TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
OCTOBER 20, 2026
REGULAR SESSION NO. 37
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.
AND
ONLINE ZOOM WEBINAR

ZOOM.US/JOIN
WEBINAR ID: 833 6382 8096
PASSCODE: 499272

Invocation/Pledge of Allegiance
Roll Call

Proclamations and Presentations

- Presentation of proclamation recognizing World Polio Day 2026

Public Comments

1. **STUDY SESSION**

3rd Quarter Financial Report
Michael Graham, Finance Director

LEGISLATIVE SESSION

REGULAR AGENDA

2. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. An item designated for the Consent Agenda may be removed from the Consent Agenda at the request of the Mayor or an Alderman, where there is no objection by the remaining members of the Board. If there is an objection to removal of an item from the Consent Agenda, the item may be removed by a motion and vote of the Board.

2a. Approval of the October 6, 2026 Board of Aldermen meeting minutes.

2b. R-3844-26: A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF DONALD MARTINEZ AS THE WARD 4 REPRESENTATIVE TO THE SPECIAL SALES TAX REVIEW COMMITTEE. Point of Contact: Teresa M. Henry, City Clerk.

OLD BUSINESS

3. SECOND READING: Bill No. 6723-26, Section XIII: AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO ARASH KAMALI, VANTAGE MOTORS, LLC., TO OPERATE A VEHICLE SALES, NEW OR USED, USE AT 10004 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

4. **SECOND READING: Bill No. 6724-26, Section XIII: AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO SAMANTHA SALEM, LIFESTYLE BUSINESS SOLUTIONS LLC D/B/A AUTOMOTIVE CONCIERGE CAR SALES, TO OPERATE A "VEHICLE SALES, NEW AND USED" FACILITY AT 11900 E. 350 HIGHWAY IN AN M, INDUSTRIAL DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

5. **SECOND READING: Bill No. 6725-26, Section XIII: AN ORDINANCE** AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO EXEMPT PROPERTIES ZONED N; CONSERVATION OR HP; HISTORIC PRESERVATION OVERLAY FROM THE 350 HIGHWAY CORRIDOR DESIGN GUIDELINES WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

6. **SECOND READING: Bill No. 6726-26, Section XIII: AN ORDINANCE** AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO REGULATE THE "AGRICULTURE" LAND USE WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

7. **SECOND READING: Bill No. 6727-26, Section XVIII: AN ORDINANCE** AMENDING THE RAYTOWN MUNICIPAL CODE CHAPTER 28-OFFENSES AND NUISANCES, ARTICLE X - OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2., CONTROLLED SUBSTANCES AND ALCOHOL BY ADDING SECTION 28-337, REGULATING THE SALE, PURCHASE AND POSSESSION OF INTOXICATING HEMP-DERIVED CANNABINOIDS AND KRATOM PRODUCTS AND DANGEROUS CHEMICAL INHALANTS AND AMENDING CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE I, IN GENERAL, SECTION 28-3 RELATING TO DEFINITIONS. Point of Contact: Diane Egger, City Administrator.

NEW BUSINESS

8. **Public Hearing:** A public hearing to consider an amendment to Chapter 50 regarding zoning and the Historic Preservation Overlay.

   8a. **FIRST READING: Bill No. 6728-26, Section XIII: AN ORDINANCE** AMENDING CHAPTER 50 ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO REMOVE ZONING DISTRICT HP, HISTORIC PRESERVATION OVERLAY, FROM THE LAND USE TABLE (SEC. 50-107) AND REVISING SECTION 50-332. – "APPLICATION," WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

9. **R-3845-26: A RESOLUTION** AUTHORIZING AND APPROVING A GRANT APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN AN AMOUNT UP TO $850,000.00 FOR RENOVATIONS AT SARAH COLMAN-LIVENGOOD PARK. Point of Contact: Dave Turner, Parks & Recreation Director.

10. **R-3846-26: A RESOLUTION** AUTHORIZING AND APPROVING AN APPLICATION FOR FUNDING THROUGH VARIETY KC 10 PARKS PROGRAM. Point of Contact: Dave Turner, Parks & Recreation Director.

11. **R-3847-26: A RESOLUTION** AUTHORIZING AND APPROVING AN APPLICATION FOR FUNDING THROUGH GOOGLE FOR THE GOOGLE CORPORATE WATER STEWARDSHIP GRANT FOR THE RENOVATION OF THE KENAGY PARK POND. Point of Contact: Dave Turner, Parks & Recreation Director.

12. R-3848-26: A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF TWO (2) EXMARK ZERO-TURN MOWERS FROM BLUE VALLEY TRACTOR AND SUPPLY AND RATIFYING THE EXPENDITURE OF FUNDS FOR SUCH PURCHASE IN THE AMOUNT OF $33,401.94 FOR FISCAL YEAR 2025-2026**.** Point of Contact: Dave Turner, Parks & Recreation Director.

COMMUNICATIONS

12. Communication from the Mayor

13. Communication from the City Administrator

14. Communication from the Board of Aldermen

ADJOURNMENT

QUARTER 3 2026

FINANCIAL BUDGET PRESENTATION

City Of Raytown
Combined Statement of Revenues, Expenditures, and Fund Balance
Nine Months (Unaudited)
As of July 31, 2026

Revenue	Parks	Public Safety	Risk	Capital Improvement	Total
Property Taxes	$ 662,105				$ 662,105
Sales Tax	350,645	1,526,720			1,877,365
Other Taxes					-
Franchise Taxes					-
Permits and Fees					-
Intergovernmenetal					-
Service Charges	40,240				40,240
Municipal Court Receipts					-
Reimburements, Interest, & Misc	52,094	76,102	56,146	121,277	305,619
Grants	471,498				471,498
Transfer In			-		-
Total Revenue	$ 1,576,582	$ 1,602,823	$ 56,146	$ 121,277	$ 3,356,828
Expense					
Personal Services	$ 573,111				$ 573,111
Supplies, Services, & Charges	128,012	259,342	43,613	3,218	434,185
Repair and Maintenance	77,001				77,001
Contractual Services	-				-
Capital Expenditures	535,122	79,189		11,024	625,335
Utilities	30,200	33,042			63,242
Transfers	27,552	1,466,094			1,493,646
Total Expenses	$ 1,370,997	$ 1,837,668	$ 43,613	$ 14,242	$ 3,266,519
Net Income/(loss)	$ 205,585	$ (234,845)	$ 12,534	$ 107,035	$ 90,308
Beginning Balance	694,789	1,210,028	274,402	970,559	3,149,778
Ending Balance	$ 900,374	$ 975,183	$ 286,936	$ 1,077,594	$ 3,240,086

GENERAL FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Property Taxes	$ 1,489,734	$ 1,489,734	$ 1,325,737	$ 163,997	89%
Sales Tax	5,990,000	5,990,000	4,744,080	1,245,920	79%
Other Taxes	52,000	52,000	37,212	14,788	72%
Franchise Taxes	3,550,000	3,550,000	2,561,866	988,134	72%
Permits and Fees	629,850	629,850	466,203	163,647	74%
Intergovernmenetal	1,483,500	1,483,500	1,355,853	127,647	91%
Service Charges	87,650	87,650	73,326	14,324	84%
Municipal Court Receipts	225,070	225,070	485,598	(260,528)	216%
Reimburements, Interest, & Misc	714,250	714,250	314,240	400,010	44%
Grants	209,000	159,000	57,248	101,752	36%
Transfer In	1,578,866	1,578,866	1,319,150	259,717	84%
Total Revenue	$ 16,009,920	$ 15,959,920	$12,740,512	$ 3,219,408	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Personal Services	$ 12,505,594	$ 12,505,594	$ 9,571,700	$ 2,933,895	77%
Supplies, Services, & Charges	2,489,241	2,764,068	1,546,551	1,217,517	56%
Repair and Maintenance	493,715	542,415	420,122	122,293	77%
Contractual Services	0	0	0	0	
Capital Expenditures	0	0	1,121	(1,121)	
Utilities	680,685	682,585	384,727	297,858	56%
Transfers	820,000	820,000	927,913	(107,913)	113%
Total Expenses	$ 16,989,235	$ 17,314,662	$12,852,133	$ 4,462,528	

Net Income/(loss)	$ (979,315)	$ (1,354,742)	$ (111,622)
Beginning Balance	$ 10,583,230	$ 10,583,230	$10,583,230
Restricted Funds	**$ 1,820,534**	**$ 1,820,534**	**$ 1,820,534**
Ending Balance	**$ 11,424,449**	**$ 11,049,022**	**$12,292,142**

PARK FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Property Taxes	$ 741,191	$ 741,191	$ 662,105	$ 79,086	89%
Sales Tax	505,600	505,600	350,645	154,955	69%
Service Charges	52,200	52,200	40,240	11,960	77%
Reimburements, Interest, & Misc	41,600	41,600	52,094	(10,494)	125%
Grants	2,339,000	2,339,000	471,498	1,867,502	20%
Total Revenue	$ 3,679,591	$ 3,679,591	$ 1,576,582	$ 2,103,009	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Personal Services	$ 772,049	$ 772,049	$ 573,111	$ 198,938	74%
Supplies, Services, & Charges	288,950	288,950	128,012	160,938	44%
Repair and Maintenance	120,000	120,000	77,001	42,999	64%
Capital Expenditures	2,449,000	2,934,000	535,122	2,398,878	18%
Utilities	60,300	60,300	30,200	30,100	50%
Transfers	35,000	35,000	27,552	7,448	79%
Total Expenses	$ 3,725,299	$ 4,210,299	$ 1,370,997	$ 2,839,302	

Net Income/(loss)	$ (45,708)	$ (530,708)	$ 205,585
Beginning Balance	$ 639,875	$ 694,789	$ 639,875
Reestricted Balance	$ 54,914	$ 639,875	$ 54,914
Ending Balance	$ 649,081	$ 803,956	$ 900,374

TRANSPORTATION FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Sales Tax	$ 1,750,000	$ 1,750,000	$ 1,388,418	$ 361,582	79%
Reimburements, Interest, & Misc	29,000	29,000	13,038	15,962	45%
Grants	-	-	-	-	
Transfer In	-	-	231,017	(231,017)	
Total Revenue	$ 1,779,000	$ 1,779,000	$ 1,632,473	$ 146,527	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 554,900	$ 209,920	$ 43,887	$ 166,033	21%
Repair and Maintenance	503,000	503,000	223,116	279,884	44%
Capital Expenditures	241,980	591,980	13,994	577,986	2%
Transfers	368,000	368,000	292,198	75,802	79%
Total Expenses	$ 1,667,880	$ 1,672,900	$ 573,195	$ 1,099,705	

Net Income/(loss)	$ 111,120	$ 106,100	$ 1,059,278
Beginning Balance	$ 399,811	$ 399,811	$ 399,811
Ending Balance	$ 510,931	$ 505,911	$ 1,459,089

CAPITAL SALES TAX FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Sales Tax	$ 1,440,000	$ 1,440,000	$ 1,145,039	$ 294,961	80%
Reimbursements, Interest, & Misc	67,000	67,000	56,084	10,916	84%
Grants	16,800	66,800	50,000	16,800	75%
Transfer In	561,750	561,750	-	561,750	0%
				-	
Total Revenue	$ 2,085,550	$ 2,135,550	$ 1,251,123	$ 884,427	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 2,800	$ 2,800	$ 2,043	$ 757	73%
Capital Expenditures	1,727,176	1,977,176	1,083,670	893,506	55%
Transfers	270,000	270,000	219,149	50,851	81%
Total Expenses	$ 1,999,976	$ 2,249,976	$ 1,304,862	$ 945,114	

Net Income/(loss)	$ 85,574	$ (114,426)	$ (53,738)
Beginning Balance	$ 2,678,455	$ 2,678,456	$ 2,678,455
Ending Balance	$ 2,764,029	$ 2,564,030	$ 2,624,717

PUBLIC SAFETY SALES TAX FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Sales Tax	$ 1,900,000	$ 1,900,000	$ 1,526,720	$ 373,280	80%
Reimbursements, Interest, & Misc.	75,000	75,000	76,102	(1,102)	101%
Total Revenue	$ 1,975,000	$ 1,975,000	$ 1,602,823	$ 372,177	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 425,909	$ 425,909	$ 259,342	$ 166,567	61%
Capital Expenditures	114,820	114,820	$ 79,189	35,631	69%
Utilities	34,181	34,181	33,042	1,139	97%
Transfers	1,758,866	1,758,866	1,466,094	292,772	83%
Total Expenses	$ 2,333,776	$ 2,333,776	$ 1,837,668	$ 496,108	

Net Income/(loss)	$ (358,776)	$ (358,776)	$ (234,845)
Beginning Balance	$ 1,210,028	$ 1,210,028	$ 1,210,028
Ending Balance	$ 851,252	$ 851,252	$ 975,183

RISK MANAGEMENT FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Reimbursements, Interest, & Misc.	$ 57,200	$ 57,200	$ 56,146	$ 1,054	98%
Transfer In					
Total Revenue	$ 57,200	$ 57,200	$ 56,146	$ 1,054	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 53,740	$ 53,740	$ 43,613	$ 10,127	81%
Total Expenses	$ 53,740	$ 53,740	$ 43,613	$ 10,127	

Net Income/(loss)	$ 3,460	$ 3,460	$ 12,534
Beginning Balance	$ 274,402	$ 274,402	$ 274,402
Ending Balance	$ 277,862	$ 277,862	$ 286,936

TIF FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Property Taxes	$ 100,000	$ 100,000	$ 191,642	$ (91,642)	192%
Other Taxes	8,500	8,500	19,872	(11,372)	234%
Reimbursements, Interest, & Misc.	1,341,300	1,341,300	1,346,080	(4,780)	100%
Transfer In	1,713,000	1,713,000	1,290,616	422,384	75%
Total Revenue	$ 3,162,800	$ 3,162,800	$ 2,848,210	$ 314,590	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 155,800	$ 155,800	$ 94,475	$ 61,325	61%
Debt Service	2,925,618	2,925,618	2,707,593	218,025	93%
Total Expenses	$ 3,081,418	$ 3,081,418	$ 2,802,067	$ 279,350	

Net Income/(loss)	$ 81,383	$ 81,383	$ 46,142
Beginning Balance	$ 4,351,499	$ 4,351,499	$ 4,351,499
Ending Balance	$ 4,432,882	$ 4,432,882	$ 4,397,641

STORM WATER FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Property Taxes				$ -	
Sales Tax	$ 458,400	$ 458,400	$ 103,090	$ 355,310	22%
Reimbursements, Interest, & Misc	25,300	25,300	6,611	18,689	26%
Intergovernmental	-	418,435	107,648	310,787	26%
Grants	4,402,936	4,402,936	2,780	4,400,156	0%
Transfer In	150,000	254,609	377,104	(122,495)	148%
Total Revenue	$ 5,036,636	$ 5,559,680	$ 597,233	$ 4,962,447	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Supplies, Services, & Charges	$ 91,900	$ 118,943	$ 49,391	$ 69,552	42%
Repair and Maintenance	133,000	133,000	96,792	36,208	73%
Capital Expenditures	4,712,403	5,262,642	1,004,523	4,258,120	19%
Transfers	22,000	22,000	20,376	1,624	93%
Debt Service	-	140,712	-	140,712	0%
Total Expenses	$ 4,959,303	$ 5,677,297	$ 1,171,081	$ 4,506,216	

Net Income/(loss)	$ 77,333	$ (117,617)	$ (573,849)
Beginning Balance	$ 347,940	$ 347,940	$ 347,940
Ending Balance	$ 425,273	$ 230,323	$ (225,909)

CAPITAL IMPROVEMENT FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Reimbursements, Interest, & Misc.	$ 122,000	$ 122,000	$ 121,277	$ 723	99%
Total Revenue	$ 122,000	$ 122,000	$ 121,277	$ 723	

	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Expense:					
Supplies, Services, & Charges	$ 18,950	$ 18,950	$ 3,218	$ 15,732	17%
Capital Expenditures	-	10,500	11,024	(524)	105%
Total Expenses	$ 18,950	$ 29,450	$ 14,242	$ 15,208	

