordained by the County Commission of Camden County, Missouri as follows:

Now Therefore, be it ordained by the County Commission of Camden County, Missouri as follows:

Section 1: Definitions. For purposes of the within Ordinance, the following definitions shall be applied, although the following definitions shall not be considered exclusive definitions.

- A. Adequate Control: to reasonably restrain or govern an animal so that an animal does not injure itself, any person, any other animal, or property.
- B. Animal: Any living vertebrae member of the animal kingdom, excluding man.
- C. Animal Control officer: an officer employed or appointed to enforce this Ordinance, the animal welfare laws of the State of Missouri, and the regulations and procedures there under.
- D. Breeding: the activity of keeping and caring for animals in order to produce more animals. The offspring are then sold or given away.
- E. Cat: a male or female of the feline family over six (6) months of age.
- F. Dog. A male or female of the canine family over six (6) months of age.
- G. Health Director: the director of Camden County Health Department as appointed by the Camden County Commission.
- H. Health Official: An employee of the Camden County Health Department appointed by the Health Director to administer or enforce the provisions of the Ordinance.
- I. Own or Possess: A property interest in an animal, actual or claimed, or the exercise of dominion or control over an animal with the present ability to do so.
- J. Person: Any natural person, business entity of any type, corporation, trust, association of any type or any other legal entity, or any agent, officer or employee of any of the foregoing.
- K. Rabies Compendium: The most current edition of a document by that name published by the National Association of State Public Health Veterinarians which serves as a standard for rabies vaccine, treatment and policy.

Section 2: Vaccination of pets:

- A. No person shall own or possess a dog or non-feral cat over three (3) months of age unless such dog or cat is vaccinated with a rabies vaccine approved and listed in the current year's Rabies Compendium and administered by a licensed veterinarian.

- B. The owner/possessor shall produce proof thereof upon request of a health official, animal control officer, or law enforcement officer. Dogs must display a current vaccine certificate tag if wearing a collar.
- C. If the dog is over nine (9) months of age it must be microchipped with the owner's/possessor's address and contact information or may have a collar with a tag showing such information.

Section 3: General Overview of animals:

- A. No person shall allow an animal to run at large in Camden County, Missouri, unless confined to the property of the owner by a fence, electronic fence or device which prevents the animal from leaving the property of the owner. Any Health Official, Animal Control Officer, or law enforcement officer is authorized to capture and impound any animal that may be found running or being at large in Camden County, Missouri.
- B. Every Person who owns or possess any animal shall attend to the needs of such animal by providing wholesome food, clean water, shelter and health care as necessary to maintain the animals good health, and shall not allow animal to exist in an unhealthy or unsafe environment or in extreme temperature circumstances that may cause harm or death to the animal. Animal Control Officer, law enforcement office, or Health Officer may enter a residence or vehicle in the even an animal is in danger of imminent injury or death.
- C. No person shall abandon an animal in Camden County. If found guilty of animal abandonment, said person shall be levied a fine of \$500.00 for each abandoned animal. Abandoned animals may be placed for adoption.
- D. Every such person shall take all reasonable and necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from their animal's behavior regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity. Owner may be held financially responsible for any and all damages or injury to person and property.

Section 4: General Overview Dogs:

- A. It shall be unlawful for any dog to be unconfined or unrestrained. No person who owns or possesses an animal shall permit such animal to be unconfined or unrestricted, unless such animal is on real estate owned or lawfully possessed by another person that has expressly consented to the presence of such dog; or such dog is in a motor vehicle being driven or parked upon a public road (provided animal is protected from temperature extremes), or such dog is engaged with its owner or possessor or in hunting or trialing, or such dog is under immediate control of its owner or possessor by means of a leash, electronic collar or device or trained command. The provisions of this section are not intended, nor shall be construed to abrogate or modify any other provision of law pertaining to trespass or the rights and privileges pertaining to ownership or possession of real or personal property.
- B. The owner or possessor of a female dog in heat or estrus shall confine the animal within a building or secure enclosure, or otherwise handle such dog in a manner that it is not accessible to other dogs, except for planned breeding.

- C. Each female dog, whether used for breeding and sale of pups or not, shall be limited to two litters per year. There shall be an annual breeding permit fee of \$25.00 per female per year to be paid by the owner of the female dog used for breeding.
- D. No person who owns or possesses a dog shall permit such dog to bite or attach a human being or domesticated animal except use by law enforcement police dogs, or dogs in defense training involving a person properly prepared as an attack target, or dogs lawfully defending persons or property. Owner shall be financially responsible for an injuries due to bites or attacks.

Section 5: Administration/Enforcement of regulations.

- A. The provisions of this Ordinance shall be administered by the Health Director who shall be appointed by the Camden County Commission and serve at the pleasure of the Commission.
- B. The Health Director is hereby authorized to appoint or designate such other health officials, animal control officers, or other law enforcement officers authorized by this Ordinance for the purpose of assisting the Health Director in administering or enforcing the same.
- C. All such appointments shall be subject to the discretionary review and approval of the Camden County Commission.

Section 6: Interference with Health officials/animal control officers

- A. No person shall knowingly interfere with any person appointed under the provisions of this Ordinance in the performance of his/her official duties under this Ordinance or as provided by State Law.
- B. No person shall refuse to deliver an animal to an animal control officer when requested to do so under impoundment provision of the Ordinance.
- C. No person shall remove an animal from the custody of a licensed veterinarian, an animal control officer, or animal shelter by force, deceit or otherwise, when such animal has been impounded for rabies observation.

Section 7: Dog and Cat impoundment for observation:

- A. Any dog or cat without proof of current rabies vaccination which bites or otherwise injures any human being shall be impounded for observation and be securely confined by an animal control officer at an animal shelter or by a licensed veterinarian of the owner's/possessor's choice for a period of ten (10) days after the reported bite or injury for observation for symptoms or manifestation of rabies at owner's full expense.
- B. Dogs or cats with proof of current rabies vaccination which bites or injures a human being may be quarantined at the owner's home for ten (10) days after the incident at the discretion and approval of the Animal Control Officer. Animal Control Officer retains right to monitor status of quarantined animal on minimum of daily basis. If found to be noncompliant with quarantine requirements, animal will be seized and taken to licensed veterinarian's office or animal shelter for remainder of quarantine at full expense of owner.

- C. If such dog or cat exhibits symptoms or manifestation of being infected with rabies, in the opinion of a licensed veterinarian, Animal Control Officer, or Health Director; then such dog or cat shall be humanely euthanized and head of animal submitted for rabies testing through MO state public health laboratory.
- D. If a dog or cat exhibits no symptoms or manifestations of rabies after required observation period, then such animal shall be returned to its owner/possessor, if known. Otherwise it shall be vaccinated against rabies and put up for adoption.

Section 9: Impoundment of suspected rabies carrier: Any warm-blooded animal other than a dog or cat which is reasonably suspected to be infected with rabies in the opinion of an animal control officer or health official may be seized, impounded and upon direction of the Health Director, may be humanely euthanized if found to have rabies.

Section 10: Isolation and quarantine: The Health Director may order the temporary isolation or quarantine of domestic or wild animals reasonably suspected of having a contagious communicable disease which may directly or indirectly affect human health or food or water supplies until such time as the State veterinarian or other state or federal agency having jurisdiction assumes responsibility for animal disease management and determination of the need for further disease control measures.

Section 11: Penalty.

- A. Upon complaint, law enforcement may issue the person who owns or has custody of an offending animal a warning unless the law enforcement officer determines the animal has caused property damage or physical injury to another or the owner is a repeat offender.
- B. Excluding any charges for Animal Abandonment as addressed in Section 3, any person, firm or corporation convicted of violating any of the provision of this Ordinance shall be deemed guilty of an Ordinance violation and shall be punished by a fine of not less than \$50.00 nor more than \$200.00 for a first offense. For second or subsequent offenses, a fine of not less than \$100.00 nor more than \$500.00 shall be assessed, or imprisonment in the county jail for not more than thirty (30) days, or community service work, or any combination of these penalties. In addition, court costs shall be levied against the guilty party. The Court shall have the authority to order the defendant to pay for any costs of the care, housing and veterinary or medical care for an impacted animal or victim, as applicable.
- C. All fines or other penalties for a first violation/conviction under this Ordinance may be waived by the Court, provided that the person found guilty demonstrates that adequate and permanent remedies have been made. Reasonable cost incurred for the care and maintenance of impounded animals may not be waived.
- D. If any violations of this Ordinance continues, each day of said violation shall be deemed a separate violation.
- E. As part of the sentence for a violation of this Ordinance the Court may, as a condition of probation, order the defendant not to own or possess an animal for a period of time not to exceed the period of probation.

Section 12: Exemption: Any animal used by law enforcement officers for enforcement, protection and rescue activities shall not be subject to the provisions of the ordinance while in performance of law enforcement, protection or rescue activities. At all other times animals used by law enforcement shall be subject to the provisions of the Ordinance. Furthermore, designated, service animals shall be exempt from some portions of this Ordinance as provided for federal law.

Section 13: Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 15th day of July 2019.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Attest: Rowland Todd, County Clerk

Approved as to From:

Charles E McElyea, County Attorney

ORDINANCE NO 8-6-19

AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT FOR DISTRIBUTION OF SURPLUS PAYMENTS IN LIEU OF TAXED AND AUTHORIZING THE PRESIDING COMMISSIONER TO EXECUTE SAID AGREEMENT ON BEHALF OF CAMDEN COUNTY, MISSOURI.

BE IT ORDAINED by the Camden County Commission as follows:

WHEREAS, the Osage Beach Board of Alderman adopted Ordinance No 15-56 on July 16, 2015, pursuant to Sections 99.800 to 99.865, RSMo. (The “TIF Act”), approving the Arrowhead Center Tax Increment Financing Plan (the “TIF Act”) and initiating tax increment financing within the redevelopment area defined in the TIF plan; and

WHEREAS, pursuant the TIF Plan, payment in lieu of taxes (“PILOTS”) will be collected by the County and remitted to the City for deposit in a special allocation fund; and

WHEREAS, the TIF Plan and Redevelopment Agreement require that the City declare fifty (50%) percent of the PILOTS collected on commercial property and one hundred (100%) percent of the PILOTS collected on residential property pursuant to the TIF Plans as surplus in accordance with Section 99.820.1(12), RSMo. (“Surplus PILOTS”) and distribute the Surplus PILOTS to the appropriate taxing districts (the “Taxing Districts”) on the basis that is proportional to the current collection of revenue which each Taxing District receives from the real estate and the redevelopment plan; and

WHEREAS, as the County initially collects PILOTS, the City desires for the surplus PILOTS to be paid directly to the taxing Districts by the County on behalf of the City, and the County desires to make such payments directly on behalf of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CAMDEN COUNTY COMMISSION AS FOLLOWS:

Section 1: The Camden County Commission finds and determines that it is expedient and necessary to enter into the Agreement attached hereto as Exhibit A with the City of Osage Beach, Missouri, to address the collection and disbursement of Surplus PILOTS collected by the County pursuant to the Arrowhead Center Tax Increment Financing Plan.

Section 2: The Presiding Commission for Camden County, Missouri, is hereby authorized to enter into said Agreement attached hereto as Exhibit A on behalf of Camden County, Missouri.

Section 3: This Ordinance shall be in full force and effect from and after its passage and approval.

All Ordinances or parts of Ordinances currently in effect that are in conflict with this Ordinance are hereby repealed upon the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 6th day of August, 2019.

Don Williams, County Clerk
Charles E McElyea, County Attorney

Camden County, Missouri
Greg Hasty, Presiding Commissioner
Beverly Thomas, 1st District Commissioner
Don Williams, 2nd District Commissioner

ORDINANCE NO 2-2-20

AN ORDINANCE ESTABLISHING THE REQUIREMENT FOR E-911 ADDRESS NUMBERS ON CERTAIN DWELLINGS AND PLACES OF BUSINESS ON PUBLIC AND PRIVATE STREETS IN CAMDEN COUNTY, MISSOURI AND SETTING FORTH THE ENFORCEMENT OF SAID PLACEMENT OF E-911 ADDRESS NUMBERS

BE IT ORDAINED by the County Commission of Camden County, Missouri, as follows:

Section 1: Assignment of E-911 addresses. The Camden County E-911 Mapping and Addressing Department shall assign E-911 address numbers for all dwelling units and places of business located on public and private streets in Camden County, Missouri, and shall keep reference lists of all such address numbers assigned under this Ordinance.