Net Income/(loss)	$ 103,050	$ 92,550	$ 107,035
Beginning Balance	$ 970,559	$ 970,559	$ 970,559
Non-Spendable Funds	$ -	$ -	$ -
Ending Balance	$ 1,073,609	$ 1,063,109	$ 1,077,594

SANITARY SEWER FUND

Revenue:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Service Charges	$ 8,642,350	$ 8,642,350	$ 6,597,491	$ 2,044,859	76%
Reimbursements, Interest, & Misc.	216,227	216,227	212,937	3,290	98%
Transfer In	-	-	12,760	(12,760)	
Total Revenue	**$ 8,858,577**	**$ 8,858,577**	**$ 6,823,189**	**$ 2,035,388**	

Expense:	Orginial Budget	Current Budget	YTD Activity	Remaining Budget	6-Month Trend
Personal Services	$ 1,094,599	$ 1,094,599	$ 821,195	$ 273,404	75%
Supplies, Services, & Charges	5,522,443	5,528,602	3,311,967	2,216,635	60%
Repair and Maintenance	241,800	261,325	133,055	128,270	51%
Capital Expenditures	938,525	1,191,221	277,335	913,885	23%
Debt Service	1,245,543	1,245,543	1,223,674	21,870	98%
Utilities	20,684	20,684	8,193	12,491	40%
Total Expenses	**$ 9,063,595**	**$ 9,341,975**	**$ 5,775,419**	**$ 3,566,556**	

Net Income/(loss)	$ (205,018)	$ (483,398)	$ 1,047,770
Beginning Balance	**$ 6,273,478**	**$ 6,273,478**	**$ 6,273,478**
Restricted Funds	$ 517,398	$ 517,398	$ 517,398
Investment in Capital	$ 16,165,033	$ 16,165,033	$ 16,165,033
Ending Balance	**$ 22,750,891**	**$ 22,472,511**	**$ 24,003,679**

Active Project Status @09.30.2026

Project Description	Project Initiation	Project Closure	Contract Amount	Paid to Date	Remaning Balance	ARPA	MDNR	LWCF	HUD Omnibus	STPG	Go Bond	Local	Fund
White Oak West Sewer Design **	6/11/2024	10/11/2026	$ 388,724	$ 312,462	$ 76,262							54%	Sewer Fund
Flock		10/31/2026	$ 120,350	$ 81,350	$ 39,000	100%							General Fund
Habitat for Humanity	11/1/2024	12/31/2026	$ 200,000	$ 182,259	$ 17,741	100%							General Fund
Park Lane Sanitary Sewer Inflow and Infiltration Reduction		10/31/2026	$ 669,298	$ 431,815	$ 237,483							100%	Sewer Fund
53rd St. Rock Island Trail Connector		10/31/2026	$ 980,000		$ 980,000					80%		20%	Capital Sales Tax Fund
Sink Hole Projects	1/14/2025	10/15/2026	$ 67,938	$ 65,216	$ 2,722							100%	Stormwater Fund, Sewer Fund
Eastside Industrial District Storm Drainage Improvement **(Go Bond Project #1)**		10/31/2026	$ 1,673,192	$ 748,802	$ 924,390						100%		Stotmwater Fund
Design - Go Bond	12/16/2024	10/15/2026	$ 817,064	$ 669,351	$ 147,713						100%		Stotmwater Fund
53rd Street Phase #2 Terry Copland Park	1/15/2023	12/31/2031	$ 2,000,000	304,534	$ 1,695,466				100%				Park Fund
Kenagy Park Refresh	1/15/2023	12/31/2031	$ 1,000,000	451,019	$ 548,981				100%				Park Fund
			$ 7,916,566	$ 3,246,808	$ 4,669,758								

ARPA Funds

Quarter #3 FY26

7/31/2026

	Received	Completed	FY24	FY25	FY26	Total Spent	ARPA Funds	Remaining
	Grant Funds	Projects	Completed	Completed	YTD	ARPA	Budgeted	ARPA
Defered Revenue 2021	2,924,983							
Defered Revenue 2022	2,981,354							
Employee Retention Incentive 2021		340,143				340,143	340,143	-
Employee Retention Incentive 2022		279,343				279,343	279,343	-
Habit for Humanity				119,392	52,418	171,810	200,000	28,190
Flock			42,350	39,000		81,350	120,350	39,000
PD Evidence Room/CD Building				607,862		607,862	607,862	-
Wildwood North Construction				471,261		471,261	471,261	-
53rd Street Utility Project			409,056	240,966		650,022	650,022	-
White Oak West			114,071	64,518		178,589	178,589	-
87th Street Wastewater Equalization Basin Project			24,215	938,832	3,548	966,594	967,409	815
2024 Point Repairs				126,407		126,407	126,407	-
59th Street 5% Contengency				1,936,464		1,936,464	1,936,464	-
MS4 Implementation Services			18,377	10,510		28,887	28,887	-
Totals		**619,486**	**608,069**	**4,555,212**	**55,965**	**5,838,732**	**5,906,737**	**68,005**

Cuurent Balance at 2026-07-31	**$**	**5,838,732**
Budget Allocation FY22 & FY23		619,486
Budget Allocation FY24		608,069
Budget Projection Allocation FY25	$	4,555,212
Budget Projection Allocation FY26	$	123,970

INVESTMENTS

CURRENT AS OF 2026-10-12

	Investing Organization	Amount	Type of Investment	Term	Annual Interest Rate	Maturity Date	How is Investment Covered (CD - FDIC, Collateral, etc.)
Current	MOSIP	$ 2,149,104.97	Liquid	N/A	3.81%	N/A	Missouri Securities Investment Program
	MOSIP**	$ 1,000,000.00	Liquid	14 days	3.91%	10/22/2026	MOSIP Max Class
	MOSIP	$ 5,000,000.00	Term	180 Days	4.32%	4/6/2027	Missouri Securities Investment Program
	MOSIP*	$ 5,000,000.00	CD	365 Days	3.73%	4/6/2027	CD (Certificate of Deposit)
	UMB	$ 5,000,000.00	CD	270 Days	3.50%	1/2/2027	CD (Certificate of Deposit)
	UMB	$ 2,500,000.00	CD	365 Days	3.40%	4/2/2027	CD (Certificate of Deposit)
	Total	$ 20,649,104.97		Average	3.78%		
Prior	MOSIP	$ 5,227,260.82	Liquid	N/A	3.64%	N/A	Missouri Securities Investment Program
	MOSIP	$ 2,000,000.00	Term	180 Days	3.88%	10/2/2026	Missouri Securities Investment Program
	MOSIP*	$ 5,000,000.00	CD	365 Days	3.72%	10/7/2026	CD (Certificate of Deposit)
	MOSIP*	$ 1,950,000.00	CD	180 Days	4.66%	3/17/2025	CD (Certificate of Deposit)
	UMB	$ 5,000,000.00	CD	180 days	3.70%	4/7/2026	CD (Certificate of Deposit)

* Note Current MOSIP CD's are (20+) different CD's with different banks/net rate. Less than $250K per with average % return shown

** Note MOSIP Max Class Liquid series has higher yeild with a 14 day hold after transfer

Summary of all Funds

Budget Report **For Fiscal: 2025-2026 Period Ending: 07/31/2026**

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
101 - GENERAL	-979,314.83	-1,354,741.83	-149,640.10	-111,621.58	1,243,120.25
201 - PARKS & RECREATION	-45,708.37	-530,708.37	-145,588.36	205,584.85	736,293.22
204 - TRANSPORTATION SALES TA	111,120.00	106,100.00	127,167.53	1,059,278.08	953,178.08
205 - CAPITAL SALES TAX	275,014.00	-114,426.09	110,631.77	-53,738.37	60,687.72
207 - PUBLIC SAFETY SALES TAX	-358,776.00	-358,776.00	-333,096.54	-234,844.87	123,931.13
209 - RISK MANAGEMENT	3,460.00	3,460.00	-10,060.13	12,533.54	9,073.54
210 - TIF	81,382.50	81,382.50	210,456.23	46,142.45	-35,240.05
401 - STORM WATER FUND	77,333.00	-117,617.02	-182,243.77	-573,848.89	-456,231.87
402 - CAPITAL IMPROVEMENT PR(	103,050.00	92,550.00	12,341.91	107,034.57	14,484.57
501 - SANITARY SEWER	-205,018.11	-483,397.87	-904,149.67	1,047,770.08	1,531,167.95
702 - POLICE PENSION PLAN	0.00	0.00	51,655.54	186,376.32	186,376.32
705 - 350 HIGHWAY TD D	0.00	0.00	0.00	187.09	187.09
Report Surplus (Deficit):	**-937,457.81**	**-2,676,174.68**	**-1,212,525.59**	**1,690,853.27**	**4,367,027.95**

END of Presentation – Open for Questions

MINUTES
RAYTOWN BOARD OF ALDERMEN
OCTOBER 6, 2026
REGULAR SESSION NO. 36
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.
OR IMMEDIATELY FOLLOWING
THE 6:30 P.M. BOARD OF IMPEACHMENT HEARING
AND
ONLINE ZOOM WEBINAR

Mayor Michael McDonough called the October 6, 2026, Board of Aldermen Regular Meeting to order at 8:29 p.m. Jason Sneddon, of Community KC Church, provided the invocation and led the pledge of allegiance.

Roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Present: Alderman Greg Walters, Alderman Theresa Tush, Alderman Loretha Hayden, Alderman Jim Aziere, Alderman Janet Emerson, Alderman Theresa Garza, Alderman Josh Morales, Alderman Bonnaye Mims, Alderman Diane Krizek

Absent: Alderman Latrice Thomas

Proclamations and Presentations

Mayor McDonough presented a proclamation to Alderman Loretha Hayden.

Public Comments

Morris Melloy, 5816 Manning Avenue

Shannon Lee

Jennifer Gillis

Misty Brown

LEGISLATIVE SESSION

REGULAR AGENDA

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. An item designated for the Consent Agenda may be removed from the Consent Agenda at the request of the Mayor or an Alderman, where there is no objection by the remaining members of the Board. If there is an objection to removal of an item from the Consent Agenda, the item may be removed by a motion and vote of the Board.

1a. Approval of the September 15, 2026 Board of Aldermen meeting minutes.

Alderman Mims, seconded by Alderman Emerson, made a motion to adopt. The motion was approved by a vote of 9-0-1.

DRAFT

Ayes: Aldermen Mims, Emerson, Walters, Garza, Hayden, Tush, Morales, Aziere, Krizek
Nays: None
Absent: Alderman Thomas

NEW BUSINESS

2. **Public Hearing:** A public hearing to consider a conditional use permit for property located at 10004 E. 350 Highway.

   2a. **FIRST READING: Bill No. 6723-26, Section XIII: AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO ARASH KAMALI, VANTAGE MOTORS, LLC., TO OPERATE A VEHICLE SALES, NEW OR USED, USE AT 10004 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

Mayor McDonough opened the public hearing.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Shana Kelly, Economic Development Administrator.

The applicant was available for any discussion.

Mayor McDonough closed the public hearing.

3. **Public Hearing:** A public hearing to consider a conditional use permit for property located at 11900 E. 350 Highway.

   3a. **FIRST READING: Bill No. 6724-26, Section XIII: AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO SAMANTHA SALEM, LIFESTYLE BUSINESS SOLUTIONS LLC D/B/A AUTOMOTIVE CONCIERGE CAR SALES, TO OPERATE A “VEHICLE SALES, NEW AND USED” FACILITY AT 11900 E. 350 HIGHWAY IN AN M, INDUSTRIAL DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

Mayor McDonough opened the public hearing.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Benjamin Robinson, Planning & Zoning Coordinator.

The applicant was available for any discussion.

Mayor McDonough closed the public hearing.

4. **Public Hearing:** A public hearing to consider text amendments to Chapter 50 regarding 350 Highway Corridor Design Guidelines.

   4a. **FIRST READING: Bill No. 6725-26, Section XIII: AN ORDINANCE** AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO EXEMPT PROPERTIES ZONED N; CONSERVATION OR HP; HISTORIC PRESERVATION OVERLAY FROM THE 350 HIGHWAY CORRIDOR DESIGN GUIDELINES WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

Mayor McDonough opened the public hearing.

DRAFT

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Benjamin Robinson, Planning & Zoning Coordinator.

Mayor McDonough closed the public hearing.

5. **Public Hearing:** A public hearing to consider a text amendment to Chapter 50 to regulate the “Agriculture” Land Use within the City.

   5a. **FIRST READING: Bill No. 6726-26, Section XIII: AN ORDINANCE** AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO REGULATE THE “AGRICULTURE” LAND USE WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ron Knisley, Community Development Director.

Mayor McDonough opened the public hearing.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Shana Kelly, Economic Development Administrator.

Mayor McDonough closed the public hearing.

6. **FIRST READING: Bill No. 6727-26, Section XVIII: AN ORDINANCE** AMENDING THE RAYTOWN MUNICIPAL CODE CHAPTER 28-OFFENSES AND NUISANCES, ARTICLE X - OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2., CONTROLLED SUBSTANCES AND ALCOHOL BY ADDING SECTION 28-337, REGULATING THE SALE, PURCHASE AND POSSESSION OF INTOXICATING HEMP-DERIVED CANNABINOIDS AND KRATOM PRODUCTS AND DANGEROUS CHEMICAL INHALANTS AND AMENDING CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE I, IN GENERAL, SECTION 28-3 RELATING TO DEFINITIONS. Point of Contact: Diane Egger, City Administrator.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Diane Egger, City Administrator.

7. **R-3842-26: A RESOLUTION** AUTHORIZING AND APPROVING THE BUDGET OF THE CITY OF RAYTOWN FOR FISCAL YEAR 2026-2027. Point of Contact: Diane Egger, City Administrator.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Diane Egger, City Administrator.

Alderman Mims, seconded by Alderman Aziere, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mims, Aziere, Emerson, Krizek, Tush, Morales, Walters, Garza, Hayden
Nays: None
Absent: Alderman Thomas

8. **R-3843-26: A RESOLUTION** AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS WITH COMMENCO, INC. TO REPLACE AN EXISTING INOPERABLE POINT-TO-POINT RADIO CONNECTION IN AN AMOUNT NOT TO EXCEED $36,242.56 FOR FISCAL YEAR 2025-2026. Point of Contact: Robert Kuehl, Police Chief.

The item was read by title only by Teresa Henry, City Clerk.

The item was presented by Sandon Curnett, Raytown Police Department Dispatch Supervisor.

Alderman Mims, seconded by Alderman Aziere, made a motion to adopt. The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mims, Emerson, Krizek, Aziere, Tush, Morales, Walters, Garza, Hayden
Nays: None
Absent: Alderman Thomas

Alderman Tush left the meeting at 10:04 p.m.

COMMUNICATIONS

9. Communication from the Mayor

Mayor McDonough spoke on recent events and City business.

10. Communication from the City Administrator

None

11. Communication from the Board of Aldermen

Comments were made by Aldermen Aziere, Emerson, and Garza.

ADJOURNMENT

Alderman Aziere, seconded by Alderman Mims, made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 10:10 p.m.

_____

Teresa M Henry, City Clerk, MRCC

DRAFT

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/13/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Administration**

Document Type: Resolution

SUBJECT/REQUEST

R-3844-26: Appointng Donald Martinez to STOC

BACKGROUND/JUSTIFICATION

The Special Sales Tax Review Committee was originally established in 2002 to provide guidance and oversight on how money from the Transportation Sales Tax, Capital Improvement Sales Tax and Public Safety Sales Taxes approved by the voters is spent. In doing so, the Committee is required to meet at least once each quarter to monitor the plan.

The Committee is comprised of one citizen member from each of the five Wards selected by mutual agreement of the Aldermen elected to represent the Ward and the appointment of two additional citizen members by the Mayor. If the two Aldermen representing that Ward cannot agree on a citizen member, then each of the two Aldermen nominate a citizen member and the Board of Aldermen select the committee member by majority vote.

There is currently a vacancy on the Committee from Ward 4 and the Aldermen from Ward 4 have reached a consensus and recommend Donald Martinez be appointed to fill the vacant position with a term expiring November 1, 2027 or until a successor is appointed.

To be qualified for appointment a citizen must meet the following criteria:
1. current resident
2. at least 21 years of age
3. citizen of US
4. resident of the City for at least one year prior to appointment.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

REVIEWED BY

Michael Graham Teresa Henry Jennifer Baird Diane Egger Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1.	Reso Appointing Donald Martinze STOC Ward 4-2026
2.	Reso Donald Martinez-STOC 2026 Application

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

RESOLUTION NO: R-3844-26

A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF DONALD MARTINEZ AS THE WARD 4 REPRESENTATIVE TO THE SPECIAL SALES TAX REVIEW COMMITTEE

WHEREAS, Resolution 1312-02 provides for appointment of a Special Sales Tax Review Committee; and

WHEREAS, such Special Sales Tax Review Committee is comprised of one citizen from each of the five Wards appointed by the Aldermen who represent that Ward and two citizens appointed at-large by the Mayor; and

WHEREAS, in the event the Aldermen representing the Ward are unable to agree on an individual to appoint to the Committee, each Alderman nominates a representative to serve on the Committee and the representative for the Ward is selected by a vote of the Board of Aldermen; and

WHEREAS, a vacancy exists in Ward 4 on the Special Sales Tax Review Committee and the Aldermen from Ward 4 recommend the appointment of Donald Martinez to be the Ward 4 representative to the Special Sales Tax Review Committee.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT Donald Martinez, 7605 Harvard Avenue, Raytown, MO is hereby appointed as the Ward 4 member of the Special Sales Tax Review Committee, to fill the remainder of an unexpired term ending November 1, 2027, or until a successor is duly appointed.

FURTHER THAT this resolution shall be in full force and effect from and after the date of its passage and approval.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 20th day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M Baird, City Attorney

Teresa M. Henry

From: noreply@revize.com
Sent: Thursday, October 1, 2026 2:00 PM
To: Teresa M. Henry
Subject: Contact Us

Date = 2026-10-01
Full-Name = Donald
MI = Steven
Last-Name = Martinez
Street-Address = 7605 Harvard Ave.
City = Raytown
State = MO
Zip = 64138
Phone = 8164895192
Fax = N/A
Email = donald_s_martinez@yahoo.com
Which-board-would-you-like-to-serve-on = Open to utilize skills and background on appropriate board.
I-would-like-to-serve-on-this-Board-or-Commission-because = I believe my experience and desire to help make Raytown a better place to live will shine through in any position assigned.
My-strengths-on-this-BoardCommission-will-be = Well balanced experience and interest. A strong Desire to collect all information before making an informed decision.
TradeCollegeUniversityDegreeDate = Aviation Institute of Maintenance
Current-EmployerAddressPosition = Truman Heritage Habitat for Humanity/ Project Manager
Past-EmployersAddressPositionDates =
OrganizationLeadership-PositionsMembership-Dates = N/A
Do-you-have-business-or-property-interests-that-might-place-you-in-a-conflict-of-interest-situation-should-you-be-appointed-to-this-BoardCommission-If-so-please-explain = No
Are-your-personal-and-real-estate-taxes-current-If-not-you-can-provide-an-explanation-if-you-choose = Yes
Do-you-anticipate-that-there-will-be-times-when-you-will-not-be-able-to-attend-the-BoardCommission-meeting-If-yes-how-often-to-do-you-anticipate-this-would-occur = Once details are provided and commitment is made, every effort to attend will be made.
Client IP = 23.25.185.121

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/12/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

SECOND READING: Bill No. 6723-26, Section XIII: Reconsidering Conditional Use Permit PZ-2023-10, which was issued to Arash Kamali, Vantage Motors, LLC. on April 16, 2024, to allow for “Vehicle Sales, New and Used,” on the property located at 10004 E. 350 Hwy.

BACKGROUND/JUSTIFICATION

Vantage Motors LLC., located at 10004 E. 350 Hwy. was originally issued a Conditional Use Permit to allow for “Vehicle Sales, New and Used,” on September 7, 2010, and was set to expire in ten (10) years, September 7, 2020. Staff noticed in 2023 that there had been a lapse in time and that a new Conditional Use Permit was warranted. A new Conditional Use Permit was approved and issued on April 16, 2024, granting approval for “Vehicle Sales, New and Used,” with conditions, for a period of two (2) years.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Planning & Zoning Commission - September 3, 2026. Recommended for approval with conditions.
Board of Aldermen First Reading and Public Hearing - October 6, 2026

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. ORD PZ.2023.10 - Vantage Motors CUP
2. Staff Report and Attachments - Vantage Motors Reconsideration
3. Exhibit A - Applicant Letter 9-3-26
4. Exhibit B - Applicant Photos (9.3.26)

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO ARASH KAMALI, VANTAGE MOTORS, LLC., TO OPERATE A VEHICLE SALES, NEW OR USED, USE AT 10004 E. 350 HIGHWAY IN AN HC, HIGHWAY COMMERCIAL, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2023-10, was duly submitted on or about September 18, 2023, by Arash Kamali, LLC., requesting approval of a Conditional Use Permit to operate a Vehicle Sales, New or Used, Use on Property Located at 10004 E. 350 Highway Within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri (the "Application"); and

WHEREAS, the Application was recommended for Approval with Conditions by the Planning Commission on March 7, 2024, and approved by the Board of Aldermen on April 16, 2024. Not all the required conditions were met by the designated deadline; therefore, this application was required return to the Planning Commission and Board of Aldermen for reconsideration.

WHEREAS, the Application was considered by the Planning Commission on September 3, 2026, and by a vote of 8 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be Approved with Conditions; and

WHEREAS, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application subject to conditions.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT. That the Application for approval of a Conditional Use Permit to operate a Vehicle Sales, New or Used, Use on Property Located at 10004 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson, County, Missouri is hereby approved and issued to Arash Kamali, Vantage Motors, LLC.

SECTION 2 – CONDITIONS OF APPROVAL. That the Application for approval of a Conditional Use Permit to operate a Vehicle Sales, New or Used, Use on Property Located at 10004 E. 350 Highway within an HC, Highway Commercial, District in the City of Raytown, Jackson County, Missouri, be approved and issued to Arash Kamali, Vantage Motors, LLC., subject to the following conditions as contained in the staff report and approved by the Planning Commission:

1. The approved Conditional Use Permit is valid for two (2) years from the date of the signed ordinance. Prior to the expiration, it is the business owner's responsibility to submit a new Conditional Use Permit application.
2. A 5-foot ADA-compliant sidewalk must be installed along the frontage of 350 Hwy. This shall connect to the existing sidewalk along Raytown Road and shall terminate at the natural extension of the property line, which runs north/south. Public Works personnel may determine the exact location of the sidewalk's termination in the field, depending

on utilities and other potential obstacles. The required sidewalk must be constructed within six (6) months of the date of the signed ordinance.

3. The existing building located on the adjoining property, 10016 E. 350 Hwy, owned by Vantage Motors, must be demolished within six (6) months of the date of the signed ordinance.
4. The striping of any parking stalls determined to be unauthorized, including the stalls located directly to the south of the main entrance, must be removed within six (6) months of the signed ordinance.
5. No cars may be parked in spaces which are not striped and designated for the parking of vehicles. This applies to all vehicles, whether they be for display, customer, or employee parking.
6. No more than fifty-seven (57) vehicles total shall be allowed on the property, including the alleyway, at one time. They shall be designated as such:
    a. A maximum of 43 vehicles displayed for sale on the main site;
    b. A maximum of eight (8) vehicles displayed for sale within the alleyway;
    c. One (1) ADA-compliant handicap-accessible parking space shall be provided along the east side of the property, adjacent to the eight-foot (8') handicap access aisle. This space must be clearly marked for handicap use.
    d. Two (2) spaces must be designated for employee parking.
    e. Three (3) spaces must be designated for customer parking.
    f. The site must conform to the approved Site Plan, dated 2/19/24.
7. An Access Agreement must be obtained with 7403 Raytown Road, currently occupied by O'Reilly's Automotive, to allow continued utilization of the alleyway for access to and from their site. A copy of this written and notarized agreement must be recorded with the Jackson County Recorder of Deeds and provided to City Staff with six (6) months of the date of approval.
8. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from adjoining or abutting residential districts.
9. No ramp or other structure for the purpose of displaying vehicles shall be constructed, installed, or placed on the property.
10. No vehicles shall be parked or displayed on the public right-of-way, on grass, or in other landscaped areas.
11. No vehicle shall be unloaded or loaded on public right-of-way. Unloading and loading of vehicles shall be conducted only on private property.
12. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
13. Required landscaping must be maintained and kept in good condition.
14. Appropriate signage must be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.
15. The business must comply with all applicable local, state, and federal laws and regulations.

16. The Conditional Use Permit shall not be transferrable beyond the initial intended end-user, Arash Kamali (d/b/a/ Vantage Motors, LLC.), except that the Conditional Use Permit can be transferred from Vantage Motors LLC. to its parent, subsidiary, or affiliate, or to a franchisee or dealer of Vantage Motors LLC.
17. Failure to comply with any of the conditions or provisions contained in the signed ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause of revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

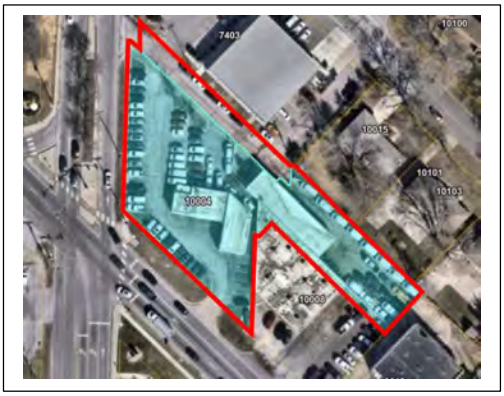
Approved as to Form:

_____
Teresa M. Henry, City Clerk

_____
Jennifer M. Baird, City Attorney

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Staff Report



To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Economic Development Administrator

Case #: Conditional Use Permit PZ-2023-10

Planning & Zoning Meeting Date: September 3, 2025

Board of Aldermen Date: October 6, 2026

Applicant: The City of Raytown

Location: 10004 E. 350 Hwy

Ward: 2

Property Owner: AAK Investment LLC.

Project Summary: For the reconsideration of Conditional Use Permit PZ-2023-10, which was issued to Arash Kamali, Vantage Motors, LLC. on April 16, 2024, to allow for *"Vehicle Sales, New and Used,"* on the property located at 10004 E. 350 Hwy.

Staff Recommendation: Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

Zoning: HC/350, Highway Commercial / 350 Highway Corridor Overlay District

Total Land Area: 0.8524 acre

Public Noticing: *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **July 30, 2026**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **August 12, 2026.** A copy of the letter is included with the attachments to this report.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Adjacent Properties:

	Zoning:	Current Land Use:
North:	R-2/350, Medium-Density Residential / 350 Highway Overlay District	Commercial Business
South:	Public Right-of-Way	Highway (E 350 Hwy)
East:	HC/350, Highway Commercial / 350 Highway Corridor Overlay District	Commercial Business
West:	Public Right-of-Way	Raytown Rd.

Street Classification: 350 Highway is classified as a **Highway**. Raytown Road is classified as an **Arterial Street**.

Background Information: Vantage Motors LLC., located at 10004 E. 350 Hwy. was originally issued a Conditional Use Permit to allow for *"Vehicle Sales, New and Used,"* on September 7, 2010, and was set to expire in ten (10) years, September 7, 2020.

Staff noticed in 2023 that there had been a lapse in time and that a new Conditional Use Permit was warranted. A new Conditional Use Permit was approved and issued on April 16, 2024, granting approval for *"Vehicle Sales, New and Used,"* with the following conditions:

1. If approved, the alleyway adjacent to the north must be consolidated with the main property prior to the use of the alleyway for the parking of vehicles.
2. The striping of any parking stalls determined to be unauthorized must be removed within six (6) months of the signed ordinance. All parking stalls must be striped to conform to what is approved with this application.
3. No cars may be parked in spaces which are not striped and designated for the parking of vehicles. This applies to all vehicles, whether they be for display, customer, or employee parking.
4. No more than fifty-seven (57) vehicles total shall be allowed on the property, including the alleyway, at one time. They shall be designated as such:
    a. A maximum of 43 vehicles displayed for sale on the main site;
    b. A maximum of eight (8) vehicles displayed for sale within the alleyway;
    c. One (1) ADA-compliant handicap-accessible parking space shall be provided along the east side of the property, adjacent to the eight-foot (8') handicap access aisle. This space must be clearly marked for handicap use.
    d. Two (2) spaces must be designated for employee parking.
    e. Three (3) spaces must be designated for customer parking.
    f. All new parking stalls must meet the minimum size code requirements, which are 18 feet long by 9-feet wide. If approved, the existing display stalls may be 8-feet wide, but all other parking must comply with Code requirements.
5. The business must comply with all applicable local, state, and federal laws and regulations.

6. An Access Agreement must be obtained with 7403 Raytown Road, currently occupied by O'Reilly's Automotive, to allow continued utilization of the alleyway for access to and from their site. A copy of this written and notarized agreement must be recorded with the Jackson County Recorder of Deeds and provided to City Staff with six (6) months of the date of approval.
7. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from adjoining or abutting residential districts.
8. No ramp or other structure for the purpose of displaying vehicles shall be constructed, installed, or placed on the property.
9. No vehicles shall be parked or displayed on the public right-of-way, on grass, or in other landscaped areas.
10. No vehicle shall be unloaded or loaded on public right-of-way. Unloading and loading of vehicles shall be conducted only on private property.
11. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
12. Required landscaping must be maintained and kept in good condition.
13. Appropriate signage must be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.
14. **A 5-foot ADA-compliant sidewalk must be installed along the frontage of 350 Hwy. This shall connect to the existing sidewalk along Raytown Road and shall terminate at the natural extension of the property line, which runs north/south. Public Works personnel may determine the exact location of the sidewalk's termination in the field, depending on utilities and other potential obstacles.**
15. **All required improvements contained herein must be constructed within two (2) years of approval of an ordinance by the Board of Aldermen approving this Conditional Use Permit. If the improvements are not constructed within two (2) years of approval of the said application by the Board of Aldermen, the Conditional Use permit shall be null and void.**
16. The Conditional Use Permit shall not be transferrable beyond the initial intended end-user, Arash Kamali (d/b/a/ Vantage Motors, LLC.), except that the Conditional Use Permit can be transferred from Vantage Motors LLC. to its parent, subsidiary, or affiliate, or to a franchisee or dealer of Vantage Motors LLC.
17. **Failure to comply with any of the conditions or provisions contained in the signed ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause of revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.**

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

The required improvements, including the five-foot (5') ADA-compliant sidewalk along the frontage of 350 Hwy were not completed within the two-year timeline. Therefore, this Conditional Use Permit must be reconsidered.

Land Use Conditions: The land use being requested by the Conditional Use Permit, *"Vehicle Sales, New and Used,"* is subject to the following land use conditions:

Section 50-107(b):

(28) The following additional criteria shall apply to all vehicle sales, new or used:

a. Such principal use shall not locate or expand an existing operation within 1,500 feet of any other property on which another principal vehicle sales, new or used, business is located; however, the planning commission and board of aldermen may give special consideration to expansion of an existing operation within 1,500 feet of another property with the same principal use if said expansion will improve the overall character of the neighborhood and not increase the overall number of vehicle sales businesses in the city. This shall only occur pursuant to approval of a conditional use permit for the expansion;
b. The separation distance between two such uses shall be measured from the primary entrance of the first vehicle sales business, from or to the primary entrance of the second such business.
c. Separation distance provisions shall not apply to any vehicle sales, new or used, business that can demonstrate that they were in operation at the current physical location prior to the effective date of the ordinance from which this article is derived.
d. Any existing business licensed under this category that has had a change of ownership occur, resulting in the owner of record no longer controlling a majority of the interest in the business, shall be deemed a new business and shall apply for a new business license in accordance with chapter 10 of the Raytown Municipal Code. If the previous owner's business license expired more than six months prior to the new owner filing a business license application to take over control of the business, the new application to change ownership shall not be approved unless all of the requirements of this use table condition can be met, and a conditional use permit has been issued. This shall also apply if the physical use of a specific location for vehicle sales has ceased for a period of six months or more.
e. Spaces dedicated on a property for the placement of vehicles for sale shall be properly marked and provide adequate drive aisles to access all such marked spaces. These spaces shall in no way reduce the required number of parking spaces to be provided for customers, employees, or handicapped.
f. Appropriate signage be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such

signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.