Section 2: Requirements for posting of assigned E-911 address numbers

- A. The owner, occupant, or person in charge of any dwelling unit or place of business for which an E-911 address number has been assigned, after being notified by the Camden County E-911 Mapping and Addressing Department of the address number, is hereby required to post said number on said dwelling unit or place of business such that said number may be visible from any public or private roadway from which the dwelling unit or place of business has its principal mode of access to said public or private street or roadway.
- B. Said number shall be displayed within sixty (60) days after receipt of such notification by the Camden County E-911 Mapping and Addressing Department. Any additional numbers which might conflict with or interfere with the E-911 address will be removed from said dwelling unit or place of business.
- C. In case a dwelling unit or place of business is occupied by more than one dwelling unit or business with separate from entrance for said dwelling unit or business each dwelling unit and business shall display a separate address of unit number.
- D. The E-911 address numbers shall be placed in a manner so as to be eligible and distinguishable from the street or roadway on which the structure is located with numerals painted or applied of a contrasting color to the background of not less than four (4) inches in height in residential areas, and not less than six (6) inches in height in commercial areas. Script lettering or similar unconventional type styles are not permitted in the sole discretion of the Camden County E-911 Mapping and Addressing Department.
- E. If a dwelling unit or place of business is situated in such a way that the E-911 address numbers cannot be easily seen from the street or roadway in front of said structure, then a sign or post with the numbers affixed thereto must be installed in front of the structure and placed in such a way that it is easily seen from the street or roadway.

Section 3: Penalties and Remedies

- A. Any owner, lessee, tenant, occupier of land or other person who has control over any dwelling unit or place of business who violates any provision of this Ordinance shall be deemed guilty of an infraction and shall be, upon conviction, assessed a fine of not less than Seventy-Five

(\$75.00) Dollars and not more than Five Hundred (\$500.00) Dollars. Each day a violation of this Ordinance continues shall constitute a separate offense.

- B. The penalty provided in this Section shall not be construed to be exclusive but is intended to be supplemental and in addition to any other remedy provided by law or at equity.
- C. Camden County may institute any appropriate action or proceeding, including the filing of a civil action or criminal charges to enforce the provisions of this Ordinance and to prevent any unlawful activity described in this Ordinance or to correct any violation of this Ordinance.

Section 4: Severability. If any part or provision of this Ordinance is declared invalid or unconstitutional then the remainder of this Ordinance shall remain in full force and effect and in force to the greatest extent permitted by law.

Section 5: Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 2nd day of February, 2020.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Charles E McElyea, County Attorney

ORDINANCE NO 3-20-20

AN ORDINANCE ADDRESSING AND ADOPTING THE CAMDEN COUNTY HEALTH DEPARTMENT ORDER OF MARCH 19, 2020 CONCERNING THE COVID-19 NATIONAL AND STATE EMERGENCY DECLARATION AND ORDERING COMPLIANCE WITH NATIONAL AND STATE DIRECTIVES WITHIN CAMDEN COUNTY, MISSOURI.

WHEREAS, the Camden County Commission met on this date to review the Camden County Health Department Order of March 19, 2020 and to consider declaring a public health emergency in Camden County, Missouri; and

WHEREAS, the Camden County Commission acknowledges the declaration of a National Emergency by President Trump, the declaration of a State of Emergency by Governor Parsons, the guidelines and recommendations of the Centers for Disease Control (CDC) and the “15 Days to Stop the Spread” campaign; and

WHEREAS, any large gathering of persons may accelerate the spread of COVID-19 in Camden County, Missouri and pose a risk to the health of our community; and

WHEREAS, pursuant to Section 192.300 RSMo and CST 20-20.050(3), the Camden County Commission is authorized to promulgate orders intended to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases, such as COVID-19 into the County, including, among other things, a declaration that a state of emergency exists in Camden County, Missouri and the exercise of all emergency powers not otherwise in conflict with any rules or regulations authorized by Department of Health or the Department of Social Services under Chapter 198 RSMo.

Be it Ordained by the Camden County Commission, as follows:

Section 1: State of Emergency. Based upon the declarations of a National Emergency and a State Emergency and as well as the declarations of the CDC, the Camden County Commission hereby declares a state of emergency in Camden County effective the date this Ordinance is adopted to control the spread of COVID-19 to protect the safety and welfare of the citizens of Camden County, Missouri.

Section 2: Application of Ordinance. This Ordinance shall not apply within the city limits of any city municipality within Camden County, Missouri which has issued a similar proclamation, resolution or ordinance addressing the same emergency and the contents of this Ordinance.

Section 3: Camden County Health Department order. The Order issued by the Camden County Health Department on this date is hereby adopted by the Camden County Commission and incorporated into this Ordinance as if more fully set forth herein.

Section 5: Duration. This Ordinance shall remain in full force and effect until the National Emergency and State of Missouri Emergency for COVID-19 have been set aside and removed.

Section 6: Repeal.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 19th day of March, 2020.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Rowland Todd, County Clerk

Beverly Thomas, Commissioner

Charles E McElyea, County Attorney

Camden County Health Department Order

WHEREAS, on March 13, 2020 President Trump declared a National Emergency and Missouri's Governor Parson also declared a State of Emergency to the attempt to prevent a substantial risk to public health and safety due to the pandemic of the COVID-19 virus.

WHEREAS, on March 15, 2020 the Centers for Disease Control and Prevention of the United States Department of Health and Human Services (the "CDC) issued guidance for preventing and limiting the spread of COVID-19 by recommending that gathering be limited in size of 50 people or less and that events with fewer than 50 people be permitted only if the organizers adhere to guidelines for protecting vulnerable populations, hand hygiene, and social distancing;

WHEREAS, on March 16, President Trump in collaboration with the CDC released the "15 Days to stop the spread" campaign further restricting gatherings to 10 people or less:

WHEREAS, the CDC's guidance does not apply to the day-to-day operation of schools, institutions of higher learning, or businesses;

WHEREAS, the CDC's guidance is not intended to supersede the advice of local public health officials;

NOW, THEREFORE, I, Tonda Dampier, Camden County Health Department Administrator, under the authority conferred to me by Missouri Code of State Regulations 19 CSR 10-20.040 do hereby ORDER and DECLARE the following:

1. As advised in the President's 15 Days to slow the spread Campaign, Recreational facilities, conference, event and banquet facilities, wedding venues, gyms, bars, restaurants, and any other public facility or event will limit their patrons to 10 or less, provided they can assure there is adequate spacing of at least 6 feet between groups and adhere to all cleaning and disinfecting guidelines from CDC. Food and Beverage establishments are encouraged to provide pick up, curbside or drive through services as much as possible. This will be in effect until the campaign is officially ended by the President or is continued by CDC.
2. After the President's 15 Days to Stop the Spread Campaign; It is hereby declared unlawful for any person to organize or to attend and intentional gathering 50 people or more in a single space or room. It is further provided that any person who organizes a gathering of 49 people or less shall take appropriate action to minimize risk to the greatest extent possible by implementing and enforcing mitigation measures, including but not limited to social distancing, limiting the time period of gatherings, frequent cleaning of all surfaces, and posting of signs. This paragraph applied to Recreational facilities, conference, event and banquet facilities, wedding venues, gyms, bars, restaurants, and any other public facility or event. This paragraph shall not

apply to essential governmental proceedings, educational institutions, daycare facilities, essential business operations, or food stores.

3. This order shall be effective immediately upon my execution whereof and it shall expire only upon further order.

SO ORDERED this nineteenth of March 2020

Camden County Missouri

Tonda Dampier

Administrator

Camden County Health Department

ORDINANCE NO 3-31-20

**JOINT CAMDEN COUNTY COMMISSION ORDINANCE AND CAMDEN COUNTY HEALTH
DEPARTMENT ORDER**

MARCH 31, 2020

On March 13, 2020 President Trump declared a National Emergency and Missouri's Governor Parson also declared a state of Emergency to attempt to prevent a substantial risk to public health and safety due to the pandemic of the COVID-19 virus.

On March 21, 2020 Governor Parson directed Dr Randall Williams, Director of Missouri Department of Health and Senior Services to enact a Statewide Social Distancing Policy which was effective until April 6, 2020 unless extended, which reads:

1. In accordance with the guidelines from the President and the Centers of Disease Control and Prevention, every person in the State of Missouri shall avoid social gatherings of more than ten (10) people. For purposes of this Order, "social gatherings" shall mean any planned or spontaneous event or convening that would bring together more than ten (10) people in a single space at the same time.
2. In accordance with the guidelines from the President and the Centers of Disease Control and Prevention, every person in the State of Missouri shall avoid eating or drinking at restaurants, bars, or food courts; provided, however that the use of drive-thru, pickup, or delivery options is allowed throughout the duration of this Order.
3. In accordance with the guidelines form the President and the Centers of Disease Control and Prevention, people shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance.
4. In accordance with the guidelines form the President and the Centers of Disease Control and Prevention, schools shall remain closed. This Order does not prohibit schools from providing child care and Food and Nutritional Services for those children that qualify. Teachers and staff may enter the building as long as they follow the directives set forth in this Order.

This order does not prohibit people from visiting a variety of places, including grocery stores, has stations, parks, and banks, so long as necessary precautions are taking and maintained to reduce the transmission of COVID-19, including maintain at least six feet (6') of distance between all individuals that are not family members.

For offices and workplaces that remain open, individuals shall practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this Order will expire.

On March 30, 2020 President Trump announced previous efforts of slow the spread of the COVID-19 virus would be extended until April 30, 2020.

THEREFORE, In order continue to protect the citizens of Camden County as there is evidence of continued community spread of COVID-19, under authority of 19 CSR 10-10.040 and 19 CSR 20-20.050 I, Authority declare the following in agreement with Camden County Commission.

1. All public and private gatherings, planned or spontaneous; recreational facilities, conference, event and banquet facilities, wedding venues, gyms, social clubs, funerals, churches or any other place of public or private gathering, shall limit participants to 10 people provided they can maintain the appropriate 6ft distance between participants. This is meant to include employees and clergy in the count of 10 people.
2. There will be no dining or drinking allowed inside food or beverage establishments or their patios, lawns, or boat docks. Use of curb-side service, pick up, or drive thru service is allowed however water-front establishments are to limit numbers of people using their docks while ordering to 10 or less. Boats are to leave the dock area as soon as order is received.
3. Due to being unable to maintain the 6ft social distancing order between the provider and the customer, nail salons, hair salons, tattoo parlors, massage therapists, estheticians, spas or any other personal service provider will cease to provide their services.
4. Schools shall remain closed, but allowed to continue to provide nutrition services to the families they serve.
5. Any additional directives from President Trump, Governor Parson or Director Williams will be incorporated into this order.
6. These directives do not apply to Essential Governmental Proceedings, Day Care Facilities, Food Stores, however, Social Distancing practices and thorough cleaning and disinfection practices are to be maintained at all times.

Food and Beverage facilities found to be non-compliant may be subject to suspension of their operating permit due to creating an imminent health hazard.

This order shall be effective immediately upon my execution whereof, and will remain in effect until at least April 30, 2020 but will be extended based on instructions from President Trump or Governor Parson. This shall expire only upon further order.

So Ordered this thirty-first day of March, 2020.

Camden County Missouri

Tonda Dampier, Administrator

Camden County Health Department

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Charles E McElyea, County Attorney

ORDINANCE NO. 3-31-20

AN ORDINANCE AMENDING ORDINANCE NO 3-31-20 BY ADDING CERTAIN RESTRICTIVE ACTIVITIES, ADDING AN ENFORCEMENT PROVISION AND SEVERANCE CLAUSE AND DELETING A REFERENCE TO FUTURE EXECUTIVE ORDERS.

Be it Ordained by the Camden County Commission as follows:

Section 1: Additional Restrictive Activities. Section 1 and Section 3 of the restricted activities is amended to read as follows:

1: All public and private gatherings, planned or spontaneous; recreational facilities open to the public or to members, conference, event and banquet facilities, wedding venues, social clubs, funerals, churches or any other place of public or private gathering, shall limit participants to no more than 10 people provided they can maintain the appropriate 6ft distance between individuals. This is meant to include employees and clergy in the count of 10 people.

3: Due to being unable to maintain the 6ft social distancing order between individuals, the provider and the customer; nail salons, hair salons, tattoo parlors, massage therapists, estheticians, spas, gyms, tanning facilities, swimming pools including hot tubs open to the public or paying guests or members or any other personal service provider will cease to provide their services or make the aforesaid facilities available to the public. This restriction does not apply to private swimming pools and hot tubs located on individually owned residential lots intended to be used by the owners or renters of a single family dwelling.

Section 2: Enforcement, violation of or failure to comply with this Ordinance and Ordinance No 3-21-20 is an unclassified misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. See RSMo Sec 192.300

Section 3: Savings Clause. If any provision of this Ordinance and Ordinance 3-31-20 or its application to any person or circumstances is held to be invalid, then the remainder of this Ordinance 3-31-20, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Ordinance and Ordinance No 3-31-20 are severable.

Section 4: Ordinance No 3-31-20 shall remain in full force and effect and is hereby ratified except as amended herein.

Section 5: Effective date. This Ordinance shall be in full force and effect from and after its passage and execution by the Camden County Commission.

Section 6: Repeal: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

PASSES, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 8th day of April, 2020.