Conditional Use Permit Factors to Be Considered:

1. **The stability and integrity of the various zoning districts.**

   The proposed use is appropriate for the site(s) and the "HC" (Highway Commercial Corridor) zoning district as this zoning designation is intended for businesses that attract patrons on a regional level.

2. **The conservation of property values.**

   If approved, the proposed pre-owned automotive sales business will continue to occupy the site. The site must be brought into compliance with the conditions of approval and the Highway 350 Corridor Design Guidelines, thereby helping to stabilize and/or improve the value of properties in the area in which it is located.

3. **Protection against fire casualties.**

   The site is developed and has been operating as a vehicle sales establishment since 2010. If the site operates in compliance with the conditions of approval, the site will be protected against fire casualties.

4. **Observation of general police regulations.**

   The approval of a Conditional Use Permit for the purpose of Vehicle Sales, New and Used, will not violate any general police regulations.

5. **Prevention of traffic congestion.**

   It is possible for traffic congestion to be managed, if the business operates as is approved. Cars may not be parked within the public right-of-way, and no more than the authorized number of vehicles may be on the site at any time.

6. **Promotion of traffic safety and the orderly parking of motor vehicles.**

   As indicated on the Site Plan, there are two (2) right-in, right-out access points. One connects the site to Westbound E. 350 Highway, and the other connects the site to Northbound Raytown Road via the alleyway. Both are proposed to remain. Vehicle parking is provided on the site plan and the stalls are designated "Display," "Customer," "Employee," and "Handicap." If site parking is utilized as is approved, vehicles should be parked in an orderly manner and traffic safety will be promoted.

7. **Promotion of the safety of individuals and property.**

   The business has the potential to operate safely, assuming that site circulation is conducted in a manner aligned with what is approved.

8. **Provisions for adequate light and air.**

   The site is already developed and allows for sufficient light and air within the site.

9. **Prevention of overcrowding and excessive intensity of land uses.**

   The City of Raytown Municipal Code requires that parking spaces have a minimum length of eighteen-feet (18') and a minimum width of nine-feet (9'). The previous Conditional Use Permits (2013 and 2023) were approved, allowing the stalls that are designated for display to be only eight-foot (8') wide, a deficit of one-foot (1') in width. The Planning Commission and the Board of Aldermen may reevaluate the required dimensions of these parking stalls at this time, if they choose.

10. **Provision for public utilities and schools.**

    The approval of a Conditional Use Permit and the proposed future development will not have an impact on schools in Raytown or the school district.

11. **Invasion by inappropriate uses.**

    The area is suitable for a Vehicle Sales establishment. Vehicle Sales, New and Used, are permitted in the "HC" (Highway Commercial Corridor) district with the approval of a Conditional Use Permit. Vantage Motors has been operating at this location since 2010.

12. **Value, type and character of existing or authorized improvements and land uses.**

    If approved, the property owner will be required to bring the site into compliance with the 350 Highway Corridor Overlay Design Standards. This includes the construction of a sidewalk along the 350 Highway frontage, maintenance of required landscaping, and adherence to the maximum number of vehicles within the site.

13. **Encouragement of improvements and land uses in keeping with overall planning.**

    If the property owner abides by all required conditions, the property improvements could improve the commercial corridor and align with the principles outlined in the Comprehensive Plan.

14. **Provision for orderly and proper renewal, development, and growth.**

As previously noted, Vantage Motors has been in operation at this location since 2010. If the property/business owners can abide by the terms and conditions approved in this Conditional Use Permit application, it is possible for the business to assist in the orderly renewal, development, and growth of Raytown.

ATTACHMENTS:

- Zoning Map
- Site Photos
- Approved Site Plan from 2-19-24
- Email Confirmation of Parcel Consolidation
- Letter to Property Owner Dated July 28, 2026
- Neighborhood Letter
- 185-ft Buffer Map
- Affidavit of Publication
- Street Classification Map
- Raytown on the Rise Comprehensive Plan – Future Land Use Map

---

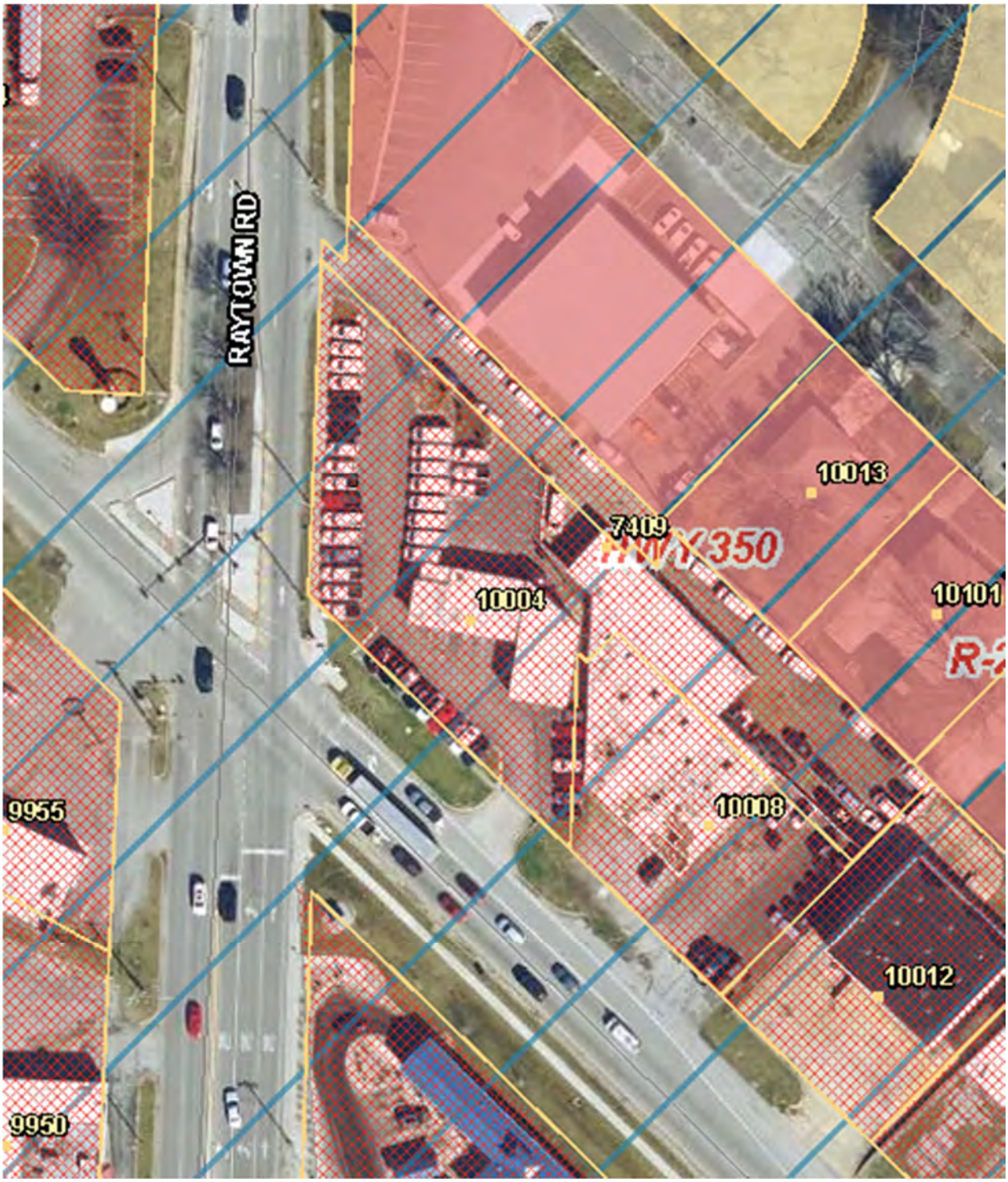
Staff recommends that the Planning & Zoning Commission recommend **APPROVAL** of Conditional Use Permit application **PZ-2023-10** subject to the following conditions:

1. The approved Conditional Use Permit is valid for two (2) years from the date of the signed ordinance. Prior to the expiration, it is the business owner's responsibility to submit a new Conditional Use Permit application.
2. A 5-foot ADA-compliant sidewalk must be installed along the frontage of 350 Hwy. This shall connect to the existing sidewalk along Raytown Road and shall terminate at the natural extension of the property line, which runs north/south. Public Works personnel may determine the exact location of the sidewalk's termination in the field, depending on utilities and other potential obstacles. The required sidewalk must be constructed within six (6) months of the date of the signed ordinance.
3. The existing building located on the adjoining property, 10016 E. 350 Hwy, owned by Vantage Motors, must be demolished within six (6) months of the date of the signed ordinance.
4. The striping of any parking stalls determined to be unauthorized, including the stalls located directly to the south of the main entrance, must be removed within six (6) months of the signed ordinance.
5. No cars may be parked in spaces which are not striped and designated for the parking of vehicles. This applies to all vehicles, whether they be for display, customer, or employee parking.

6. No more than fifty-seven (57) vehicles total shall be allowed on the property, including the alleyway, at one time. They shall be designated as such:
   a. A maximum of 43 vehicles displayed for sale on the main site;
   b. A maximum of eight (8) vehicles displayed for sale within the alleyway;
   c. One (1) ADA-compliant handicap-accessible parking space shall be provided along the east side of the property, adjacent to the eight-foot (8') handicap access aisle. This space must be clearly marked for handicap use.
   d. Two (2) spaces must be designated for employee parking.
   e. Three (3) spaces must be designated for customer parking.
   f. The site must conform to the approved Site Plan, dated 2/19/24.
7. An Access Agreement must be obtained with 7403 Raytown Road, currently occupied by O'Reilly's Automotive, to allow continued utilization of the alleyway for access to and from their site. A copy of this written and notarized agreement must be recorded with the Jackson County Recorder of Deeds and provided to City Staff with six (6) months of the date of approval.
8. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from adjoining or abutting residential districts.
9. No ramp or other structure for the purpose of displaying vehicles shall be constructed, installed, or placed on the property.
10. No vehicles shall be parked or displayed on the public right-of-way, on grass, or in other landscaped areas.
11. No vehicle shall be unloaded or loaded on public right-of-way. Unloading and loading of vehicles shall be conducted only on private property.
12. Any inoperable, dismantled, or damaged vehicle shall be stored within the building so that it is not visible to persons outside of the building.
13. Required landscaping must be maintained and kept in good condition.
14. Appropriate signage must be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.
15. The business must comply with all applicable local, state, and federal laws and regulations.
16. The Conditional Use Permit shall not be transferrable beyond the initial intended end-user, Arash Kamali (d/b/a/ Vantage Motors, LLC.), except that the Conditional Use Permit can be transferred from Vantage Motors LLC. to its parent, subsidiary, or affiliate, or to a franchisee or dealer of Vantage Motors LLC.
17. Failure to comply with any of the conditions or provisions contained in the signed ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause of revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Zoning Map:



Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Site Photos:



Figure 1. Aerial Image from Jackson County Parcel Viewer



Figure 2. Front of Building 8-28-26



Figure 3. Alleyway 8-28-26



Figure 4. Cars parked over the line 8-28-26



Figure 5. Cars parked over the line. 8-28-26



Figure 6. Cars parked over the line. 8-28-26

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164



Figure 7. Unauthorized parking stall lines remain in front of building entrance. 8-28-26

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164



Figure 8. Cars parked in unauthorized spaces. 8-28-26



Figure 9. Building located on adjacent parcel, 10016 E 350 Hwy, owned by same property owner.

Currently proposed Site Plan



EXISTING FENCING 3
Scale N.T.S.



LOCATION MAP 2
Scale N.T.S.

SITE PLAN 1
Scale 1" = 20'-0"

PARKING TABULATIONS

2 EMPLOYEE PARKING SPACES	9 X 18
5 CUSTOMER PARKING SPACES	9 X 18
1 HANDICAP PARKING SPACE	9 X 18
43 CAR DISPLAY PARKING SPACES	8 X 18
NEW 8 CAR DISPLAY PARKING SPACES	9 X 18
57 TOTAL PARKING SPACES	

PLAN NOTES

01 EXISTING CONCRETE CURB & GUTTER
02 EXISTING GAS METER
03 HANDICAP SIDEWALK RAMPS, 1:12 SLOPE WITH TERRA COTTA COLOR TRUNCATED DOME
04 5' WIDE 4" THICK REINF. CONC. SIDEWALK
05 EXISTING 6' DIA. STL. BOLLARD W/ CABLE SECURITY GATE.
06 EXISTING SECURITY FENCING & GATES
07 EXISTING CONC. SIDEWALK
08 EXISTING SIDEWALK HANDICAP RAMPS
09 EXISTING TRASH CONTAINER LOCATION
10 EXISTING RTU TO BE SCREENED WITH WHITE VYNAL FENCING

STATE OF MISSOURI
CHRISTOPHER LEE BELL
NUMBER A-5161
REGISTERED ARCHITECT

CHRISTOPHER R. BELL - ARCHITECT

ROSE DESIGN GROUP INC.
ARCHITECTS ■ PLANNERS
A Division of Rose Design Build
913-782-0777 FAX: 913-782-0998
P.O. BOX 100 OLATHE, KS 66051

EXISTING CAR LOT CUP FOR:
VANTAGE MOTORS LLC
10004 E. 350 HIGHWAY
RAYTOWN, JACKSON COUNTY, MISSOURI

NO.	DESCRIPTION	DATE

Received 2/19/24

PROJECT NUMBER 2401
DATE ISSUED: ~~12/29/23~~
SHEET NUMBER A1

SITE PLAN

9:07am – USER: ChrisB
I:\Rose\Projects-Current\22015 Vantage Motors Service Remodel\Production\Planning & Zoning\Architectural\Vantage Corner Lot CUP\A1 SITE PLAN.dwg
CONTAINS: PRINTED BY: ROSE DESIGN GROUP, INC. 913-782-0777 THE DRAWINGS, AND INFORMATION INCLUDED ON THESE DRAWINGS, ARE AND SHALL REMAIN THE PROPERTY OF ROSE DESIGN GROUP, INC. AND IS LOANED IN CONFIDENCE WITH THE UNDERSTANDING THAT IT WILL NOT BE COPIED, REPRODUCED, OR USED IN ANY MANNER WHATSOEVER, NOR DISCLOSED TO OTHERS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF ROSE DESIGN GROUP, INC. AND IN THE EVENT OF PUBLICATION THE COPYRIGHT NOTICE SHALL APPEAR.

Outlook

RE: 10004 e m 350 hwy

From Shana Kelly <shanak@raytown.mo.us>
Date Tue 4/30/2024 10:34 AM
To Vincent E. Brice <VBrice@jacksongov.org>; ashkank@gmail.com <ashkank@gmail.com>; arash_kamali@hotmail.com <arash_kamali@hotmail.com>

Vince,

Thank you very much for letting me know. I won't need the new parcel number. This email will serve as confirmation that they're in the process of being consolidated. That's all I need. Thanks again!