Camden County, Missouri
Tonda Dampier, Camden County Health Dept
Beverly Thomas, 1st District Commissioner
Rowland Todd, County Clerk

Greg Hasty, Commissioner
Don Williams, 2nd District Commissioner
Charles E McElyea, County Attorney

ORDINANCE NO 9-29-20

AN ORDINANCE RATIFYING AND ADOPTING THE ACCOUNTING POLICIES AND PROCEDURES MANUAL ATTACHED HERETO AS EXHIBIT A AND INCORPORATED HEREIN.

Be it Ordained by the Camden County Commission as follows:

Section 1: Policies and Background Statement: The County has maintained and operated under certain generally accepted accounting principles some of which have been formally adopted and some of which have not. A recent review of the County accounting practices by the Camden County Auditor and a recent audit by the Missouri State Auditor's office recommended that accounting policies and procedures be formally drafted and adopted.

Section 2: Policies and Procedures: That attached hereto is the Camden County Accounting Policies and Procedures Manual which is incorporated herein and adopted this date by the Camden County Commission and all County offices and employees are hereby directed to follow and be bound by the requirements set forth therein.

Section 3: Effective Date: Severability, This Ordinance shall be in full force and effect from and after its passing and approval by the Camden County Commission and all ordinances and prior policies in conflict with this Ordinance are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on 29th day of September, 2020.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Beverly Thomas, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Charles E McElyea, County Clerk

ORDINANCE NO. 1-26-21

AN ORDINANCE DESIGNATING CAMDEN COUNTY, MISSOURI AS A SECOND AMENDMENT SANCTUARY COUNTY AND ESTABLISHING PROHIBITIONS, PENALTIES AND EXCEPTIONS TO THE WITHIN ORDINANCE

KNOW ALL MEN BY THESE PRESENTS:

IT IS HEREBY ORDAINED BY THE CAMDEN COUNTY, MISSOURI COMMISSION AS FOLLOWS:

Section 1: Title

This title of this Ordinance shall be known as the "Second Amendment Sanctuary Ordinance" or "SASO"

Section 2: Findings

The people of Camden County, Missouri find and declare as follows:

- A. Acting through the United States Constitution, the people created government to be their agent in the exercise of a few defined powers, while reserving to the citizens the right to decide on matters which concern their lives, liberty and property in the ordinary course of affairs;
- B. The Second Amendment to the Constitution of the United States of America States "A well-regulated Militia being necessary to the security of a free State, the right of the People to keep and bear arms, shall not be infringed;;
- C. The right of the people to keep and bear arms is further protected from infringement by State and Local Governments under the Ninth, Tenth and Fourteenth Amendments to the Constitution of the United States of America.
- D. The Supreme Court of the United States of America in District of Columbia v. Heller recognized the individual's right to keep and bear arms, as protected by the Second Amendment of the Constitution of the United States of America. Justice Antonin Scalia's prevailing opinion in that case stated that the Second Amendment protects an individual's right to possess a firearm unconnected with service in a militia, and the right to use that firearm for traditionally lawful purposes, such self-defense within the home;
- E. Section 1 of the Fourteenth Amendment to the Constitution of the United State of America states, "Not State Shall make or enforce any which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within this jurisdiction the equal protection of the laws";
- F. The Supreme Court of the United States recognized in McDonald v.City of Chicago that the Second Amendment to the constitution was incorporated by the Fourteenth Amendment and thereby made applicable to the States;
- G. Justice Thomas M Cooley in the People v. Hurlburt, 24 Mich.44, page 108 (1971), states: "The State may mold local institutions according to its views of policy or expediency; but local government is a matter of absolute right; and the state cannot take it away";

- H. The right to be free from the commandeering hadn't of government has been recognized by the United States Supreme Court in *Printz v. United States*. The Court held: "The Federal Government may neither issue directives requiring the States to address particular problems, nor command the States' officers or those of their political subdivisions, to administer or enforce a federal regulatory program." The anti-commandeering principles recognized by the U.S. Supreme Court in *Printz V. United States* are predicated upon the advice of James Madison, who in *Federalist #46* advised "a refusal to cooperate with officers of the Union" in response to either unconstitutional federal measures or constitutional but unpopular federal measures;
- I. Therefore, the right to keep and bear arms is fundamental individual right that shall not be infringed; and local, state and federal acts, laws, orders, rules or regulations regarding firearms, firearms accessories, and ammunition are a violation of the Second Amendment;
- J. Local governments have the legal authority to refuse to cooperate with the state and federal firearm laws that violate those rights and to proclaim a Second Amendment Sanctuary for law-abiding citizens in their cities and counties;
- K. Therefore, through the enactment of this Ordinance, Camden County, Missouri is hereby declared to be a Second Amendment Sanctuary.

Section 3: Prohibitions

- A. Notwithstanding any other law, regulation, rule or order to the contrary, no agent, department, employee or official of Camden County, Missouri, a political subdivision of the State of Missouri, while acting in their official capacity, shall:
 - 1. Knowingly and willingly, participate in any way in the enforcement of any Unlawful Act, as defined herein, regarding personal firearms, firearm accessories or ammunition.
 - 2. Utilize any assets, Camden County funds or funds allocated by any entity to Camden County, in whole or in part, to engage in any activity that aids in the enforcement or investigation relating to an Unlawful Act in Connection with personal firearms, firearm accessories or ammunition.

Section 4: Penalties

A. An "Unlawful Act: shall consist Of any federal or state act, law, order, rule or regulation, which restricts an individuals' constitutional right to keep and bear arms, including any federal or state act, law, order, rule or regulation which bans or effectively bans, registers or effectively registers, or limits the lawful use of firearms, firearm accessories or ammunition (other than a fully automatic firearm which is made unlawful by federal law). Any such "Unlawful Act" is invalid in the Camden County, Missouri and shall not be recognized by Camden County, Missouri, is specifically rejected by the voters of Camden County, Missouri, and shall be considered null, void and of no effect in Camden County, Missouri and this includes, but shall not be limited to the following:

- 1. Any tax, levy, fee or stamp imposed on firearms, firearm accessories or ammunition not common to all other goods and services on the purchase or ownership of those items by citizens;

2. Any registration or tracking of firearms, firearm accessories or ammunition
3. Any registration or tracking of the owners of firearms, firearm accessories or ammunition;
4. Any act forbidding the possession, ownership or use or transfer of any type of firearm, firearm accessory or ammunition by citizens of the legal age of eighteen and over, than pursuant to federal law background check requirements for transfers or purchases through FFL dealers;
5. Any act ordering the confiscation of firearms, firearm accessories or ammunition from citizens;
6. Any prohibition, regulation and/or use restriction related to ownership or the constitutionally guaranteed lawful use or carry of non-fully automatic firearms; and
7. Any prohibition, regulation and/or use restriction limiting had grips, stocks, flash suppressors, bayonet mounts, magazine capacity, clip capacity, internal capacity, bump stocks (if permitted by federal law), suppressors or types of ammunition available for sale, possession or use by citizens.

B. Anyone within the jurisdiction of Camden County, Missouri accused to be in violation of this Ordinance may be sued in the Circuit Court of Camden County, Missouri for declaratory and injunctive relief, damages and attorney fees. Neither sovereign nor official or qualified immunity shall be an affirmative defense in cases pursuant to this section.

C. Any peace officer may enforce this Ordinance.

D. Any violation of this Ordinance is a Class A Misdemeanor and punishable as such.

E. Exceptions:

1. The protections provided to citizens by this Ordinance do not apply to persons who have been convicted of felony crimes or who are prohibited from possessing firearms under federal law.
2. This Ordinance is not intended to prohibit or affect in any way the prosecution of any crime for which the use of, or possession of, a firearm is an aggregating factor or enhancement to an otherwise independent crime.
3. This Ordinance does not permit or otherwise allow the possession of firearms in Federal Buildings.
4. This Ordinance does not prohibit individuals in Camden County, Missouri from voluntarily participating in assisting in permitting, licensing, registration or other processing of applications for concealed carry permits or other firearm, firearm accessory or ammunition licensing or registration processes that may be required by law.

Section 5: Severability

A. The provisions of this Ordinance are hereby declared to be severable, and if any provisions of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this Ordinance.

Section 6: Effective Date

The effective date of this Ordinance, the Second Amendment Sanctuary Ordinance, or SASO, shall be immediately upon approval by the Camden County Commission.

All Ordinances or parts of Ordinances in conflict with the within Ordinance are hereby repealed.

PASSED, APPROVED AND ADOPTED by the Camden County commission of Camden County, Missouri, on the 26th Day of January, 2021.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2dn District Commissioner

Rowland Todd, County Clerk

Charles E McElyea, County Attorney

ORDINANCE NO 1-28-21

KNOW ALL MEN BY THESE PRESENTS:

Now on this 28th day of January, 2021 the County Commission for Camden County, Missouri met in regular session to discuss, review and formally adopt a formal policy for Camden County addressing the individual rights and freedoms of the citizens of Camden County, Missouri.

WHEREUPON, on Motion duly made, seconded and passed, the following Ordinance was adopted:

RESOLVED, the individuals possess certain basic rights and freedoms whether expressed in the U.S. Constitution or the Missouri Constitution; and

FURTHER RESOLVED, that the County Commission recognizes the following individual rights and freedoms:

1. All businesses, places of worship and governmental meetings are essential to the exercise of individual fundamental rights, and its discriminatory of the state to treat some, but not all establishments with preference by labeling them as “essential”; and
2. The Fourteenth Amendment to the United States Constitution states “Not State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; not deny to any person within its jurisdiction the equal protection of the law”; and
3. Individual citizens and groups have constitutionally protected rights of free speech, free assembly and freedom to petition for redress of their grievances, Edward v. South Carolina, 372 U.S. 229, 235 m919630; and
4. “The people have the right to peaceably to assemble for the common good, and to apply to those invested with the powers of government for redress of grievances, by petition or remonstrance”; and
5. Government restrictions on liberty “may be sustained if the State demonstrates a sufficiently important interest and employs means closely drawn to avoid unnecessary abridgement of associational freedom”, Buckley v. Valeo, 424 U.S. 1, 25 (1976); and
6. The citizens of Camden County are aware of their own underlying health risk factors better than the government and can reject any unduly forced vaccinations; and
7. That unless required by law individuals have the right to refuse directives or recommendations to take any drugs or medications for the prevention or treatment of any condition, illness or disease; and
8. The citizens of Camden County have a right to work and provide for their families; and
9. The citizens of Camden County have the right to reject any federal or state mask recommendation or mandate with that choice being retained by any business or institution; and

10. A state of emergency that operates in perpetuity can be considered by some a state of tyranny.

Note: Some of the rights and freedoms listed above are contained in the Missouri and U.S. Constitutions and have been paraphrased herein. Further, the above list is not meant to be all inclusive as there may be other inherent rights and privileges that individuals possess; and

Further Resolved: That the within Ordinance is simply a statement of recognized rights and freedoms of individuals and is to be used as simply a guide and is not meant to suggest the violation of any State or Federal laws.

This Ordinance shall be effective immediately from and after the date first above written.

Greg Hasty, Presiding Commissioner

Rowland Todd, County Clerk

James Gohagan, 1st District Commissioner

Charles E McElyea, County Attorney

Don Williams, 2nd District Commissioner

ORDINANCE NO 1-28-21

AN ORDINANCE AMENDING AND MODIFYING ORDINANCE NUMBER 5-30-19 AND ORDINANCE NUMBER 1-14-21-01 REQUIRING THE SUBMISSION OF PLANS AND SPECIFICATIONS FOR REVIEW OF FOOD ESTABLISHMENTS; REQUIRING PERMITS TO OPERATE A FOOD ESTABLISHMENT AND THE ISSUANCE OF CERTIFICATES FOR FOOD HANDLERS.

Be It Ordained by the Camden County Commission, as follows:

Section 1: Definitions

- A. "Approved" means acceptable to the regulatory authority based on a determination of conformity with principles, practices and generally recognized standards that protect public health.
- B. "Commissary" means a permitted base of operation for a mobile Food Establishment where food is stored or prepared. A Commissary is not a private home, church, or other facility that does not hold a valid permit. The Commissary is to comply with all provisions applicable to Food Establishments. Mobile units must report to Commissary at least once every 24 hours to be cleaned, serviced, and restocked.
- C. "Consumer" means a person who is a member of the public, takes possession of Food, is not functioning in the capacity of an operator of a Food Establishment and does not offer the Food for resale.
- D. "Employee" means the permit holder, person in charge, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a food establishment.
- E. "Food" means a raw, cooked or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- F. "Food Establishment"
 - 1. "Food Establishment" means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption:
 - a) Such as a restaurant; satellite or central preparation facility; catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending (location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and
 - b) That relinquishes possession of food to a Consumer directly or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.
 - 2. "Food Establishment" includes:

- a) An element of the operation such as a transportation vehicle or central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and
 - b) An operation that is conducted in a mobile, stationary, temporary or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.
- G. "Imminent Health Hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstances or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:
 - 1. The number of potential injuries; and
 - 2. The nature, severity, and duration of the anticipated injury.
- H. "Law" means applicable local, state and federal statutes, regulations and ordinances.
- I. "Mobile Food Establishment" means a food service establishment that operates no more than 4 days per week from a moveable vehicle that is self-contained and properly enclosed and is associated with a permitted Commissary.
- J. "Permit" means the document issued by the regulatory authority that authorizes a person to operate the Food Establishment.
- K. "Permit" means the document issued by the Regulatory Authority that authorizes a person to operate a Food Establishment.
 - 1. Is legally responsible for the operation of the Food Establishment such as the owner, the owner's agent, or other person; and
 - 2. Possesses a valid permit to operate a Food Establishment.
- L. "Person" means an association, a corporation, individual, partnership, other legal entity, government, or governmental subdivision or agency.
- M. "Regulatory Authority" means the local, state or federal enforcement body or authorized representative having jurisdiction over the Food Establishment.
- N. "Temporary Food Establishment" is a food establishment that operates for a period of not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

Section 2: Facility and Operating Plans.