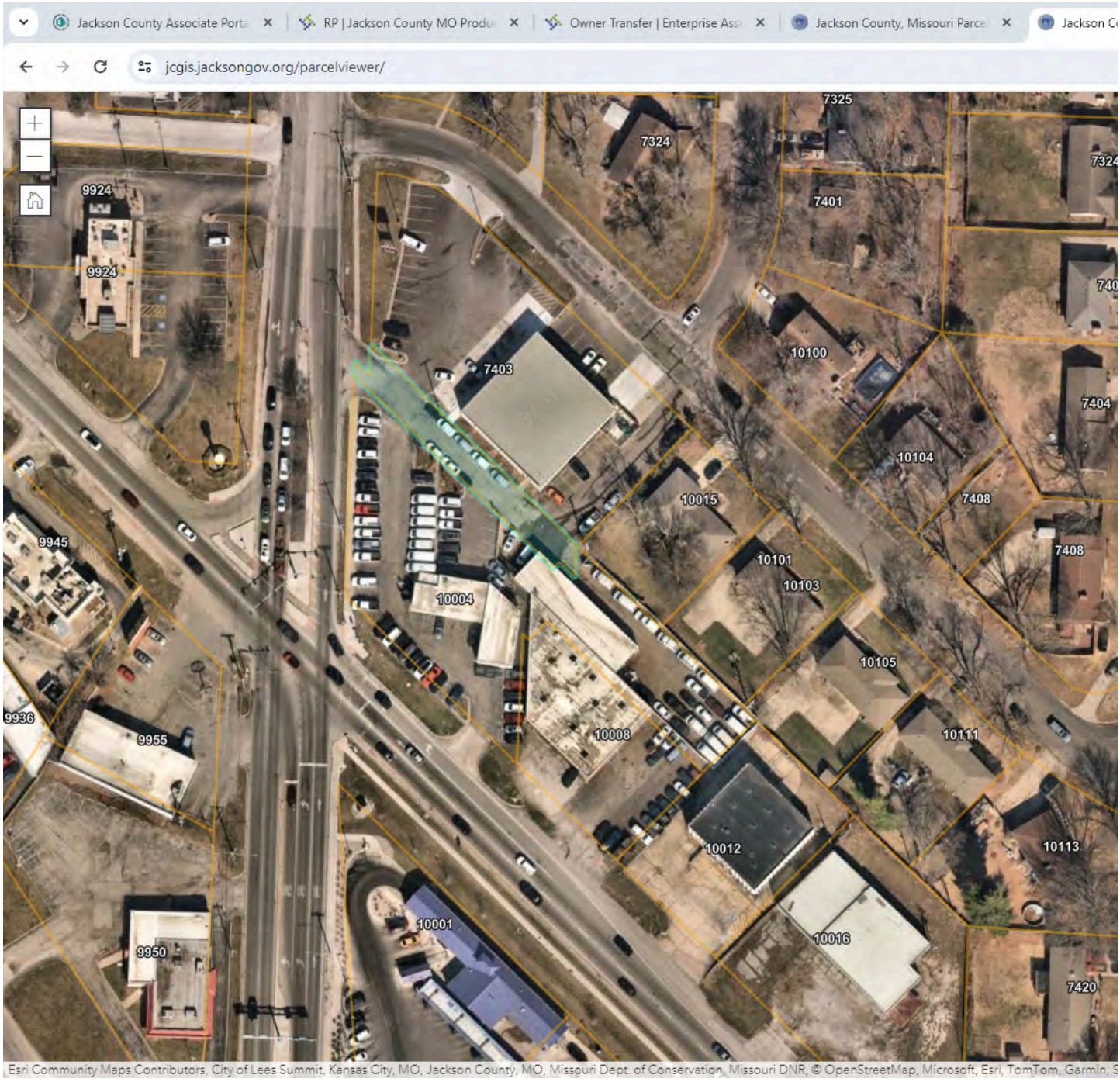
Have a great day,
Shana

From: Vincent E. Brice <VBrice@jacksongov.org>
Sent: Friday, April 26, 2024 4:18 PM
To: ashkank@gmail.com; arash_kamali@hotmail.com
Cc: Shana Kelly <shanak@raytown.mo.us>
Subject: 10004 e m 350 hwy

Shana,

The county will merge for taxing purpose for the 2025 tax year the following Parcels 45-630-16-21-00-0-00-000 & 45-630-16-22-00-0-00-000.

A new tax parcel number will be issued at that time. (sorry I don't know what the new number will be at this time).



Vincent E Brice
GIS Specialist III
Jackson County Assessment Mapping Section
816-881-1735

Please note that We have moved to the 1300 Washington KCMO 64106.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

July 28, 2026

ARASH KAMALI
10004 E. 350 HWY
RAYTOWN, MO 64111

Mr. Kamali,

--REVISED--

Previously, we had sent a letter informing you of the need to return to the Planning Commission at the regularly scheduled meeting on August 6, 2026, and the Board of Aldermen on September 1, 2026. Due to technical issues, we were not able to properly notice the public for these meeting dates as legally required. Due to this, we must reschedule this case to appear before the Planning Commission on **Thursday, September 3, 2026, at 6:00pm**, and the Board of Aldermen on **October 6, 2026, at 7:00pm.**

++

It has come to the attention of the City of Raytown that the Conditions of Approval contained in Conditional Use Permit PZ-2023-10, allowing for *"Vehicle Sales, New & Used,"* on the property located at 10004 E. 350 Hwy, Vantage Motors, have not been fulfilled by the required timeline, specifically:

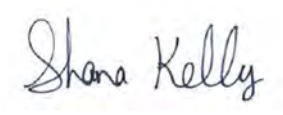
14. **A five-foot (5') ADA-compliant sidewalk must be installed along the frontage of 350 Hwy. This shall connect to the existing sidewalk along Raytown Road and shall terminate at the natural extension of the property line, which runs north/south. Public Works personnel may determine the exact location of the sidewalk's termination in the field, depending on utilities and other potential obstacles.**

15. **All required improvements contained herein must be constructed within two (2) years of approval of an ordinance by the Board of Aldermen approving this Conditional Use Permit. If the improvements are not constructed within two (2) years of approval of the said application by the Board of Aldermen, the Conditional Use Permit shall be null and void.**

As the ordinance granting approval of the Conditional Use Permit was signed on April 16, 2024, the public improvements were to be completed no later than April 16, 2026. As a result, you are currently in violation of this Conditional Use Permit, therefore, this application is scheduled to go before the Planning & Zoning Commission on ~~**August 6, 2026,**~~ **September 3, 2026**, and the Board of Aldermen, tentatively on ~~**September 1, 2026**~~**, October 6, 2026**. You are encouraged to attend.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Sincerely,



Shana Kelly
816-737-6059
Economic Development Administrator
City of Raytown
shanak@raytown.mo.us

July 28, 2026
Re: Case No: PZ-2023-10

Dear Property Owner/Tenant:

Notice of Public Hearing in Your Area

On April 16, 2024, a Conditional Use Permit was granted to Arash Kamali, of Vantage Motors, LLC., to continue operating a *"Vehicle Sales, New or Used"* business at 10004 E. 350 Hwy. This approval was granted with certain conditions, which may be viewed in the attached signed ordinance. Because some of these conditions were not met within the legally required timeline, this Conditional Use Permit must be reconsidered by the City of Raytown Planning & Zoning Commission and the Board of Aldermen. These meetings are scheduled for:

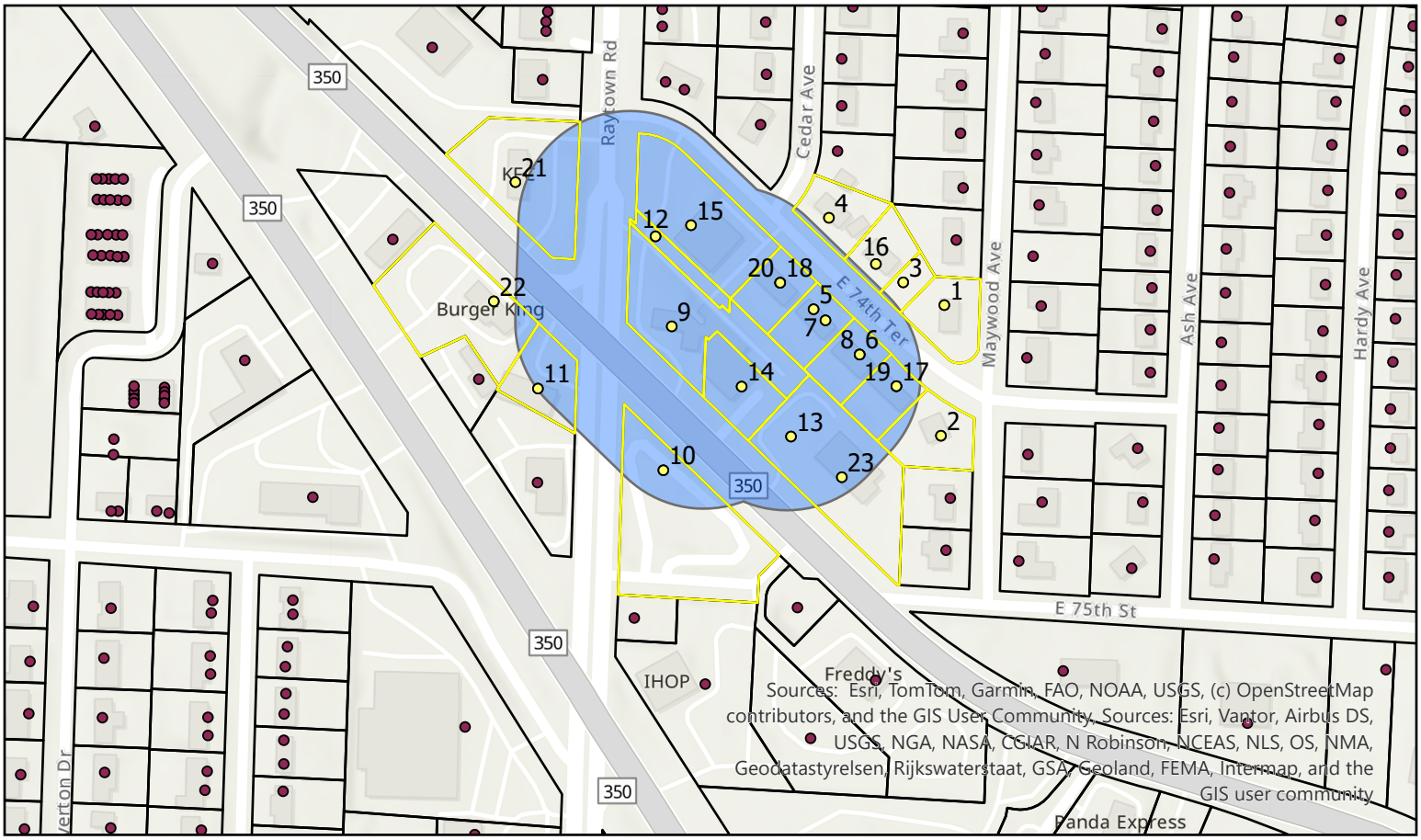
- **Planning & Zoning Commission – Thursday, September 3, 2026, at 6:00pm**
- **Board of Aldermen – Tuesday, October 6, 2026, at 7:00pm**

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E 59th Street, Raytown, MO 64133. As a nearby owner or tenant, you are entitled to appear and provide comments at either of the public hearings on this matter or to provide written comments.

The full packet and agenda for the Planning & Zoning Commission will be available for view on the City of Raytown website by **Friday, August 28, 2026.**

Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by phone at (816)737-6059 or by email at shanak@raytown.mo.us.

If you will require any special accommodations (i.e., qualified interpreter, large print reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the applicable public hearing date.



OBJECTID	Address Point ID	Full Address	Municipality Name	Zip Code
1	45-630-05-19-00-0-00-000	7408 MAYWOOD AVE	RAYTOWN	64133
2	45-630-16-01-00-0-00-000	10113 E 74TH TER	RAYTOWN	64133
3	45-630-05-18-00-0-00-000	7408 MAYWOOD AVE	RAYTOWN	64133
4	45-630-05-16-00-0-00-000	10100 E 74TH TER	RAYTOWN	64133
5	45-630-16-04-00-0-00-000	10101 E 74TH TER	RAYTOWN	64133
6	45-630-16-03-00-0-00-000	10105 E 74TH TER	RAYTOWN	64133
7	45-630-16-04-00-0-00-000	10103 E 74TH TER	RAYTOWN	64133
8	45-630-16-03-00-0-00-000	10107 E 74TH TER	RAYTOWN	64133
9	45-630-16-21-00-0-00-000	10004 E M 350 HWY	RAYTOWN	64133
10	45-630-17-01-01-0-00-000	10001 E M 350 HWY	RAYTOWN	64138
11	45-540-04-04-00-0-00-000	9955 E M 350 HWY	RAYTOWN	64133
12	45-630-16-22-00-0-00-000	NO ADDRESS ASSIGNED BY CITY	RAYTOWN	64133
13	45-630-16-23-00-0-00-000	10012 E M 350 HWY	RAYTOWN	64133
14	45-630-16-19-00-0-00-000	10008 E M 350 HWY	RAYTOWN	64133
15	45-630-16-20-00-0-00-000	7403 RAYTOWN RD	RAYTOWN	64133
16	45-630-05-17-00-0-00-000	10104 E 74TH TER	RAYTOWN	64133
17	45-630-16-02-00-0-00-000	10111 E 74TH TER	RAYTOWN	64133
18	45-630-16-05-00-0-00-000	10015 E 74TH TER	RAYTOWN	64133
19	45-630-16-02-00-0-00-000	10109 E 74TH TER	RAYTOWN	64133
20	45-630-16-05-00-0-00-000	10013 E 74TH TER	RAYTOWN	64133
21	45-540-02-87-00-0-00-000	9924 E M 350 HWY	RAYTOWN	64133
22	45-540-04-06-01-0-00-000	9945 E M 350 HWY	RAYTOWN	64133
23	45-630-16-23-00-0-00-000	10016 E M 350 HWY	RAYTOWN	64133

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record
KANSAS CITY

Affidavit of Publication

To: City of Raytown - Missouri - Michael Stolzle
10000 E 59Th St
Raytown, MO, 64133

Re: Legal Notice 4183531, 10004 E 350 Hwy, Raytown, Missouri

State of MO)
) SS:
County of Jackson County)

Before the undersigned Notary Public personally appeared Stephanie Adams on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 07/30/2026 edition and ending with the 07/30/2026 edition for a total of 1 publications, and that the date of publications were as follows: 07/30/2026.

Publishers fee: $64.96

By: Stephanie Adams

Sworn to me on this 30th day of July 2026

By:

Brandon M. Crail
Notary Public, State of MO
No. 20297982
Qualified in St. Louis County
My commission expires on
March 5, 2028

BRANDON M CRAIL
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 20297982
My Commission Expires 03-05-2028

Notice of Public Hearings

Affected Property: 10004 E 350 Hwy, Raytown, Missouri

Jackson County Parcel ID # 45-630-16-21-00-0-00-000

A public hearing to reconsider a Conditional Use Permit application for a *"Vehicle Sales, New or Used"* use for Vantage Motors on the property addressed as 10004 E. 350 Hwy in Raytown, Missouri, will be held by the Raytown Planning & Zoning Commission at 6:00pm on Thursday, September 3, 2026.

Conditional Use Permit, PZ-2023-10, was issued on April 16, 2024, to Arash Kamali of Vantage Motors, with certain conditions of approval. As some of those conditions were not met within the allowed time limit, this application must return to the Planning Commission for reconsideration.

The packet and agenda will be available for view on the City of Raytown website on Friday, August 28, 2026.

The Raytown Board of Aldermen will also hold a public hearing to consider this Conditional Use Permit, tentatively scheduled for 7:00pm on Tuesday, October 6, 2026.

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comments. Additional information can be obtained from the Department of Community Development located in Raytown City Hall at 10000 E. 59th Street, by telephone at (816)737-6059 or by email at shanak@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the applicable public hearing date.