- A. When, plans are required. A permit applicant shall submit to the Regulatory Authority properly prepared plans and specifications for review and approval before:

- 1) The construction of a Food Establishment;
 - 2) The conversion of an existing structure for use as a Food Establishment, or
 - 3) The remodeling of a Food Establishment or a change of type of Food Establishment or food operation if the regulatory authority determines that plans and specification are necessary.
- B. Contents of the Plans and Specifications: The plans and specifications for a Food Establishment, shall include, as required by the Regulatory Authority based on the type of operation, type of food preparation, and foods prepared, the following information to demonstrate conformance with the most current editions of the Missouri Food Code provisions and the Missouri Environmental Operations Guidelines:
- 1) Intended menu;
 - 2) Anticipated volume of Food to be stored, prepared, and sold or served;
 - 3) Proposed layouts, construction materials, and finish schedules'
 - 4) Proposed Equipment
 - 5) Other information that may be required by the Regulatory Authority for the proper review of the proposed construction, conversion or modification, and procedures for operating a Food Establishment.
- C. Other required Documentation: Provide documentation to verify that the Food Establishment is in compliance with any and all applicable local fire, planning and zoning, and building codes.
- D. Preoperational Inspections. The Regulatory Authority shall conduct one or more preoperational inspections to verify that the Food Establishment is constructed and equipped in accordance with the Approved plans and approved modifications of those plans and is in compliance with the Law.

Section 3: Permit to Operate.

- A. Prerequisite for Operation. A person may not operate a Food Establishment without a valid permit to operate issued by the Regulatory Authority.
- B. Notification. An applicant shall notify the Regulatory Authority at least 30 calendar days before the date planned for opening a Food Establishment. An applicant for Permit must be submitted upon first routine inspection.
- C. Form of Submission. A person desiring to operate a Food Establishment shall submit to the Regulatory Authority a written application for a Permit on a form provided.
- D. Qualifications and Responsibilities of Applicants. To qualify for a permit, an application shall:
- 1) Be an owner of the Food Establishment or an offer of the legal ownership;
 - 2) Pay the applicable Permit fees at the time the application submitted.

E. Contents of Application. The application shall include:

- 1) The name, birth date, mailing address, telephone number, and signature of the Person applying for the Permit and the name, mailing address, and location of the Food Establishment;
- 2) Information specifying whether the Food Establishment is owned by an association, corporation, individual, partnership, or other legal entity;
- 3) A statement specifying whether the Food Establishment is mobile or stationary and temporary or permanent.
- 4) The name, title, address, and telephone number of the Person directly responsible for the Food Establishment;
- 5) A statement signed by the applicant that attests to the accuracy of the information provided in the application;
- 6) An approved annual inspection report from the fire protection district jurisdiction, where applicable.
- 7) Other information required by the Regulatory Authority.

F. New, Converted, or Remodeled Establishment. For Food Establishments that are required to submit plans, the regulatory authority shall issue a permit to the applicant after:

- 1) A properly completed application is submitted;
- 2) The required fee is submitted;
- 3) The required plans, specifications, and information are reviewed and Approved; and
- 4) A preoperational inspection showing that the establishment is build or remodeled in accordance with the approved plans and specifications.

G. Existing Establishments, Permit Renewal and Change of Ownership. The Regulatory Authority may renew a permit for an existing Food Establishment or may issue a permit to a new owner of an existing Food Establishment or may issue a permit to a new owner of an existing Food Establishment after a properly completed application is submitted, reviewed and approved, the fees are paid, and an inspection shows that the establishment is in compliance with this code.

H. Denial of Application for Permit, Notice. IF an application for a Permit to operate is denied, the Regulatory Authority shall provide the applicant with a notice that includes:

- 1) The specific reasons and Code Citations for the Permit denial;
- 2) The actions, if any, that the applicant must take to qualify for a Permit; and
- 3) Information on the right of appeal.

I. Right of appeal. An applicant whose application for a permit to operate has been denied may appeal the denial by filing a written request for a hearing before the Camden County

Commission. The request must be received by the Camden County Commission within ten (10) days of the denial of the permit. The Camden County Commission shall conduct any hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri.

J. Responsibilities of the Regulatory Authority,

- 1) At the time a Permit is first issued, the Regulatory Authority shall provide to the Permit Holder a copy of the applicable code so that the Permit Holder is notified of the compliance requirements.
- 2) Failure to provide the information specified in paragraph (1) of this section does not prevent the Regulatory Authority from taking authorized action or seeking remedies if the permit holder fails to comply with this code or an order, warning or directive of the regulatory authority.

K. Responsibilities of the permit holder. Upon acceptance of the permit issued by the Regulatory Authority, the permit holder in order to, retain the Permit shall;

- 1) Post the Permit in a location in the Food Establishment that is conspicuous to Consumers;
- 2) Comply with the provisions of this Code;
- 3) Immediately contact the Regulatory Authority to report an illness of an Employee as specified under the Missouri Food Code;
- 4) Immediately discontinue operations and notify the Regulatory Authority if an imminent health hazard may exist;
- 5) Allow representatives of the Regulatory Authority access to the Food Establishment;
- 6) Mobile Food Establishments are required to be associated with a Permitted, Inspected and Approved Commissary. Both mobile unit and Commissary must pass inspection, be permitted, and be in compliance with all applicable codes. All mobile food establishments must return to their commissary at the close of business for each day for cleaning, sanitizing, servicing and restocking purposes.
 - a) The entire mobile unit along with all associated equipment and signage must be removed and returned to the commissary each day when the business is closed.
 - b) To assure safety of the food products:
 - 1) Mobile Establishments at the option of the owner, the Mobile Establishment may be fitted with Regulatory Authority approved GPS devices that allow Regulatory Authority to confirm daily location and return to the commissary.

If an approved GPS device is installed, the mobile establishment may remain at one physical address/location for no more than Four(4)

consecutive days and no more than one physical address/location, subject to daily return to the Commissary. The costs of such GPS device shall be paid by the operator of the Mobile Establishment and the operator will give the Regulatory Authority full access to view the GPS location information and history.

- 2) If the establishment does not wish to install a GPS device, the aforesaid four (4) consecutive day permission at one location does not apply and the Mobile Establishment will be required to show proof of returning to a commissary at least once in each 24-hour period and moving to a new physical address/location daily.
 - 7) Comply with directives of the Regulatory Authority including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the regulatory authority in regard to the Permit Holder's Food Establishment or in response to community emergencies;
 - 8) Accept notices issued and served by the Regulatory Authority according to LAW; and
 - 9) Be subject to the administrative, civil, injunctive and criminal remedies authorized by LAW for failure to comply with this Code or a directive of the Regulatory Authority, including time frames for corrective actions specified in inspection reports, notices, orders, warnings and other directives.
- L. Permits Not Transferable., A permit may not be transferred from one Person to another Person, from one Food Establishment to another, or from one type of operation to another if the Food operation changes from the type of operation specified in the application and the change in operation is not Approved.
- M. Food Service Worker Certificates.
- 1) Food Manager's Certificate. A food manager's certificate is required for all individuals employed by a Food Establishment in a management or person in charge capacity. The certificate must be obtained by the individual no later than sixty (60) days from employment as a manager or person in charge. A food manager's certificate shall be awarded to an individual approved by the Regulatory Authority. A food manager's certificate shall be valid for (5) years from the date of issuance.
 - 2) Food handler's or food manager's certificate will not be transferable from person to person, but shall be valid for the person to whom issued in any food service establishment within the county.
 - 3) Responsibility of owner, operator. It shall be unlawful for any person engaged in owning, operating, or managing a Food Establishment to utilize the services of any employee who is required to possess but does not possess a valid food manager's certificate.
 - 4) Custody of certificates. The food manager's certificate of each person in the employ of a Food Establishment shall be deposited with the management of the establishment during the tenure of that person's employment, and shall be returned to the person to whom

issued upon termination of employment. Food manager's certificates suspended or revoked as hereinafter provided, shall be remanded to the custody of the Regulatory Authority. Management shall maintain a file of the Food manager's certificates of its personnel in a manner which will provide convenient access for Regulatory Authority inspectors for inspection.

- 5) Revocation of certificate. A food manager's certificate may be revoked by the Regulatory Authority, for repeated or continuing violations of accepted procedures and practices in the preparation, service or storage of Food or beverage offered for public consumption, or upon demonstration of the presence of a communicable disease in the infectious stage, or an infectious condition of potential hazard to the public or to the person's co-workers, or for falsification of information required for issuance of the certificate. A food manager's certificate shall be revoked only after the certificate holder has been given written notice of the reasons for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The certificate holder must give written notice of a request for a hearing to the Camden County Commission within ten (10) days of receipt of the notice of proposed revocation. A food manager's certificate may be suspended pending a hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from a decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.

N. Suspension.

- 1) A permit to operate shall be suspended it:

- a) Conditions considered to be an imminent health hazard exists and the operator has not voluntarily discontinued operations; or
- b) The operator refused access to the Regulatory Authority for inspection; or
- c) An inspection reveals violations which meet or exceed the following:
 1. Ten (10) critical (priority) violations, or
 2. Twenty-five (25) non-critical (core) violations, or
 3. Any combination of critical (priority) and non-critical (core) violations totaling thirty (30) or more violations

- 2) A permit to operate may be suspended if:

- a) Upon re-inspection, violations are not corrected within the time frame specified by the Regulatory Authority.

- O. Notice. Upon suspension of a Permit, a notice must be posted on the door of the establishment stating the facility has ceased food service operations. This notice must remain posted until removed by the Regulatory authority.

- P. Reinstatement. Any person whose permit has been suspended may, at any time, make application for the purpose of reinstatement of the Permit. Within three (3) days following receipt of a written request, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the regulatory authority shall make a re-inspection. If the applicant is complying with the requirements of this article, the permit shall be reinstated.
- Q. Notice and Appeal.
- 1) When a Permit to operate has been suspended, the Regulatory Authority shall provide the Permit Holder written notice of the suspension and a brief statement of the grounds for the suspension. The notice shall contain information on the right to appeal and on the requirements for reinstatement. The notice shall be hand-delivered to the Permit holder or an agent of the Permit Holder or shall be mailed to the address shown on the Permit Holder's application or the last known address of the Permit Holder.
 - 2) A Permit Holder whose permit to operate has been suspended may appeal the suspension by filing a written request for a hearing before the Camden County Commission. The request must be received by the Camden County Commission within ten (10) days of the suspension. The Camden County Commission shall conduct any request hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Circuit Court of Camden County, Missouri, in accordance with Chapter 536 of the Revised Statutes of Missouri.
- R. Revocation.
- 1) A permit to operate may be revoked for serious or repeated violations of any of the requirements of this Code. A permit to operate shall be revoked only after the Permit Holder has been given written notice for a proposed revocation and has been afforded the opportunity for a hearing before the Camden County Commission. The notice shall be hand delivered to the Permit Holder or an agent of the Permit Holder or shall be mailed to the address shown on the Permit Holder's application or to the last known address of the Permit Holder.
 - 2) A Permit Holder whose permit to operate is proposed to be revoked and who desires a hearing must be given written notice of a request for hearing to the Camden County Commission within ten (10) days of the receipt of the notice of proposed revocation. A permit to operate may be suspended pending a hearing on the proposed revocation. The Camden County Commission shall conduct any requested hearing in accordance with the requirements of Chapter 536 of the Revised Statutes of Missouri. An appeal from the decision of the Camden County Commission may be made to the Camden County Circuit Court in accordance with Chapter 536 of the Revised Statutes of Missouri.

Section 4: Fees

- 1) Food Establishments shall pay an annual inspection/permit fee based on public health priority according to the following schedule:

- | | |
|--------------------|----------|
| a) High Priority | \$150.00 |
| b) Medium Priority | \$100.00 |
| c) Low Priority | \$50.00 |

Facilities operating more than one food service establishment must obtain an operating permit for each establishment.

- 2) The annual fee shall be paid to the permit administrator when the application for operating permit is submitted or the permit is renewed.
- 3) Food Establishment shall pay an administrative service fee per inspection for the second and subsequent re-inspections required to correct violations noted during the inspection process. The fees shall be as follows: 2nd re-inspection is \$100.00, 3rd re-inspection is \$200.00, 4th re-inspection is \$400.00. The fee will double accordingly. The administrative service fee shall be paid to the Permit administrator prior to reissuance of any operating permit.
- 4) Persons conducting a temporary food event (an event lasting less than fifteen (15) days) shall pay a permit fee of Twenty Five (\$25.00) Dollars. Non-profit organizations shall not be charged a fee for temporary food events. The fee shall be paid to the Permit administrator prior to receipt of the operating permit.
- 5) Business owners will be allowed one (1) non-permitted "Customer Appreciation Day" event annually. The owner must be in compliance with applicable regulations and post appropriate signage stating the food has not been inspected by the Regulatory Authority.

Section 5: Penalty.

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment (not exceeding three (3) months) or by both such fine and imprisonment. Each day that a violation continued is a separate offense.

Section 6: Effective Date: Severability

This ordinance shall be in full force and effect from and after its passage and approval. The provisions of the Ordinance are severable as provided in Section 1.140 RSMo.

Section 7: Repeal

All ordinances or parts of ordinances in effect that are in conflict with this Ordinances are hereby repealed upon the adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 28th day of January, 2021.

Greg Hasty, Presiding Commissioner James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk Charles McElyea, County Attorney

ORDINANCE NO 4-15-21

AN ORDINANCE OF CAMDEN COUNTY, MISSOURI RESTATING AND ESTABLISHING RATES FOR 2021 FOR CUSTOMERS OF NORMAC ESTATES SEWER DISTRICT, CAMELOT ESTATES SEWER DISTRICT AND SUNNY SLOPE SEWER DISTRICT ALL OF CAMDEN COUNTY, MISSOURI

WHEREAS, in accordance with the Ordinances of Camden County, Missouri, governing establishment of sewer rates for the customers of Normac Estates Sewer District, Camelot Estates Sewer District, Sunny Slope Sewer District all of Camden County, Missouri, the Camden County Commission of Camden County sitting in its capacity as Governing Body for said Sewer Districts, review sewer rates for said Districts and sets the sewer rates in an amount sufficient to cover operation and maintenance and replacement funds; and

WEHREAS, the Camden County Commission has reviewed the balances in the various accounts for the Normac Estates Sewer District, Camelot Estates Sewer District and Sunny Slope Sewer District and reviewed the anticipated costs and expenses for said Sewer Districts and has determined the rates for the upcoming year.

NOW THEREFORE,

Section 1: Sewer Rates. The sewer rates for each of the following Sewer Districts within Camden County are hereby set and established as follows:

A. Normac Estates:

1. Seventy-Three (\$73.00) Dollars per months per individual residence.
2. One Hundred Twenty-Five (\$125.00) Dollars per months for each commercial user.
3. The annual deposits for debt service will be \$19,320.00 each year.
4. The annual deposits to the replacement and extension account will be \$1,944.00 for the life of the loan.

B. Camelot Estates:

1. Seventy-Three (\$73.00) Dollars per month per individual living unit and residence.
2. One Hundred Twenty-Five (\$125.00) Dollars per month for each commercial user.
3. The annual deposits for debt service reserve account will be \$272,568.00 each year.
4. The annual deposits to the debt service reserve account will be \$27,660.00 per year until fully funded.
5. The annual deposits to the replacement and extension account will be \$27,660.00 for the life of the loan.

C. Sunny Slope:

1. Fifty-Four (\$54.00) Dollars per month per individual residence.
2. One Hundred Twenty-five (\$125.00) Dollars per month for each commercial user.

3. The annual deposits for debt service will be \$84,012.00 per year.
4. The annual deposits to the replacement and extension account will be \$8,820.00 for the life of the loan.

Section 2: Effective Date. The sewer rates set forth in Section 1 will become effective on September 1, 2021, and shall remain in full force and effect until changes or modifications are made by the Camden County Commission.

Section 3: Sewer Ordinances. All prior Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed and the Ordinances governing the Normac Estates Sewer District, Camelot Estate Sewer District and Sunny Slope Sewer District not in conflict with this Ordinance shall remain in full force and effective and be binding.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, acting in its capacity as the Governing Body of Normac Estates Sewer District, Camelot Estates Sewer Districts, Sunny Slope Sewer District all of Camden County, Missouri, on the 15th Day of April, 2021.

Camden County, Missouri

Greg Hasty, Presiding Commissioner

Rowland Todd, County Clerk

James Gohagan, 1st District Commissioner

Charles E McElyea, County Attorney

Don Williams, 2nd District Commissioner

ORDINACNE NO 4-15-21

AN ORDINANCE ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE STANDARD FOR INCIDENT MANAGEMENT BY THE COUNTY OF CAMDEN, MISSOURI.

WHEREAS, on February 29, 2003, the President issued Homeland Security Presidential Directive (HSPD)-5 that directed the Department of Homeland Security, in cooperation with representatives of federal, state, and local government, to develop a National Incident Management System (NIMS) to provide a consistent approach to the effective management of situations involving natural disasters, man-made disasters or terrorism; and

WHEREAS, the final NIMS was released on March 1, 2004, and

WHEREAS, the NIMS contains a practice model for the accomplishment of the significant responsibilities associated with the prevention, preparedness, response, recovery, and mitigation of all major and national hazards situations, and

WHEREAS, the HSPD-5 requires that state and local governments adopt the NIMS by fiscal year 2005 as a precondition to the receipt of federal grants, contract and activities related to the management and preparedness for certain disaster and hazard situations; and

WHEREAS, The Commission for the County of Camden, Missouri does so desire to adopt the NIMS as required by HSPD-5.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI

Hereby adopts the National Management system dated March 1, 2004. READ AND APPROVED on this 15th day of April, 2021.

Greg Hasty, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

ORDINANCE NO 4-29-21

CALLING AND PROVIDING FOR THE HOLDING OF AN ELECTION IN THE COUNTY OF CAMDEN ON THE DAY OF AUGUST 03, 2021, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF CAMDEN COUNTY A PROPOSAL TO IMPOSE A COUNTYWIDE SALES TAX OF ONE QUARTER OF ONE PERCENT FOR THE PURPOSE OF PROVIDING FUND FOR PUBLIC SAFETY, IN ADDITION TO ALL OTHER SALES TAXED PRESENTLY LEVIED; AND IMPOSING SAID SALED TAX CONDITIONAL UPON APPROVAL OF THE PROPOSAL AND ESTABLISHING FUTRE BUDGET GUIDELINES FOR THE CAMDEN COUNT SHERIFF'S DEPARTMENT.

BE IT ORDAINED BY THE COUNTY COMMISSION OF CAMDEN COUNTY, MISSOURI, AS FOLLOWS:

Section 1: In addition to all other sales taxes presently levied, and conditional upon approval of the proposition set out in Section 3 at the election called pursuant to Section 2, a sales tax is hereby imposed pursuant to Section 67.547 RSMo., upon all sales in Camden County that are subject to taxation under Sections 144.010 to 1447.525 RSMo., for the purpose of providing funds to improve law enforcement and public safety.

Section 2: An election shall be and the same is hereby called and ordered to be held in the County of Camden on the third day of August 2021, for the purpose of submitting to the qualified voters of Camden County for adoption or rejection proposal to allow Camden County to impose a countywide tax of one-quarter of one percent as set forth in Section 1 of this ordinance.

Section 3: For the purposes of this ordinance, the phrase "Improving public safety" shall be limited to expenditures for the Camden County Sheriff's Department to include without limitations, providing funds for law enforcement operating expenses and capital improvement projects, equipment, additional personnel, personnel expenses and facilities for Sheriff's deputies, dispatch and related emergency services.

Section 4: The following question is hereby submitted to the qualified voters of Camden County and shall be voted upon at an election to be held as hereinbefore provided. The question shall be in substantially the following form:

Shall the county of Camden County, Missouri impose a countywide sales tax of one-quarter of one percent (1/4 of 1%) for the purpose of providing law enforcement services for the county, including without limitations, providing funds for the sheriff's department law enforcement operating expenses and capital improvement projects, equipment, additional personnel, personnel expenses and facilities for sheriff's deputies, dispatch and related emergency services.

☐ yes

☐ no

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Section 5: The Camden County Clerk of Camden County, Missouri, shall, within ten days of the adoption of this ordinance, forward a certified copy thereof to the Missouri Director of Revenue by United States registered or certified mail. The Presiding Commissioner of Camden County, Missouri shall further certify the enactment of this Ordinance to the Election Authority (County Clerk) of Camden County, and shall give notice of the election in the manner provided by Section 115.125 RSMo.

Section 6: If the within tax proposition is passed receipts from the tax will be budgeted for expenditure in 2022 and can only be spent when collected and received by Camden County.

Section 7: If the tax referred to herein is passed by the voters of Camden County, Missouri, the Sheriff's Department budget amount for 2021 shall be set as a base budget amount which cannot be reduced in future years unless County income revenue declines and then the base budget amount can only be reduced by the same percentage as the decline in County income revenue. The base budget amount will be reviewed each year during the budget process to determine if it should and can be increased to take into account increases in County revenue. It is the intent of this Ordinance that the within law enforcement tax be an amount over and above the base budget amount to be used by the Sheriff's Department in addition to the base budget amount.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 29th day of April, 2021.

Rowland Todd, County Clerk

Charles E McElyea, County Attorney

Camden County Commission

Greg Hasty Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

ORDINANCE NO. 12-14-21

AN ORDINANCE OF THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI, APPROVING A FUNDING AGREEMENT, CONVENING THE TAX INCREMENT FINANCING COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI, AND AUTHORIZING CERTAIN ACTIONS AND CONNECTED THEREWITH.

WHEREAS, Peninsula Development, LLC (the “Developer”) proposes to redevelop approximately 100 acres located west of Highway KK in Camden County, Missouri (the “Area”); and

WHEREAS, the Developer has requested that the County consider the use of economic development incentives, including but not limited to tax increment financing, to fund a portion of the costs of redeveloping the Area; and

WHEREAS, the County is willing to consider the use of incentives if the Developer advances funds to pay the County’s costs of exploring the incentives; and

WHEREAS, the County has heretofore created the Tax Increment Financing Commission of the County of Camden, Missouri (the “TIF Commission”); and

WHEREAS, the County Commission desires to convene the TIF Commission with respect to the Developer’s project;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAMDEN, MISSOURI, AS FOLLOWS:

Section 1. The County is authorized to enter into, and the Presiding Commission is authorized to execute, the Preliminary Funding Agreement attached as **Exhibit A** hereto (the “Funding Agreement”), whereby the Developer will fund certain costs expected to be incurred by the County relating to the potential development of the Area. The appropriate office of the County is hereby directed and authorized to deposit any and all funds received pursuant to the Funding Agreement into a special escrow account and to disburse such funds in accordance with the Funding Agreement.

Section 2. The TIF Commission is hereby convened to consider a project for the development of the Area. The County’s staff and consultants are hereby directed and authorized to contact the applicable taxing districts to request appointments to the TIF Commission and to take all actions necessary or desirable to schedule meetings of the TIF Commission for the purpose of considering such project.

Section 3. The County shall, and the officers, agents and employees of the County are hereby authorized and directed to, take such further action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage by the County Commission.

PASSES THIS 14 DAY OF DECEMBER, 2021.

Greg Hasty, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE NO. 08-25-22

TIF Ordinance & Redevelopment Agreement Review – The Commission discussed and reviewed the Preliminary Funding Agreement of December 14, 2021. This was an agreement between Camden County and the Peninsula Development, LLC. The Commission determined that the conditions of the agreement had not been met. Commissioner Gohagan made a motion to terminate the Preliminary Funding Agreement. Commissioner Hasty seconded the motion. The motion passed by vote: Commissioner Williams (Yes) and Commissioner Gohagan (Yes).