4183531 Jackson Jul. 30, 2026

CITY OF RAYTOWN

2014-2015

HIGHWAY

ARTERIAL

COLLECTOR

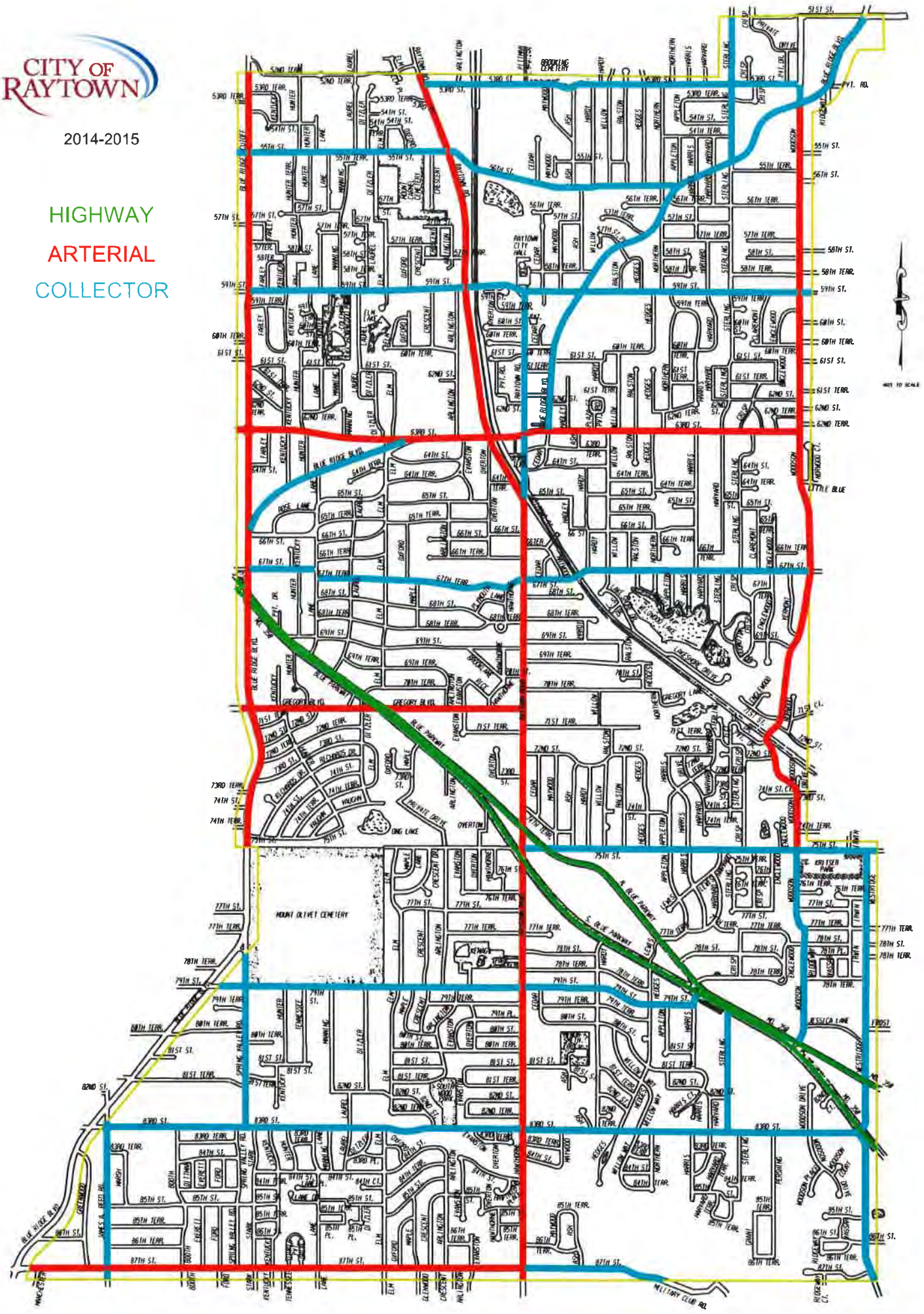
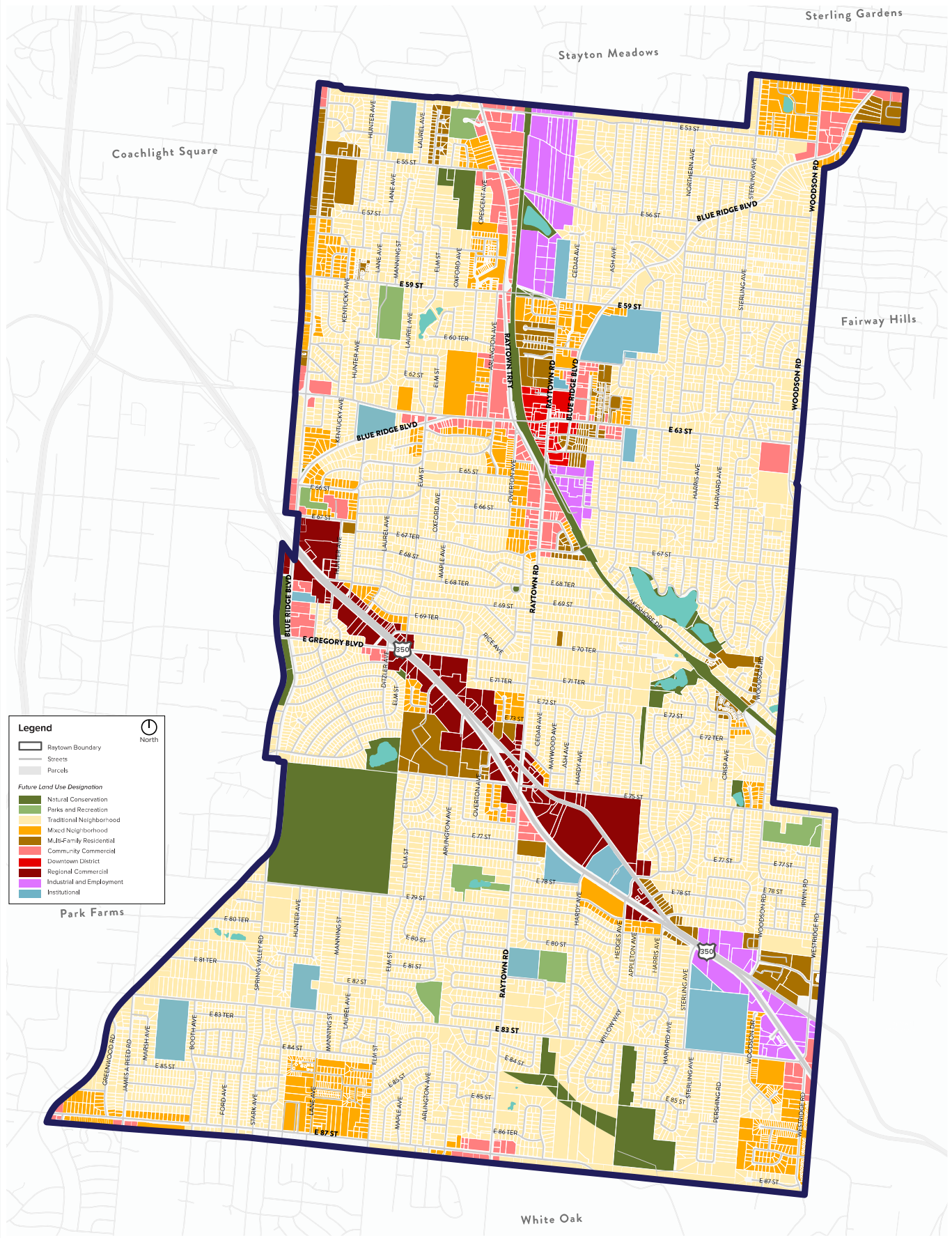


Figure 27: Future Land Use Map



PZ-2023-10 — Vantage Motors

Request for a Reasonable CUP Duration

We understand and don't dispute the updated CUP duration policy — we recognize code compliance in this industry citywide is the driver, not anything specific to us. Our ask is where we start on the ladder you've described, not whether the ladder applies.

Our Request

Vantage Motors respectfully requests that the Conditional Use Permit be approved for **10 years**, rather than a two-year expiration requiring a completely new CUP application.

If the Commission is not comfortable with 10 years, we respectfully request consideration of a **5-year term** or another structure that provides reasonable long-term stability while preserving the City's ability to enforce compliance.

Why Vantage Is Different from a New Automotive Use

- Vantage Motors has operated at this location since **2010**
- The City's staff report confirms the business's operating history at this property
- Vantage Motors' original 2010 CUP had a **10-year term**
- The current request is therefore not for a new business whose compliance history is unknown
- The City has approximately **16 years of experience with this particular operation**

We Understand the City's Compliance Concerns

We understand and respect the City's concern about code compliance at automotive businesses throughout Raytown.

We also recognize that Vantage Motors has had some minor compliance matters. We do not claim that our record has been perfect. However, those matters were **minor and promptly corrected when identified**.

We respectfully believe there is an important distinction between:

isolated, promptly corrected issues

and **significant or unresolved compliance problems.**

In addition, the Current CUP Already Provides Extensive Oversight

The proposed CUP contains detailed requirements addressing:

- Vehicle inventory and display locations, sidewalk improvements, access agreements, storage of damaged/inoperable vehicles, public right-of-way restrictions, and numerous other operational requirements

Most importantly, the proposed CUP already provides that **failure to comply with the conditions is grounds for revocation**.

A Two-Year Review Does Not Have to Mean a Two-Year CUP

We understand the City's desire to evaluate compliance.

We respectfully ask whether that objective can be accomplished through a **compliance review** rather than automatic expiration of the CUP and a requirement that an established business submit an entirely new CUP application every two years.

A Possible Compromise

If the Commission wants a formal checkpoint, Vantage Motors request consideration of:

> **A 10-year CUP with an administrative compliance review after two years, without requiring a new CUP application unless there is a material compliance issue that otherwise provides grounds for enforcement or revocation.**

This would give the City continued oversight while avoiding unnecessary disruption to an established business that remains in compliance.

Our Commitment

Our goal is not to avoid accountability or oversight.

We are asking for a CUP duration that recognizes:

16 years of operating history + corrected compliance issues + extensive conditions of approval + existing City enforcement authority.

We respectfully ask the Commission to consider a **10-year CUP**, or at minimum a **5-year term**, based on the circumstances of this particular property and business.


VANTAGE
MOTORS






VANTAGE MOTORS
Jeep


ANTAGE MOTORS






O'Reilly
AUTO PARTS






O'Reilly
AUTO PARTS

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/12/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

SECOND READING: Bill No. 6724-26, Section XIII: Requesting a Conditional Use Permit to allow for “Vehicle Sales, New and Used” at 11900 E. 350 Highway.

BACKGROUND/JUSTIFICATION

Multiple businesses operating Vehicle Sales without a Conditional Use Permit at the subject site were brought to staff’s attention in June of 2026. The applicant for this case proposes to use the site for Vehicle Repair; Limited, a permitted use in M Districts, along with Vehicle Sales; New and Used, which requires the approval of a Conditional Use Permit in M zoning districts. To Staff’s knowledge, the applicant has not yet begun Vehicle Sales on the subject site.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Planning & Zoning Commission - September 3, 2026. Recommended for Approval with Conditions.
Board of Aldermen First Reading and Public Hearing - October 6, 2026

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. ORD PZ-2026-13 - Automotive Concierge - 11900 E 350 Hwy
2. Staff Report (BoA) + Attachments - PZ-2026-13 - Automotive Concierge
3. Exhibit A - PZ-2026-13 - Proposed_Parking_by_Applicant_9-3-26

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO SAMANTHA SALEM, LIFESTYLE BUSINESS SOLUTIONS LLC D/B/A AUTOMOTIVE CONCIERGE CAR SALES, TO OPERATE A "VEHICLE SALES, NEW AND USED" FACILITY AT 11900 E 350 HIGHWAY IN AN M, INDUSTRIAL DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2026-13, was duly submitted on or about August 3, 2026, by Samantha Salem, Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales, requesting approval of a Conditional Use Permit to operate a *"Vehicle Sales, New and Used,"* facility on Property Located at 11900 E 350 Highway within an M, Industrial, District in the City of Raytown, Jackson County, Missouri (the "Application"); and

WHEREAS, the Application was considered by the Planning Commission on September 3, 2026, and by a vote of 8 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved with conditions; and

WHEREAS, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT. That the Application for approval of a Conditional Use Permit to operate a "*Vehicle Sales, New and Used*," facility on Property Located at 11900 E. 350 Highway within an M, Industrial District in the City of Raytown, Jackson, County, Missouri is hereby approved and issued to Samantha Salem, Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales.

SECTION 2 – CONDITIONS OF APPROVAL. That the Application for approval of a Conditional Use Permit to operate a "*Vehicle Sales, New and Used*," facility on Property Located at 11900 E 350 Highway within an M, Industrial District in the City of Raytown, Jackson, County, Missouri is hereby approved and issued to Samantha Salem, Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales subject to the following conditions as contained in the staff report:

1. The approved Conditional Use Permit is valid for two (2) years from the date of the signed ordinance. Prior to the expiration, it is the applicant's responsibility to submit a new Conditional Use Permit application.
2. No cars may be parked in spaces which are not striped and designated for the parking of vehicles. This applies to all vehicles, including but not limited to those for display, customer, or employee parking. Section 50-539 of the City of Raytown Municipal Code requires parking stalls to be a minimum of nine-feet (9') wide by 18-feet long.
3. The applicant shall, within six (6) months of the date of the signed ordinance, effectuate the striping of all paved outdoor areas of the property where the business plans to store or park vehicles for sale, for customer parking, or for employee parking to the following specifications:

a. One (1) ADA-compliant handicap-accessible parking space shall be provided along the northwest-facing exterior wall of the smaller of the two buildings currently situated on the parcel. An eight-foot (8') handicap access aisle on the passenger side of, and immediately adjacent to, this parking space shall also be provided. This handicap-accessible parking space must be clearly marked for handicap use. These handicap-accessible facilities shall be provided pursuant to Section 208 of the ADA Accessibility Standards, and Sec. 36-87, and all other relevant sections of the Raytown Municipal Code. In the instance that the signed ordinance and the ADA Accessibility Standards conflict, the ADA Accessibility Standards govern.
b. Two (2) parking spaces must be designated and marked for employee parking.
c. Three (3) parking spaces must be designated and marked for customer parking.
d. The striping of all parking stalls and other pavement markings shall conform to the specifications in Chapter 50 Article X, Chapter 50 Article IV Division 8, and Chapter 42 Articles IX through XI, and any other relevant sections of the Raytown Municipal Code, except in those instances where the ADA Accessibility Standards or any other state or federal regulations take legal precedence.
e. The striping of parking stalls and other pavement markings shall not inhibit the safe and orderly flow and/or access of all vehicles (including emergency vehicles) to, from, or within the property.
f. Any parking stalls determined to be unauthorized shall be removed within six (6) months of the signed ordinance.
g. The applicants shall submit a parking diagram of the proposed striping of the subject site to the Community Development Department which must be reviewed and approved by staff prior to striping of the property. This parking diagram shall depict the existing and proposed locations and dimensions of all parking stalls, drive aisles, handicap accessible parking facilities, and areas designated for storage of inoperable vehicles on the subject site which shall be utilized by the applicants, their employees, or patrons.

4. The applicants shall dispose of all waste in accordance with all legal requirements, namely including, but not limited to, those regulations governed by the State of Missouri Department of Natural Resources.
5. The business shall comply with all applicable local, state, and federal laws and regulations.
6. Signs must be properly permitted. Signage is a separate application, approval, and permit process.
7. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from adjoining or abutting residential districts.
8. No ramp or other structure for the purpose of displaying vehicles shall be constructed, installed, or placed on the property.
9. No vehicles shall be parked or displayed on the public right-of-way, on grass, or in other landscaped areas.
10. No vehicle shall be unloaded or loaded on public right-of-way. Unloading and loading of vehicles shall be conducted only on private property.