ORDINANCE NO. 06-16-22-01

AN ORDINANCE AUTHORIZING CAMDEN COUNTY, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO FINANCE THE COSTS OF MAKING VARIOUS CAPITAL IMPROVEMENTS TO ITS COURTHOUSE FACILITIES; AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, Camden County, Missouri (the "County"), desires to obtain funds to make various capital improvements to its courthouse facilities, including renovating internal and external structures and installing new HVAC, plumbing and lighting equipment (the "Project"); and

WHEREAS, the County finds and determines that it is advantageous and in the best interests of the County to authorize the delivery of Certificates of Participation (Camden County, Missouri, Lessee), Series 2022 (the "Certificates"), for the purpose of providing funds to (a) pay the costs of the Project and (b) pay the costs of executing and delivering the Certificates; and

WHEREAS, to facilitate the foregoing and to pay the costs thereof, it is necessary and desirable for the County to take the following actions:

A) Enter into an annually-renewable Lease Purchase Agreement (the "Lease") with Security Bank of Kansas City, as frustee (the "Trustee"), pursuant to which the County will lease a portion of the Project consisting of certain personal property (the "Equipment") on a year-to-year basis from the Trustee with an option to purchase the Trustee's interest in the Equipment, in substantially the form attached as Exhibit A;

B) Approve a Declaration of Trust (the "Declaration of Trust") by the Trustee, pursuant to which the Certificates. will be executed and delivered, in substantially the form attached as Exhibit B;

C) Approve an Official Statement with respect to the Certificates, to be in substantially the same form as the Preliminary Official Statement with respect to the Certificates, in substantially the form attached as Exhibit C (the "Preliminary Official Statement" and as supplemented and amended, the "Official Statement");

D) Execute a Continuing Disclosure Undertaking (the "Continuing Disclosure Undertaking"), pursuant to which the County will agree to provide certain financial information, operating data and notices of certain enumerated events with respect to the Certificates, in substantially the form attached as Exhibit D;

E) Enter into a Tax Compliance Agreement (the "Tax Compliance Agreement") with the Trustee, which sets forth certain representations, facts, expectations, terms and conditions relating to the use and investment of the proceeds of the Certificates to establish and maintain the exclusion of the Interest Portion of Basic Rent (as defined in the Lease) represented by the Certificates from gross income for federal income tax purposes and to provide guidance for

complying with the arbitrage rebate provisions of §148(f) of the Internal Revenue Code, in substantially the form attached as Exhibit E; and

F) Enter into a Certificate Purchase Agreement (the "Certificate Purchase Agreement") by and among the County, the Trustee and D.A. Davidson & Co., as Underwriter (the "Underwriter"), pursuant to which the County will sell the Certificates to the Underwriter, in substantially the form attached as Exhibit F.

The Lease, the Continuing Disclosure Undertaking, the Tax Compliance Agreement and the Certificate Purchase Agreement are referred to together herein as the "County Documents." Capitalized terms used herein and not otherwise defined herein have the meanings assigned to such terms in the Declaration of Trust; and

WHEREAS, the County Commission finds and determines that it is necessary and desirable in connection with the lease of the Equipment and the delivery of the Certificates that the County enter into certain documents and that the County take certain other actions and approve the execution of certain other documents as herein provided;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF CAMDEN COUNTY, MISSOURI, AS FOLLOWS:...

Section 1. Approval of Sale and Delivery of the Certificates.

- (a) The County hereby approves the sale of the Certificates for the purposes set forth in the recitals hereto so long as the sale parameters set forth in Exhibit G (the "Sale Parameters") are satisfied. Upon satisfaction of the Sale Parameters, the Presiding Commissioner is hereby authorized to, without any further authorization or direction from the County Commission, (1) approve the purchase price for the Certificates, the principal amounts by maturity, the interest rates, the prepayment provisions and the other final terms of the Certificates and (2) execute a Final Terms Certificate, in substantially the form attached as Exhibit H. The Certificates shall be sold to the Underwriter at the purchase price and upon the terms provided in the Certificate Purchase Agreement.
- (a) (b) The Certificates shall be delivered and secured pursuant to the Declaration of Trust. Delivery of the Certificates shall occur as soon as practicable after the approval of this Ordinance and upon payment for the Certificates in accordance with the terms of the sale as provided in the Certificate Purchase Agreement. The Certificates shall be in such denominations, shall be in such forms, shall have such other terms and provisions and shall be executed and delivered in such manner subject to such provisions, covenants and agreements as are set forth in the Declaration of Trust.

Section 2. Limited Obligations. The obligation of the County to pay Basic Rent under the Lease is subject to annual appropriation and shall constitute a current expense of the County and shall not in any way be construed to be an indebtedness or liability of the County in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness or liability by the County, nor shall anything contained in the Lease constitute a pledge of the general tax revenues,

funds or moneys of the County, and all provisions of the Lease shall be construed so as to give effect to such intent.

Section 3. Authorization and Approval of County Documents and Declaration of Trust. The County Documents and the Declaration of Trust are hereby approved-in substantially the forms attached to this Ordinance, with such changes therein as shall be approved by the Presiding Commissioner. The Presiding Commissioner's execution of the County Documents shall be conclusive evidence of such approval. The Presiding Commissioner is hereby authorized and directed to execute and deliver the County Documents on behalf of and as the act and deed of the County. The County Clerk is hereby authorized to attest to and affix the seal of the County to the County Documents.

Section 4. Approval of Official Statement.

A) The Preliminary Official Statement and the final Official Statement are hereby authorized and approved, in such form as shall be approved by the Presiding Commissioner, said person's execution thereof to be conclusive evidence of the approval thereof, and the public distribution of the final Official Statement by the Underwriter is in all respects hereby authorized and approved. The Presiding Commissioner is hereby authorized and directed to execute and deliver the final Official Statement on behalf of and as the act and deed of the County.

B) For the purpose of enabling the Underwriter to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the County hereby deems the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by the Rule, and the Presiding Commissioner is hereby authorized, if requested, to provide the Underwriter a letter or certification to such effect and to take such other actions or execute such other documents as such officer in his reasonable judgment deems necessary to enable the Underwriter to comply with the requirements of the Rule.

Section 5. Further Authority. The County shall, and the officials and agents of the County are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, carry out, comply with and perform the duties of the County with respect to the delivery of the Certificate and make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed, which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 6. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the County Commission.

APPROVED by the County Commission of Camden County, Missouri, this June 14, 2022.

Greg Hasty, Presiding Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

ORDINANCE NO. 01-24-2023-01

AN ORDINANCE ADOPTING A CAMDEN COUNTY SALES TAX ON TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA AND ORDERING THE SUBMISSION OF A BALLOT QUESTION TO THE VOTERS OF CAMDEN COUNTY, MISSOURI AUTHORIZING THE IMPOSITION OF A COUNTY SALES TAX PURSUANT TO ARTICLE XIV, SECTION 2, 6 (5) OF THE MISSOURI CONSTITUTION.

WHEREAS, Article XIV, Section 2, 6 (5) of the Missouri Constitution, authorizes the governing body of a county to impose a county sales tax on all tangible personal property retail sales of adult use marijuana sold in such political subdivision; and

WHEREAS, Article XIV, Section 2, 6 (5) provides that the tax authorized by said section shall be in addition to any and all other sales tax allowed by law, except that no ordinance or order imposing a sales tax shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax; and

WHEREAS, the County Commission of Camden County, Missouri, has determined and does now find and determine that a ballot question shall be submitted to the voters of the county to authorize imposition of a county sales tax on all tangible personal property retail sales of adult use marijuana sold in Camden County for the purpose of funding Camden County road and bridge maintenance and repair budget; and

WHEREAS, the County Commission desires to submit a proposal in the form of a ballot question to the voters of Camden County, Missouri, at the MUNICIPAL election, to be held on April 4, 2023 authorizing the County Commission of Camden County, Missouri, to impose a county sales tax of three percent (3%) pursuant to Article XIV, Section 2, 6 (5) of the Missouri Constitution; and

WHEREAS, in the event a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the county sales tax which is the subject of this Order shall be imposed and in force and effect.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF Camden County, MISSOURI, AS FOLLOWS:

1) **Order of County Commission – Sales Tax.** The Camden County Commission hereby orders submission of the following ballot question to the voters of Camden County, Missouri, at the MUNICIPAL election, to be held April 4, 2023], to authorize the County Commission to impose a county sales tax pursuant to Article XIV, Section 2, 6 (5) of the Missouri Constitution:

COUNTY SALES TAX

"Shall Camden County, Missouri impose a countywide sales tax of three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in Camden County, Missouri, for the purpose of funding Camden County road and bridge maintenance and repair budget."

☐ YES

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2) Notice and Publication. The Camden County Commission requests the County Clerk, and the County Clerk is authorized and directed to take all actions necessary and appropriate to provide proper notice of election and publication of the notice of election regarding the ballot question described in paragraphs 1, above.

3) Conduct of Election. The election shall be held and conducted by the County Clerk of Camden County, Missouri, under the general election laws governing the County, on . April 4, 2023, at the polling places designated, or hereafter designated for each precinct in the County by order or orders of the County Clerk of Camden County, Missouri, and that the polls of the election shall be opened and kept open on that day during the hours required by law. The election shall be conducted by the judges and clerks appointed or to be appointed by the County Clerk of Camden County, Missouri, who shall supply the judges and clerks with all necessary voting equipment, machines, ballot boxes, poll books, tally sheets, and other supplies and equipment required for the conduct of the election, and that the ballot to be used in voting upon the proposition shall be in substantially the form set forth in paragraph 1 , above.

4) Legal Effect. This Order shall be in full force and effect from and after its passage. In the event a majority of the votes cast on the proposal described in paragraph I by the qualified voters voting thereon are in favor of the proposal, then the county sales tax which is the subject of this Order shall be imposed and in effect.

By order of the County Commission of Camden County, Missouri this 24th day of January, 2023

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor

ORDINANCE NO. 03-28-2023

**AN ORDINANCE ADOPTING THE HOURS OF OPERATION
FOR THE MACKS CREEK COMMUNITY PARK**

WHEREAS, the Macks Creek Community Park is owned by Camden County, Missouri; and

WHEREAS, Camden County, Missouri and the Macks Creek Community Park Board, a non-profit corporation incorporated under the laws of the State of Missouri, entered into a Lease Agreement for the operation, maintenance and repair of the Macks Creek Community Park; and

WHEREAS, the County Commission of Camden County, Missouri, desires to establish and set hours of operation for the Macks Creek Community Park;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF Camden County, MISSOURI, AS FOLLOWS:

The Hours of Operation of the Macks Creek Community Park shall be from Sunrise to 11:00 p.m., same to apply to every day of the year, including weekends, and holidays.

The Macks Creek Community Park Board is further allowed to post any and all signs indicating the Hours of Operation and to close or otherwise restrict use of the Macks Creek Community Park to the Hours of Operation as they determine for the safety of the general public.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 28th day of March, 2023.

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor

ORDINANCE NO. 09-7-2023

AN ORDINANCE PROVIDING FOR REAL ESTATE TAX CREDIT FOR QUALIFIED PERSONS OF CAMDEN COUNTY, MISSOURI UNDER THE AUTHORITY GRANTED IN SECTION 137.1050 RSMO.

WHEREAS, the Missouri legislature passed and the Governor signed Senate Bill 190 (SB 190), codified as Section 137.1050, RSMO; and

WHEREAS, RSMO 137.1050 became effective on August 28, 2023; and

WHEREAS, RSMO 137.1050 authorizes a county to grant a property tax credit to eligible taxpayers residing in such county if a county adopts an ordinance authorizing such credit; and

WHEREAS, pursuant to RSMO 137.150, the County Commission of Camden County, Missouri desires to establish and create a tax credit for a certain eligible taxpayers within Camden County;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF CAMDEN COUNTY, MISSOURI AS FOLLOWS:

Section 1. Definitions. For purpose of the within Ordinance, the Following definitions shall be applied, although the following definition shall not be considered exclusions definition:

1. **Camden County Residents**: An individual who maintains his/her DOMICILE in Camden County, Missouri. An individual shall not qualify as a CAMDEN COUNTY RESIDENT if the individual; (1) maintains a permanent place of abode, domicile or permanent residence elsewhere, or (2) spends, in the aggregate, less than one-hundred eighty days of the taxable year in Camden County, Missouri.

2. **Domicile**: A person domiciled in Camden County Missouri is one who resides in Camden County, not for a mere special or temporary purpose, but with the intent to remain in Camden County as a permanent place or abode or for an indefinite time which may be demonstrated by ownership of a residence in Camden County; and

a. Files a Missouri State Income Tax Return with an address of the HOMESTEAD in Camden County, Missouri;

Or

b. Is issued a Missouri Driver's License with an address of the HOMESTEAD in Camden County, Missouri;

Or

c. Is a registered voter at the address of the HOMESTEAD in Camden County, Missouri;

Or

d. Receives public assistance from the State of Missouri or other governmental agency with an address on file with said public entity of the HOMESTEAD in Camden County, Missouri;

Or

e. Receives Social Security benefits with an address on file of the HOMESTEAD in Camden County, Missouri;

Or

f. Receives other retirement or similar benefits with and address on file of the HOMESTEAD in Camden County, Missouri.

3. **EFFECTIVE DATE:** The later of January 1, 2024 of the date the individual became an ELIGIBLE TAXPAYER.

4. **ELIGIBLE CREDIT AMOUNT:**

a. The difference between an ELIGIBLE TAXPAYER'S real estate tax liability on such taxpayer's HOMESTEAD for the tax year in which an Application for Eligible Taxpayer Tax Credit is received, minus the real property tax liability on such HOMESTEAD as of the VALUATION DATE.

b. In the event the current TAX YEAR tax liability is less than the liability calculated using the VALUATION DATE, the ELIGIBLE CREDIT AMOUNT shall be zero (\$0.00)

5. **ELIGIBLE TAXPAYER:** A CAMDEN COUNTY RESIDENT who:

a. Is of an age eligible to receive "old-age insurance benefits" (Social Security retirement benefits, currently age 62) as identified by 42 USC 415, or older;

And

b. Is an owner of record of a HOMESTEAD or has a legal or equitable interest in such property as evidenced by written instrument (i.e. Grantor/Settlor of a revocable trust);

And

c. Is liable for the payment of real property taxes on such HOMESTEAD.