11. Any inoperable, dismantled, or damaged vehicle shall be stored within a building or otherwise screened such that it is not visible from the public right-of-way.
12. Required landscaping must be maintained and kept in good condition.
13. Appropriate signage must be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.
14. The Conditional Use Permit shall not be transferrable beyond the initial intended end-user, Samantha Salem - Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales, except that the Conditional Use Permit can be transferred from Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales to its parent, subsidiary, or affiliate, or to a franchisee or dealer of Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales.
15. Failure to comply with any of the conditions or provisions contained in the signed ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause of revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Staff Report



To: City of Raytown, Planning & Zoning Commission

From: Benjamin Robinson,

Planning & Zoning Coordinator

Case #: Conditional Use Permit PZ-2026-13

Planning & Zoning Meeting Date: September 3, 2026

Board of Aldermen Date: October 6, 2026

Applicant: Samantha Salem | Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales

Location: 11900 E 350 Hwy and PARCEL ID 44-930-03-10-00-0-00-000

Ward: 4

Property Owner: 4R Holdings Company LLC

Project Summary: The applicant is requesting a Conditional Use Permit to allow for *"Vehicle Sales, New and Used"* on the subject site.

Staff Recommendation: Staff recommends **Approval with Conditions** of the Conditional Use Permit Application. Conditions are outlined below.

Background Information: Multiple businesses operating Vehicle Sales without a Conditional Use Permit at the subject site were brought to staff's attention in June of 2026. The applicant for this case proposes to use the site for Vehicle Repair; Limited, a permitted use in M Districts, along with Vehicle Sales; New and Used, which requires the approval of a Conditional Use Permit in M zoning districts. To Staff's knowledge, the applicant has not yet begun Vehicle Sales on the subject site.

Zoning: M; Industrial, HWY 350; Highway 350 Corridor Design Guidelines.

Total Land Area: about 4.25 acres.

Future Applications: If the **Conditional Use Permit** application is approved, the property will need to undergo the **Business License** and **Commercial Use Permit** applications prior to Occupancy.

Public Noticing: *The Daily Record:* A public hearing notice was published in The Daily Record Kansas City, on **August 6, 2026**. A copy of the affidavit of publication is included with the attachments to this report. Letters to Residents and Property Owners were mailed to property owners within 185 feet of the subject property on **August 7, 2026**. A copy of the letter is included with the attachments to this report.

Neighborhood Meeting: The applicant held a neighborhood meeting on **August 14, 2026**. A summary of the meeting and a copy of the sign-in sheet are included with the attachments to this report.

Adjacent Properties:

	Zoning:	**Current Land Use:**
North:	HC; Highway Commercial, Public Right-of-Way	Gas Station, Vacant Commercial Land, 350 Hwy
South:	M, Industrial	Place of Worship
East:	M; Industrial, HC; Highway Commercial, Public Right-of-Way	Gas Station, Vacant Commercial Land, 350 Hwy
West:	M; Industrial, Public Right-of-Way	Gas Station, 350 Hwy

Land Use Conditions: The land use being requested by the Conditional Use Permit is subject to the following land use conditions pursuant to Sec. 50-107. – Land use table. of the Raytown Municipal Code:

(28) The following additional criteria shall apply to all vehicle sales, new or used:

a. Such principal use shall not locate or expand an existing operation within 1,500 feet of any other property on which another principal vehicle sales, new or used, business is located; however, the planning commission and board of aldermen may give special consideration to expansion of an existing operation within 1,500 feet of another property with the same principal use if said expansion will improve the overall character of the neighborhood and not increase the overall number of vehicle sales businesses in the city. This shall only occur pursuant to approval of a conditional use permit for the expansion;

b. The separation distance between two such uses shall be measured from the primary entrance of the first vehicle sales business, from or to the primary entrance of the second such business.

c. Separation distance provisions shall not apply to any vehicle sales, new or used, business that can demonstrate that they were in operation at the current physical location prior to the effective date of the ordinance from which this article is derived.

d. Any existing business licensed under this category that has had a change of ownership occur, resulting in the owner of record no longer controlling a majority of the interest in the business, shall be deemed a new business and shall apply for a new business license in accordance with chapter 10 of the Raytown Municipal Code. If the previous owner's business license expired more than six months prior to the new owner filing a business license application to take over control of the business, the new application to change ownership shall not be approved unless all of the requirements of this use table condition can be met, and a conditional use permit has been issued. This shall also apply if the physical use of a specific location for vehicle sales has ceased for a period of six months or more.

e. Spaces dedicated on a property for the placement of vehicles for sale shall be properly marked and provide adequate drive aisles to access all such marked spaces. These spaces shall in no way reduce the required number of parking spaces to be provided for customers, employees, or handicapped.

f. Appropriate signage be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.

Street Classification: E 350 Hwy is classified as a Highway.

Phasing: N/A.

Vehicular and Pedestrian Access: There are two (2) vehicle driveways fronting E 350 Hwy Westbound and one (1) vehicle driveway fronting E 350 Hwy Eastbound. There is no dedicated pedestrian access to the subject site.

Streets and Sidewalks: There are no sidewalks on the subject site.

Conditional Use Permit Factors to Be Considered:

1. **The stability and integrity of the various zoning districts.**

   The property is zoned M, Industrial and is adjacent to similarly zoned properties. The site has historically been operated for various vehicle and equipment businesses. Approving the conditional use permit is not anticipated to have greater impact on the area than is present at this time.

2. **The conservation of property values.**

The property has historically been operated for various Vehicle and Equipment businesses. Property values would not be expected to change as a result of approval of this conditional use permit.

3. **Protection against fire casualties.**

   The site is developed and has been operating as a Vehicle Sales or related establishment since before 2008, per staff records. If the site operates in compliance with the conditions of approval, the site will be protected against fire casualties.

4. **Observation of general police regulations.**

   The approval of a Conditional Use Permit for the purpose of Vehicle Sales, New and Used, will not violate any general police regulations.

5. **Prevention of traffic congestion.**

   Approval of this conditional use permit is not anticipated to contribute to an increase in traffic congestion.

6. **Promotion of traffic safety and the orderly parking of motor vehicles.**

   Approval of this conditional use permit is not anticipated to negatively impact traffic safety.

7. **Promotion of the safety of individuals and property.**

   The site is developed and is expected to promote the safety of individuals and property so long as business is operated in accordance with all approved development, building code, and fire code requirements.

8. **Provisions for adequate light and air.**

   The site is already developed for sufficient light and air.

9. **Prevention of overcrowding and excessive intensity of land uses.**

   Two other *"Vehicle Sales, New and Used"* businesses share the subject site, and both have applied for their own Conditional Use Permits. It is Staff's determination that each business's proposed operation will be small enough to allow them to cohabit the same parcel without overcrowding. Additionally, consolidation of the multiple businesses on one parcel could help prevent over-proliferation of Vehicle Sales uses across the city.

10. **Provision for public utilities and schools.**

    The proposed use is not anticipated to have an effect on schools or the school district. To Staff's knowledge, all utilities on the subject site are adequate and in working order. Approval of the Conditional Use Permit is not expected to produce undue stress on any public utility system so long as waste is disposed of in accordance with legal requirements.

11. **Invasion by inappropriate uses.**

    The area is suitable for a Vehicle Sales establishment. Vehicle Sales, New and Used are permitted in the M, Industrial zoning district with the approval of a Conditional Use Permit. The site has been operated as a Vehicle Sales or related establishment since before 2008.

12. **Value, type and character of existing or authorized improvements and land uses.**

    The existing use of the property by the applicant, Vehicle Repair; Limited, provides a service to the community and a degree of tax revenue. The same could be said for the proposed use, Vehicle Sales; New and Used. Redevelopment of the property could facilitate land uses with greater taxable value per acre, but given the current development on the property, the existing and proposed uses are appropriate.

    Restriping of the property in accordance with all local, state, and federal laws and regulations is proposed as a condition of approval for this application. Such restriping would positively improve the property and would be in keeping with the existing character and type of development present on the site.

13. **Encouragement of improvements and land uses in keeping with overall planning.**

    If the applicant abides by all required conditions, the property improvements could improve the commercial corridor and align with the principles outlined in the Comprehensive Plan.

14. **Provision for orderly and proper renewal, development, and growth.**

    As previously noted, the subject site has been operated as various vehicle and equipment uses since prior to 2008. If the applicant abides to the terms and conditions approved in this Conditional Use Permit application, it is possible for the business to assist in the orderly renewal, development, and growth of Raytown.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

PUBLIC WORKS:

- **Items that require plan revision or additional documentation before engineering can recommend approval:**
  - NONE
- **Items that are conditions of approval:**
  - NONE
- **Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
  - Given the automotive use of the property, it is incumbent upon the property owner and tenants to make every effort to ensure the proper disposal of any potentially hazardous materials and to ensure that any such materials do not enter the stormwater system.

ATTACHMENTS:

- Zoning Map
- Site Photos
- Neighborhood Letter
- 185-ft Buffer Map
- Neighborhood Meeting Sign-In Sheet
- Neighborhood Meeting Minutes
- Affidavit of Publication
- Application
- Street Classification Map
- *Raytown on the Rise - 2040* Comprehensive Plan – Future Land Use Map

---

Staff recommends that the Planning & Zoning Commission recommend **Approval** of Conditional Use Permit application **PZ-2026-13** subject to the following conditions:

1. The approved Conditional Use Permit is valid for two (2) years from the date of the signed ordinance. Prior to the expiration, it is the applicant's responsibility to submit a new Conditional Use Permit application.
2. No cars may be parked in spaces which are not striped and designated for the parking of vehicles. This applies to all vehicles, including but not limited to those for display, customer, or employee parking. Section 50-539 of the City of Raytown Municipal Code requires parking stalls to be a minimum of nine-feet (9') wide by 18-feet long.
3. The applicant shall, within six (6) months of the date of the signed ordinance, effectuate the striping of all paved outdoor areas of the property where the business plans to store

or park vehicles for sale, for customer parking, or for employee parking to the following specifications:

a. One (1) ADA-compliant handicap-accessible parking space shall be provided along the northwest-facing exterior wall of the smaller of the two buildings currently situated on the parcel. An eight-foot (8') handicap access aisle on the passenger side of, and immediately adjacent to, this parking space shall also be provided. This handicap-accessible parking space must be clearly marked for handicap use. These handicap-accessible facilities shall be provided pursuant to Section 208 of the ADA Accessibility Standards, and Sec. 36-87, and all other relevant sections of the Raytown Municipal Code. In the instance that the signed ordinance and the ADA Accessibility Standards conflict, the ADA Accessibility Standards govern.
b. Two (2) parking spaces must be designated and marked for employee parking.
c. Three (3) parking spaces must be designated and marked for customer parking.
d. The striping of all parking stalls and other pavement markings shall conform to the specifications in Chapter 50 Article X, Chapter 50 Article IV Division 8, and Chapter 42 Articles IX through XI, and any other relevant sections of the Raytown Municipal Code, except in those instances where the ADA Accessibility Standards or any other state or federal regulations take legal precedence.
e. The striping of parking stalls and other pavement markings shall not inhibit the safe and orderly flow and/or access of all vehicles (including emergency vehicles) to, from, or within the property.
f. Any parking stalls determined to be unauthorized shall be removed within six (6) months of the signed ordinance.
g. The applicants shall submit a parking diagram of the proposed striping of the subject site to the Community Development Department which must be reviewed and approved by staff prior to striping of the property. This parking diagram shall depict the existing and proposed locations and dimensions of all parking stalls, drive aisles, handicap accessible parking facilities, and areas designated for storage of inoperable vehicles on the subject site which shall be utilized by the applicants, their employees, or patrons.

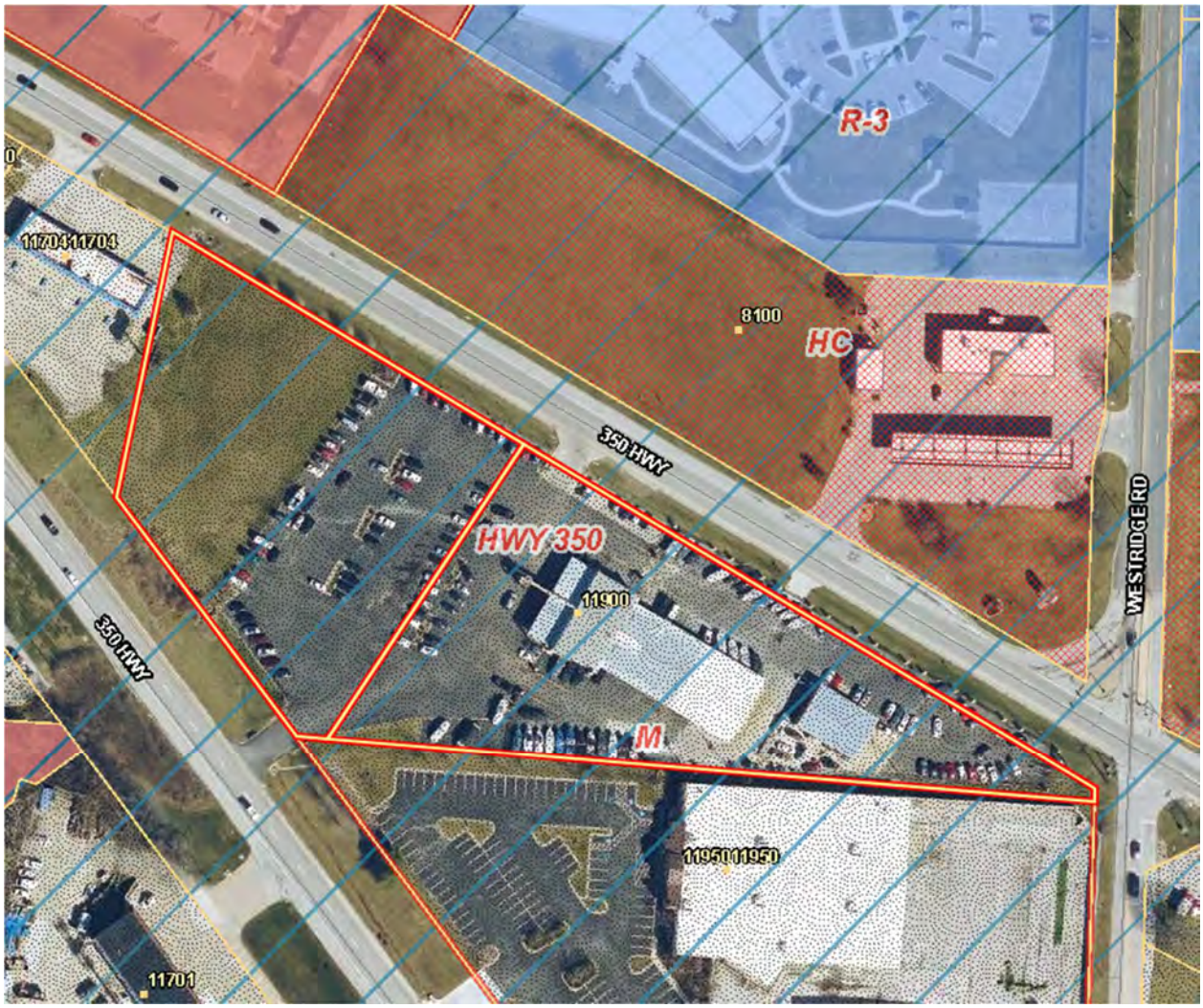
4. The applicants shall dispose of all waste in accordance with all legal requirements, namely including, but not limited to, those regulations governed by the State of Missouri Department of Natural Resources.
5. The business shall comply with all applicable local, state, and federal laws and regulations.
6. Signs must be properly permitted. Signage is a separate application, approval, and permit process.
7. Any lights used to illuminate the parking area shall be arranged, located or screened to direct light away from adjoining or abutting residential districts.
8. No ramp or other structure for the purpose of displaying vehicles shall be constructed, installed, or placed on the property.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