In the event the subject real estate is held by more than 1 taxpayer, only one person may claim the ELIGIBLE CREDIT AMOUNT.

Real estate owned by an entity other than an individual person shall not be qualified for the ELIGIBLE CREDIT AMOUNT. Notwithstanding anything herein to the contrary, any person who is the Grantor/Settlor of a Trust and concurrently the Trustee of said Trust, and meets all other requirements herein, shall be considered an ELIGIBLE TAXPAYER.

6. **HOMESTEAD:** Real estate occupied by a CAMDEN COUNTY RESIDENT. AN ELIGIBLE TAXPAYER shall not claim more than one HOMESTEAD. A HOMESTEAD shall consist of the physical structure on the real estate surrounded by a reasonable amount of land as determined by the Camden County Assessor as residential real estate. All remaining real estate shall not qualify as HOMESTEAD.

7. **MAJOR REMODELING:** Any improvement, expansion, addition or other change to the HOMESTEAD that increases the assessed value of the property by 50% or more.

8. **TAX CREDIT:** A credit for the taxpayer on his/her annual Real Estate Tax Statement for any ELIGIBLE CREDIT AMOUNT.

9. **TAX YEAR:** The year in which a tax liability has been assessed on a HOMESTEAD.

10. **VALUATION DATE:** The later of;

a. August 28, 2023;

Or

b. January 1 of the year the individual became an ELIGIBLE TAXPAYER;

Or

c. January 1 of the year the ELIGIBLE TAXPAYER purchased the HOMESTEAD;

Or

d. The date the HOMESTEAD was reassessed due to MAJOR REMODELING or improvement to the HOMESTEAD.

Section 2. PROPERTY TAX CREDIT:

1. Upon Filing of an Application for Eligible Taxpayer Tax Credit and being approved and accepted by the Camden County Collector, an ELIGIBLE TAXPAYER shall receive a TAX CREDIT for the ELIGIBLE CREDIT AMOUNT toward payment of his/her real property tax assessment for the tax year in which an Application for Eligible Taxpayer Tax Credit is received.

2. In determining the ELIGIBLE CREDIT AMOUNT, the real property tax liability on such HOMESTEAD as of the VALUATION DATE shall use all tax levies and assessed real property values for the HOMESTEAD as of the VALUATION DATE.

3. An Application for Eligible Taxpayer Tax Credit must be filed with the Camden County Collector by June 30 of each year and ELIGIBLE TAXPAYER wishes to receive the ELIGIBLE CREDIT AMOUNT as a TAX CREDIT. If an Application for Eligible Taxpayer Tax Credit is not timely received, no TAX CREDIT shall be allowed for that TAX YEAR. Any TAX CREDIT and ELIGIBLE TAXPAYER may be eligible for is considered abandoned if not applied for with the Tax Year associated with said ELIGIBLE CREDIT AMOUNT.

4. Any TAX CREDIT granted by the Camden County Collector shall be noted on the statement of tax due sent to the ELIGIBLE TAXPAYER.

Section 3. GENERAL:

1. An Application for Eligible Taxpayer Tax Credit must be filed for each TAX YEAR in which TAX CREDIT is requested. Said Application must be attested to and the information contained therein sworn to under penalty of law.

2. At no time shall a credit, refund, or other compensation be available for any abandoned TAX CREDIT for previous tax years in which an Application for Eligible Taxpayer Tax Credit was not filed.

3. For years in which a TAX CREDIT is applied, disbursement of taxes received by the Camden County Collector shall be calculated using the tax levies applicable when establishing the ELIGIBLE CREDIT AMOUNT.

4. Each Camden County elected official shall be authorized and empowered to adopt such rules and procedures as are necessary in order to carry out and implement the provisions of the Order and Ordinance and to develop and require such documents, applications and instruments as may be necessary or desirable to permit the application for the tax credits authorized herein, and to carry out, comply with and perform the requirements of the provisions set forth in this Order and Ordinance.

Section 4. PENALTY:

1. Any person submitting an Application for Eligible Taxpayer Tax Credit, if found falsifying any information on said Application, is subject to criminal prosecution, including but not limited to, prosecution for perjury, falsifying records, stealing by deceit, or other crimes as may be identified by law enforcement officials of this county or state.

2. Any person who pleads guilty or is convicted of violating any of the provisions of this Ordinance, or pleads guilty or is convicted of any crime associated with filing the Application for Eligible Taxpayer Tax Credit pursuant to this Ordinance, shall not qualify as an ELIGIBLE TAXPAYER for any future TAX CREDIT in Camden County.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 7th day of September, 2023

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor

ORDINANCE NO. 09-7-2023-A

Amendment to Ordinance 9-7-23

AN ORDINANCE PROVIDING FOR REAL ESTATE TAX CREDIT FOR QUALIFIED PERSONS OF CAMDEN COUNTY, MISSOURI UNDER THE AUTHORITY GRANTED IN SECTION 137.1050 RSMO.

WHEREAS, the Missouri legislature passed and the Governor signed Senate Bill 190 (SB 190), codified as Section 137.1050, RSMO; and

WHEREAS, RSMO 137.1050 became effective on August 28, 2023; and

WHEREAS, RSMO 137.1050 authorizes a county to grant a property tax credit to eligible taxpayers residing in such county if a county adopts an ordinance authorizing such credit; and

WHEREAS, the Camden County Commission passed Ordinance 9-7-23 establishing a Real Estate Tax Credit pursuant to RSMO 137.1050: and

Whereas, the Missouri legislature Amended RSMO 137.1050 clarifying some terms of the previously enacted RSMO 137.1050, which became effective August 28, 2024; and

Whereas, Camden County Commission wishes to amend its Ordinance 9-7-23 to reflect the modifications to RSMO 137.1050;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF CAMDEN COUNTY MISSOURI, THAT ORDINANCE 9-7-23 IS AMENDED IN ITS ENTIRETY AS FOLLOWS:

Section 1. Definitions. For purpose of the within Ordinance, the following definitions shall be applied, although the following definition shall not be considered exclusions definition:

1. **Camden County Residents**: An individual who maintains his/her DOMICILE in Camden County, Missouri. An individual shall not qualify as a CAMDEN COUNTY RESIDENT if the individual; (1) maintains a permanent place of abode, domicile or permanent residence elsewhere, or (2) spends, in the aggregate, less than one-hundred eighty days of the taxable year in Camden County, Missouri.

2. **Domicile**: A person domiciled in Camden County Missouri is one who resides in Camden County, not for a mere special or temporary purpose, but with the intent to remain in Camden County as a permanent place or abode or for an indefinite time which may be demonstrated by ownership of a residence in Camden County; and

a. Files a Missouri State Income Tax Return with an address of the HOMESTEAD in Camden County, Missouri;

Or

b. Is issued a Missouri Driver's License with an address of the HOMESTEAD in Camden County, Missouri;

Or

c. Is a registered voter at the address of the HOMESTEAD in Camden County, Missouri;

Or

d. Receives public assistance from the State of Missouri or other governmental agency with an address on file with said public entity of the HOMESTEAD in Camden County, Missouri;

Or

e. Receives Social Security benefits with an address on file of the HOMESTEAD in Camden County, Missouri;

Or

f. Receives other retirement or similar benefits with and address on file of the HOMESTEAD in Camden County, Missouri.

3. **EFFECTIVE DATE:** The later of January 1, 2024 of the date the individual became an ELIGIBLE TAXPAYER.

4. **ELIGIBLE CREDIT AMOUNT:**

a. The difference between an ELIGIBLE TAXPAYER'S real estate tax liability on such taxpayer's HOMESTEAD for the tax year in which an Application for Eligible Taxpayer Tax Credit is received, minus the real property tax liability on such HOMESTEAD as of the VALUATION DATE.

b. In the event the current TAX YEAR tax liability is less than the liability calculated using the VALUATION DATE, the ELIGIBLE CREDIT AMOUNT shall be zero (\$0.00).

5. **ELIGIBLE TAXPAYER:** A CAMDEN COUNTY RESIDENT who:

a. Is a United States Citizen or has legal status in the United States;

And

b. Is 62 years of age or older;

c. Is an owner of record of a HOMESTEAD or has a legal or equitable interest in such property as evidenced by written instrument (i.e. Grantor/Settlor of a revocable trust);

And

d. Is liable for the payment of real property taxes on such HOMESTEAD. In the event the subject real estate is held by more than 1 taxpayer, only one person may claim the ELIGIBLE CREDIT AMOUNT.

Real estate owned by an entity other than an individual person shall not be qualified for the ELIGIBLE CREDIT AMOUNT. Notwithstanding anything herein to the contrary, any person who is the Grantor/Settlor of a Trust and concurrently the Trustee of said Trust, and meets all other requirements herein, shall be considered an ELIGIBLE TAXPAYER.

6. **HOMESTEAD:** Real estate occupied by a CAMDEN COUNTY RESIDENT. AN ELIGIBLE TAXPAYER shall not claim more than one HOMESTEAD. A HOMESTEAD shall consist of the physical structure on the real estate surrounded by a reasonable amount of land as determined by the

Camden County Assessor as residential real estate. All remaining real estate shall not qualify as HOMESTEAD.

7. **REMODELING:** Any improvement, expansion, addition or other change to the HOMESTEAD that increases the assessed value of the property.

8. **TAX CREDIT:** A credit for the taxpayer on his/her annual Real Estate Tax Statement for any ELIGIBLE CREDIT AMOUNT.

9. **TAX YEAR:** The year in which a tax liability has been assessed on a HOMESTEAD.

10. **VALUATION DATE:** The later of;

a. August 28, 2023;

Or

b. January 1 of the year the individual became and ELIGIBLE TAXPAYER;

Or

c. January 1 of the year the ELIGIBLE TAXPAYER purchased the HOMESTEAD;

Or

d. The date the HOMESTEAD was reassessed due to REMODELING or Improvement to the HOMESTEAD.

Section 2. PROPERTY TAX CREDIT:

1. Upon Filing of an Application for Eligible Taxpayer Tax Credit and being approved and accepted by the Camden County Assessor, an ELIGIBLE TAXPAYER shall receive a TAX CREDIT for the ELIGIBLE CREDIT AMOUNT toward payment of his/her real property tax assessment for the tax year in which an Application for Eligible Taxpayer Tax Credit is received.

2. In determining the ELIGIBLE CREDIT AMOUNT, the real property tax liability on such HOMESTEAD as of the VALUATION DATE shall use all tax levies and assessed real property values for the HOMESTEAD as of the VALUATION DATE.

3. An Application for Eligible Taxpayer Tax Credit must be filed with the Camden County Assessor by June 30 of each year and ELIGIBLE TAXPAYER wishes to receive the ELIGIBLE CREDIT AMOUNT as a TAX CREDIT. If an Application for Eligible Taxpayer Tax Credit is not timely received, no TAX CREDIT shall be allowed for that TAX YEAR. Any TAX CREDIT and ELIGIBLE TAXPAYER may be eligible for is considered abandoned if not applied for with the Tax Year associated with said ELIGIBLE CREDIT AMOUNT.

4. Any TAX CREDIT granted by the Camden County Collector shall be noted on the statement of tax due sent to the ELIGIBLE TAXPAYER.

Section 3. GENERAL:

1. An Application for Eligible Taxpayer Tax Credit must be filed for each TAX YEAR in which TAX CREDIT is requested. Said Application must be attested to and the information contained therein sworn to under penalty of law.

2. At no time shall a credit, refund, or other compensation be available for any abandoned TAX CREDIT for previous tax years in which an Application for Eligible Taxpayer Tax Credit was not filed.

3. For years in which a TAX CREDIT is applied, disbursement of taxes received by the Camden County Collector shall be calculated using the tax levies applicable when establishing the ELIGIBLE CREDIT AMOUNT.

4. Each Camden County elected official shall be authorized and empowered to adopt such rules and procedures as are necessary in order to carry out and implement the provisions of the Order and Ordinance and to develop and require such documents, applications and instruments as may be necessary or desirable to permit the application for the tax credits authorized herein, and to carry out, comply with and perform the requirements of the provisions set forth in this Order and Ordinance.

Section 4. PENALTY:

1. Any person submitting an Application for Eligible Taxpayer Tax Credit, if found falsifying any information on said Application, is subject to criminal prosecution, including but not limited to, prosecution for perjury, falsifying records, stealing by deceit, or other crimes as may be identified by law enforcement officials of this county or state.

2. Any person who pleads guilty or is convicted of violating any of the provisions of this Ordinance, or pleads guilty or is convicted of any crime associated with filing the Application for Eligible Taxpayer Tax Credit pursuant to this Ordinance, shall not qualify as an ELIGIBLE TAXPAYER for any future TAX CREDIT in Camden County.

PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri, on the 9th day of September, 2024

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor

ORDINANCE NO. 10-24-2023

EXHIBIT A

SHOW ME PACE COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT ("Cooperative Agreement") is made and entered into by Show Me PACE, a Missouri clean energy development board ("Show Me PACE") and the municipalities of the State of Missouri that, from time to time, may execute this Cooperative Agreement (each, a "Municipality," and together, the "Municipalities").

RECITALS

WHEREAS, on October 24, 2023, the Camden County Commission adopted Ordinance No. 10-24-2023, authorizing participation in Show ME PACE, pursuant to Sections 67.2800 to 67.2835 of the Revised Statutes of Missouri (the "PACE Act"); and

WHEREAS, pursuant to Section 67.2810 of the PACE Act, more than one municipality may form a clean energy development board; and

WHEREAS, clean energy development boards serving more than one municipality are in the best interest of the participating municipalities because it allows for economies of scale and concentrations of expertise that will benefit the approval, financing and installation of energy efficient and renewable energy improvements pursuant to the PACE Act; and

WHEREAS, other municipalities may participate in Show Me PACE by adoption of an ordinance in accordance with the PACE Act and execution of this Cooperative Agreement.

AGREEMENT

NOW THEREFORE, in consideration of each municipality's participation in Show Me PACE, each Municipality hereby agrees as follows:

- 1. Representations.** Each Municipality has taken all legislative actions necessary to approve such Municipality's participation in Show Me PACE.
- 2. Approval of Bylaws.** The current bylaws of Show Me PACE (the "Bylaws") have been provided to the Municipality and the Municipality approves such Bylaws.
- 3. Board of Directors.** The members of the Board of Directors of Show Me PACE shall be appointed in the manner described in the Bylaws.

4. Clean Energy Development Board Powers. Each Municipality agrees that Show Me PACE is authorized to exercise all clean energy development board powers permitted by the PACE Act or other statute within the boundaries of the Municipality.

5. Counterparts. This Cooperative Agreement is intended to be signed in counterparts as Municipalities, from time to time, elect to participate in Show Me PACE. No action from any Municipality already participating in Show Me PACE shall be required for a new Municipality to participate in Show Me PACE.

6. Withdrawal. No Municipality shall withdraw from participation in Show Me PACE if such withdrawal will impact any existing property assessment clean energy financing undertaken by Show Me PACE in the Municipality's boundaries. However, a Municipality may request, in writing, that Show Me PACE no longer undertake clean energy financing in the Municipality's boundaries, and upon receipt of written notice, Show Me PACE shall no longer undertake any clean energy financing in the Municipalities boundaries.

IN WITNESS WHEREOF, Show Me PACE and the Municipalities have caused this Cooperative Agreement to be executed as of the dates shown below:

Date: 10-24-2023

**Camden County, Missouri
Ike Skelton Presiding Commissioner**

ORDINANCE NO. 12-12-23-01

An Ordinance banning Static License Plate Readers in Camden County, Missouri.

Whereas, the County Commission of Camden County Missouri has reviewed numerous complaints about pole mounted cameras otherwise known as Static Automated License Plate Readers and the potential of un warranted/inappropriate monitoring of its citizens freedom of movement and travel in violation of their right of privacy, unreasonable search and seizure and other constitutionally protect rights: and

Whereas, the County Commission of Camden County Missouri desires to establish an Ordinance preventing the use of Static Automated License Plate Readers in the area of the County which it controls;

Now Therefore, Be It Ordained By the County Commission of Camden County, Missouri as Follows:

Section 1. Definitions. For purposes of the within Ordinance, the following definitions shall be applied, although the following definitions shall not be considered exclusive definitions:

- 1. Automated License Plate Readers:** As used in this Ordinance, “Automated License Plate Readers” means a system of one or more high-speed cameras combined with computer software and/or algorithms to convert images of license plates into computer-readable data.
- 2. Static:** As used in this Ordinance, “Static” Means fixed or stationary condition, lacking movement. The typical application of Static is to be affixed to a pole, post, building of other non-movable object.
- 3. Effective Date:** The Effective date of this Ordinance is the date signed below.
- 4. Applicable Restricted Areas:** All roadways, parking lots and other public areas within Camden County, Missouri.
- 5. Exceptions:** Subsection 4 does not apply to cities, towns or villages established pursuant to the Revised Statutes of Missouri. In addition, Subsection 4 does not apply to State Highway, rights of way or other roadways owned and controlled by the State of Missouri.

Section 2. Restriction of Use:

The use of Static Automated License Plate Readers shall be prohibited in the Applicable Restricted Areas of Camden County, Missouri. Any Static Automated License Plate Readers currently in violation of this Ordinance shall be immediately removed. If identification of ownership is listed on any such device, the listed owner shall be notified to remove said device. Any device not removed within 30 days of notification to remove said device may be removed by Order of the Camden County Commission.

**PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri,
on the 12th day of December, 2023**

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Don Williams, 2nd District Commissioner

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor

ORDINANCE NO. 12-23-23-01

Amended

Ordinance Banning License Plate Readers in Camden County, Missouri.

Whereas, the County Commission of Camden County Missouri has received numerous complaints about cameras, otherwise known as Automated License Plate Readers and the potential of unwarranted/inappropriate monitoring of its citizens freedom of movement and travel in violation of their right of privacy, unreasonable search and seizure and other constitutionally protect rights; and

Whereas, the County Commission of Camden County Missouri passed Ordinance 12-12-23-01 to prevent the use of Static Automated License Plate Readers in the areas of the County which it controls; and

Whereas, the County Commission of Camden County Missouri desires to Amend Ordinance 12-12-23-01 to prevent the use of all Automated License Plate Readers in all areas of the County;

Now Therefore, Be It Ordained By The County Commission of Camden County, Missouri As Follows:

Section 1. Definitions. For purposes of the within Ordinance, the following definitions shall be applied, although the following definitions shall not be considered exclusive definitions:

- 1. Automated License Plate Readers:** As used in this Ordinance, “Automated License Plate Readers” means a system of one or more high-speed cameras combined with computer software and/or algorithms to convert images of license plate into computer -readable data.
- 2. Effective Date:** The Effective date of this Ordinance is the date signed below.
- 3. Applicable Restricted Areas:** All roadways, parking lots and other public areas within Camden County, Missouri.

Section 2. Restriction of Use:

The use of any and all Automated License Plate Readers shall be prohibited in all Applicable Restricted Areas of Camden County, Missouri. Any Automated License Plate Readers currently in violation of this Ordinance shall be immediately removed. If identification of ownership is listed on any such device, the listed owner shall be notified to remove said device. Any device not removed within 30 days of notification to remove said device may be removed by Order of the Camden County Commission.

**PASSED, APPROVED AND ADOPTED by the Camden County Commission of Camden County, Missouri,
on the 25th day of January, 2024**

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

Jeffery E. Green, County Counselor

James Gohagan, 1st District Commissioner

ORDINANCE NO. 5-28-24

An Ordinance amending and restating Ordinance No. 6-11-02-1 and establishing a maximum speed limit upon all public county roads and highways within the unincorporated areas of Camden County, Missouri.

Whereas, on the 11th day of June, 2022, the County Commission for Camden County, Missouri, adopted an Ordinance No. 6-11-02-1 which established that a maximum speed limit could be set upon all public County roads and highways within the unincorporated areas of Camden County, Missouri by the County Commission; and

Whereas, said Ordinance was adopted after three public hearings were held on the proposed Ordinance as required by Missouri law; and

Whereas, it is necessary for said Ordinance No. 6-11-02-1 to be amended and restated to update the original Ordinance; and

Whereas, Notice of Hearings on the subject to change the speed limit and the three public hearings held on the subject to obtain input from the public; and

Whereas, public input was received requesting a change to reduce the speed limit on a county road known as West Lake Park, the speed being requested reduced to Twenty (20) miles per hour thereon; and

Whereas, a Petition was presented with 26 signatures of residents who live on West Lake Park in support of the above reduced speed limit; and

Whereas, no objection or other dissent was heard or received regarding the change to the speed limit on West Lake Park at any of the three public hearings held.

Now therefore, be it ordained by the Camden County Commission as follows:

Section 1. Name: This ordinance shall be known as the Camden County maximum speed limit law.

Section 2. Purpose: To promote the public safety, health, and general welfare and to protect life and property in Camden County, Missouri, it is necessary to regulate vehicular traffic upon all public County roads and highways within Camden County, Missouri, excluding all incorporated areas of Camden County, Missouri.

Section 3. Maximum Speed Limits: That a maximum speed limit is hereby set upon the public County roads and highways within the unincorporated areas of Camden County, Missouri, as follows:

- a. No person shall operate any vehicle upon public county roads known as West Lake Park at a greater speed than Twenty (20) miles per hour.
- b. Except as noted above, no person shall operate any vehicle upon other public County road or highway within the unincorporated areas of Camden County, Missouri at a greater speed

than Thirty-Five (35) mile per hour, unless signs are posted or erected designating another speed.

Section 4. Violations: Fines and Incarceration: Any person driving in excess of the speed limits created herein is subject to the following penalties:

- a. A speeding violation which is over the posted speed limit by five miles per hour or less shall subject the violator to a maximum fine of \$200.00.
- b. A Speeding violation which is over posted speed limit by six miles per hour but less than twenty miles per hour shall subject the violator to a maximum term of incarceration not to exceed 15 days and/or a maximum fine of \$300.00.
- c. A speeding violation which is over the posted speed limit by twenty miles per hour or more shall subject the violator to a maximum term of incarceration not to exceed six months and/or a maximum fine of \$500.00.

Section 5. Effective Date: This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

ADOPTED this 28th day of May, 2024

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

Jeffery E. Green, County Counselor

James Gohagan, 1st District Commissioner

ORDINANCE NO. 9-5-24

An ordinance amending and restating ordinance No. 6-11-02-1 and establishing a maximum speed limit upon all public county roads and highways within the unincorporated areas of Camden County, Missouri.

Whereas, on the 11th day of June, 2002, the County Commission for Camden County, Missouri, adopted an Ordinance **No. 6-11-02-1** which established that a maximum speed limit could be set upon all public County roads and highways within the unincorporated areas of Camden County, Missouri by the County Commission; and

Whereas, said ordinance was Amended by adopting Ordinance **No. 5-28-24** on May 28, 2024; and

Whereas, it is necessary for said Ordinance **No. 5-28-24** to be amended and restated to update the original ordinance; and

Whereas, Notice of Hearings on the subject to change the speed limit and the three public hearings held on the subject to obtain input from the public; and

Whereas, public input was received requesting a change to reduce the speed limit on the gravel portion of a county road known as Dry Hollow Road, the speed being requested reduced to Twenty-Five(25) miles per hour thereon; and

Whereas, several residents who live on Dry Hollow Road testified in support of the above reduced speed limit during the three public hearings; and

Whereas, no objection or other dissent was heard or received regarding the change to the speed limit on Dry Hollow Road at any of the three public hearings held other than a request to enforce the speed limits set thereon.

Now therefore, be it ordained by the Camden County Commission as follows:

Section 1. Name: This ordinance shall be known as the Camden County maximum speed limit law.

Section 2. Purpose: To promote the public safety, health, and general welfare and to protect life and property in Camden County, Missouri, it is necessary to regulate vehicular traffic upon all public County roads and highways within Camden County, Missouri, excluding all incorporated areas of Camden County, Missouri.

Section 3. Maximum Speed Limits: That a maximum speed limit is hereby set upon the public County roads and highways within the unincorporated areas of Camden County, Missouri, as follows:

- a. No person shall operate any vehicle upon public county roads known as West Lake Park at a greater speed than Twenty (20) miles per hour.
- b. No person shall operate any vehicle upon the gravel portion county road known as Dry Hollow Road at a greater speed than Twenty-Five (25) miles per hour.
- c. Except as noted above, no person shall operate any vehicle upon any other public County road or highway within the unincorporated areas of Camden County, Missouri at a greater speed than Thirty-Five (35) miles per hour, unless signs are posted or erected designating another speed.

Section 4. Violation: Fines and Incarceration: Any person driving in excess of the speed limits created herein is subject to the following penalties:

- a. A speeding violation which is over the posted speed limit by five miles per hour or less shall subject the violator to a maximum fine of \$200.00
- b. A Speeding violation which is over posted speed limit by six miles per hour but less than twenty miles per hour shall subject the violator to a maximum term of incarceration not to exceed 15 days and/or a maximum fine of \$300.00.
- c. A speeding violation which is over the posted speed limit by twenty miles per hour or more shall subject the violator to a maximum term of incarceration not to exceed six months and/or a maximum fine of \$500.00.

Section 5. Effective date: This ordinance shall be in full force and effect from and after its date of adoption by the Camden County Commission.

Adopted this 5th day of September, 2024.

CAMDEN COUNTY, MISSOURI

Ike Skelton, Presiding Commissioner

James Gohagan, 1st District Commissioner

Attest:

Rowland Todd, County Clerk

Jeffery E. Green, County Counselor