9. No vehicles shall be parked or displayed on the public right-of-way, on grass, or in other landscaped areas.
10. No vehicle shall be unloaded or loaded on public right-of-way. Unloading and loading of vehicles shall be conducted only on private property.
11. Any inoperable, dismantled, or damaged vehicle shall be stored within a building or otherwise screened such that it is not visible from the public right-of-way.
12. Required landscaping must be maintained and kept in good condition.
13. Appropriate signage must be placed directly on each vehicle that is for sale that can easily be identified as marking such vehicle for that purpose. Such signage shall be placed on or inside the vehicle's windows and shall not consist of balloons, streamers, or other similar devices.
14. The Conditional Use Permit shall not be transferrable beyond the initial intended end-user, Samantha Salem - Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales, except that the Conditional Use Permit can be transferred from Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales to its parent, subsidiary, or affiliate, or to a franchisee or dealer of Lifestyle Business Solutions LLC d/b/a Automotive Concierge Car Sales.
15. Failure to comply with any of the conditions or provisions contained in the signed ordinance shall constitute violations of both this ordinance and the City's Comprehensive Zoning Code and shall be cause of revocation of the Conditional Use Permit granted herein in addition to other penalties contained in the City Code.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Zoning Map:




Site Photo: Google Earth, 10/2024 (Prior to applicants' occupancy of property).
Applicants operate out of this building on the site.
Google Earth
© 2026 Google
8.07 ft
N


Site Photo: Google Earth, 10/2024 (Prior to applicants' occupancy of property).
Applicants operate out of this building on the site.
AMPR PLAZA
Autos • Marine • Powersports • RVs
ANCHORED UP INBOARDS
STATEAMIND WATER SPORTS
Malibu
AXIS
GODFREY
Google Earth
© 2026 Google
6.95 ft
N

August 7, 2026
Re: Case No: PZ-2026-13

Dear Property Owner/Tenant:

Notice of Neighborhood Meeting and Public Hearings in Your Area

The Raytown Community Development Department is processing a Conditional Use Permit application filed by Samantha Salem, *Automotive Concierge KC*, requesting the approval of a Conditional Use Permit for *"Vehicle Sales, New and Used"* for the properties located at:

- 11900 E 350 Hwy and;
- PARCEL ID: 44-930-03-10-00-0-00-000

These properties cumulatively consist of 4.25 acres of land and are located within the City of Raytown, Missouri. They are legally described as:

11900 E 350 Hwy:

SEC 15 TWP 48 RNG 32 POB IS 972' N OF SW COR OF SE SW 1/4 TH W 702' TH N 28 DEG E 320' TO PT TH SLY ON SLY LI HWY 50 WESTBOUND TH SELY ALG LI 605' TO C/L WESTRIDGE RD TH S 12' TO POB (EX PT IN ST).

and

PARCEL ID: 44-930-03-10-00-0-00-000:

SEC 15 TWP 48 RNG 32 BEG PT OF INTER OF W LI OF SEC 15 & TH SWLY ROW LI HWY 50 WESTBOUND TH SELY 525' TO BEG TH CONT SELY 360' TH SWLY 320' TH W 30' TH NWLY 280' TH NLY TO POB.

Automotive Concierge KC, located at 11900 E 350 Highway, seek to operate a used-car sales business at the subject site. *"Vehicle Sales, New and Used"* is allowed within the "M" Manufacturing/HWY 350 Corridor Zoning District with the approval of a Conditional Use Permit.

As a nearby owner or tenant, you are entitled to appear and provide comments at any of the public hearings on this matter or to provide written comments.

The applicant will be holding a neighborhood information meeting at Automotive Concierge KC (11900 E 350 Hwy, Raytown, Missouri 64138) at **5:00pm on Friday, August 14, 2026**, to which you are invited to discuss the application directly with them. City Staff will not be present at this time. If you have any concerns or need more information about the application, we highly recommend that you attend this meeting.

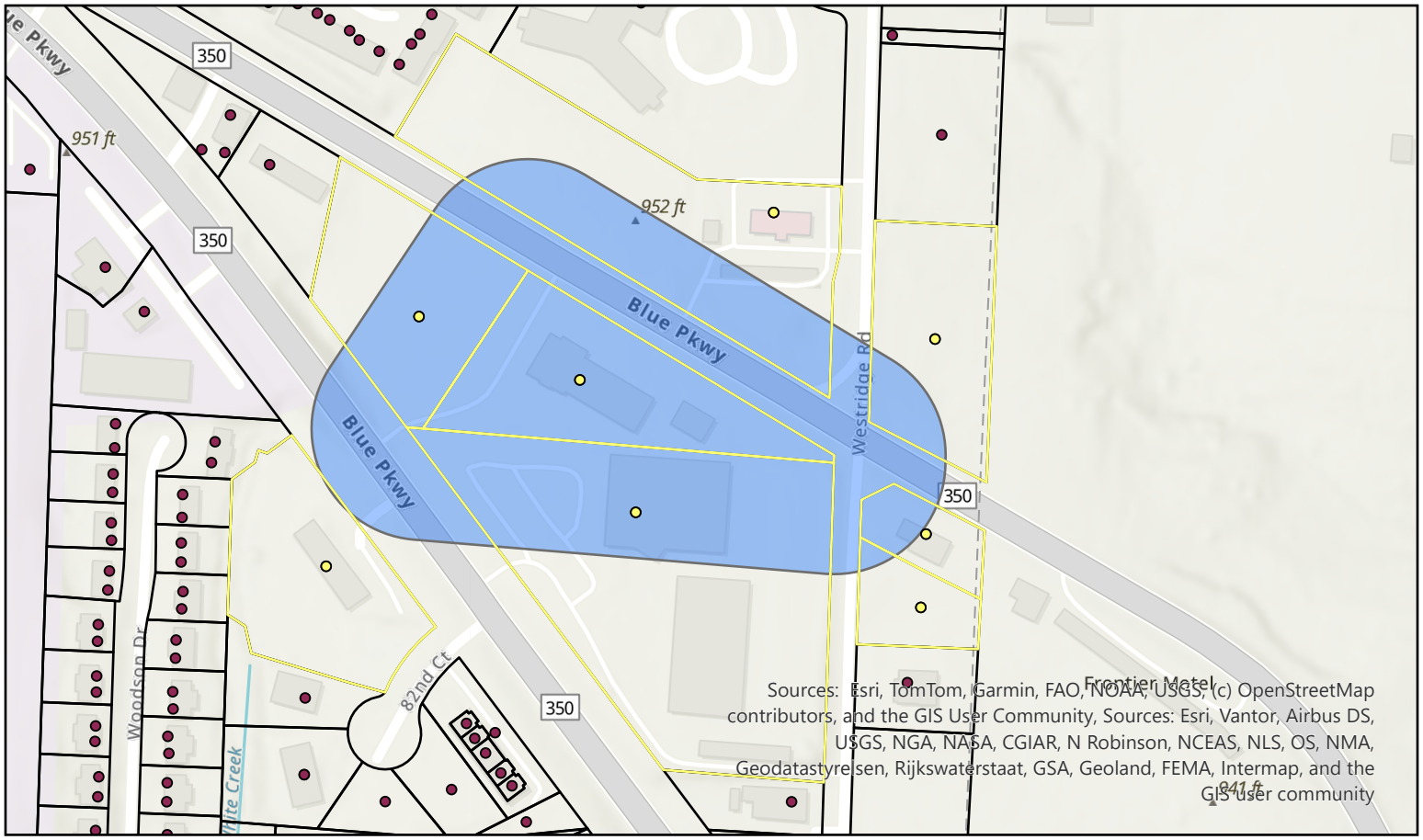
A public hearing to consider this application will be held by the Raytown Planning & Zoning Commission at 6:00 PM on **Thursday, September 3, 2026.** The full packet and agenda will be available for view on the City of Raytown website on **Friday, August 28, 2026.**

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application, tentatively scheduled for 7:00 PM on **Tuesday, October 6, 2026.**

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E 59th Street, Raytown, MO 64133.

The public is invited to attend the neighborhood meeting and the public hearings to ask questions and provide comments regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by phone at (816) 737-6093 or by email at benjaminr@raytown.mo.us.

If you will require any special accommodations (i.e., qualified interpreter, large print reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.



OBJECTID	Address Point ID	Full Address	Municipality Name	Zip Code
1	44-930-05-24-00-0-00-000	NO ADDRESS ASSIGNED BY CITY	RAYTOWN	64138
2	44-930-03-10-00-0-00-000	11900 E M 350 HWY	RAYTOWN	64138
3	44-930-04-20-00-0-00-000	NO ADDRESS ASSIGNED BY CITY	RAYTOWN	64138
4	44-930-07-01-02-0-00-000	8100 WESTRIDGE RD	RAYTOWN	64138
5	44-930-05-03-00-0-00-000	12001 E M 350 HWY	RAYTOWN	64138
6	44-930-03-08-00-0-00-000	11900 E M 350 HWY	RAYTOWN	64138
7	44-930-03-03-00-0-00-000	11950 E M 350 HWY	RAYTOWN	64138
8	44-930-06-44-00-0-00-000	11701 E M 350 HWY	RAYTOWN	64138

Neighborhood Meeting

August 14, 2026

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

Name	**Mailing Address** (Include City, State & Zip Code)	**Phone #** (Optional)	**E-Mail Address** (Optional)

Outlook

Re: pre-application form

From Automotive Concierge <automotiveconciergekc@gmail.com>
Date Tue 8/18/2026 10:06 AM
To Benjamin Robinson <benjaminr@raytown.mo.us>
Cc Shana Kelly <shanak@raytown.mo.us>; Ron Knisley <ronk@raytown.mo.us>

Good Morning everyone, I forgot to let you all know that a whopping ZERO people showed up on Friday. Woohoo. Whats our next step?
Also need to get you the sign designs i keep getting distracted but that needs to happen asap

On Fri, Aug 7, 2026 at 1:16 PM Benjamin Robinson <benjaminr@raytown.mo.us> wrote:

> Thanks for coming by today, Samantha,
>
> Here is the neighborhood meeting sign-in sheet. Please make sure everyone who attends the meeting signs in. Please also send us an email of what was talked about.
>
> Best,
>
> Ben

Benjamin Robinson

Planning and Zoning Coordinator

Crossroads Community ● Embracing Diversity ● Growing Together

Office: (816) 737-6093 Direct
Fax: (816) 737-6164
Address: 10000 East 59th Street, Raytown MO. 64133
Email: benjaminr@raytown.mo.us

CITY OF RAYTOWN

Visit us online!
https://www.raytown.mo.us/

Connect With Us

From: Automotive Concierge <automotiveconciergekc@gmail.com>
Sent: Friday, August 7, 2026 12:39 PM
To: Benjamin Robinson <benjaminr@raytown.mo.us>
Cc: Shana Kelly <shanak@raytown.mo.us>; Ron Knisley <ronk@raytown.mo.us>
Subject: Re: pre-application form

Yes i was just talking about that. Will try to be in before 2

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record
KANSAS CITY

Affidavit of Publication

To: City of Raytown - Missouri - Michael Stolzle
10000 E 59Th St
Raytown, MO, 64133

Re: Legal Notice 4185446, 11900 E 350 Hwy and PARCEL ID 44-930-03-10-00-0-00-000

State of MO }
} SS:
County of Jackson County }

Before the undersigned Notary Public personally appeared Rose Bryant on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 08/06/2026 edition and ending with the 08/06/2026 edition for a total of 1 publications, and that the date of publications were as follows: 08/06/2026.

Publishers fee: $64.96

By: Rose Bryant

Sworn to me on this 10th day of August 2026

By: Karie C Clark
Notary Public, State of MO
No. 20404921
Qualified in Lincoln County
My commission expires on
October 19, 2028

KARIE C CLARK
Notary Public - Notary Seal
Lincoln County - State of Missouri
Commission Number 20404921
My Commission Expires Oct 19, 2028

Notice of Public Hearings

Affected Properties: 11900 E 350 Hwy and PARCEL ID 44-930-03-10-00-0-00-000, Raytown, Missouri

Jackson County Parcel ID #s 44-930-03-08-00-0-00-000 and 44-930-03-10-00-0-00-000

A public hearing to consider a Conditional Use Permit application for a "Vehicle Sales, New and Used" use, filed by Samantha Salem of Automotive Concierge KC, to be located on an M, Manufacturing District-zoned property addressed as 11900 E 350 Hwy and PARCEL ID 44-930-03-10-00-0-00-000 in Raytown, Missouri, will be held by the Raytown Planning & Zoning Commission at 6:00pm on Thursday, September 3, 2026. The applicant intends to operate a used-car sales business at the subject site. The packet and agenda should be available for view on the City of Raytown website on Friday, August 28, 2026.

The Raytown Board of Aldermen will also hold a public hearing to consider this Conditional Use Permit, tentatively scheduled for 7:00pm on Tuesday, October 6, 2026.

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comments. Additional information can be obtained from the Department of Community Development located in Raytown City Hall at 10000 E. 59th Street, by telephone at (816) 737-6093 or by email at benjaminr@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

4185446 Jackson Aug. 6, 2026

Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

CITY OF RAYTOWN

PLANNING APPLICATION

Office Use Only	Application Type(s):
Case #:	
Fee Paid:	
PC Meeting Date:	
B of A Meeting Date:	
Newspaper Notice Date:	
Notice Letters Date:	

Project Info:

Project Name: Automotive Concierge Car Sales - Used Dealer

Project Address: 11900 E State Route 350 Building C Raytown MO 64138

Existing Zoning:	Existing Land Use:
Proposed Zoning:	Proposed Land Use:

Total Acreage:

Applicant:

Name of Applicant: Samantha Salem

Company (If Applicable): Lifestyle Business Solutions LLC

Address: 509 NE Olympic Ct City: Lees Summit State: MO Zip: 64064

Phone: 913-244-5837

Email: automotiveconciergekc@gmail.com

Applicant Signature:

X

Revised: 08/17/23

CITY OF RAYTOWN

Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

Property Owner:	
Name of Owner:	Company (If Applicable): 4R Holdings Company LLC
Address: 13910 W 96th Ter	City: Lenexa State: KS Zip: 66215
Phone:	Email:
Property Owner Signature: X	

Please Give a Detailed Description of the Proposal Below:

Revised: 08/17/23

CITY OF RAYTOWN

Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

Additional Contact Information

Please provide additional contact information if applicable below:

Project Lead:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Developer:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Engineer:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Architect:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Surveyor:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		

Revised: 08/17/23

CITY OF RAYTOWN

Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

Landscape Architect:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Attorney:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		
Other:			
Name:	Company:		
Address:	City:	State:	Zip:
Phone:	Email:		

1. The proposed action will be in keeping with the character of the neighborhood because:
   Our dealership is a low impact commercial use compatible with the surrounding businesses. Operations consist of vehicle sales, customer appointments w minimal traffic & noise. Will maintain our area to ensure overall apperance is satisfactory.
2. The proposed use will be consistent with the uses and zoning on nearby parcels because:
   Located on a lot already zoned & established for automotive operations. Its complementary to the existing business use.
3. Prior to submitting this application, the property has been vacant for:
   it wasnt vacant

Revised: 08/17/23

CITY OF RAYTOWN

Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

4. This property is more suited for the proposed use than its current use(s) because:
visibility from main highway & traffic
existing parking lot and access
already established for vehicle & automotive useage.
minimal site modifications

5. The proposed use could have the following detrimental effects on nearby parcels:
none anticipated - we are low impact
no outdoor repairs or excessive noise
site is professionally maintained

6. If the application is denied, the property owner(s) will face the following hardships:
denial would limit the property owners ability to retain and attract viable commercial tenants reducing its economical potential. Approval would allow the property to be fully utilized to its full potential

7. Public facilities and utilities are adequate to serve the proposed use as follows:
Yes property is already served by existing public utilities. no additional improvements are required.

8. The proposed development implements the Comprehensive Plan in the following ways:
encouraging reinvestment in existing commercial properties
promoting local economic development
creating employment opportunities
responsible reuse of an existing commercial site

9. Additional comments:
We are a locally owned family operated business commited to serving the Raytown Community.
We want to be a long term partner by creating jobs and opportunities for the community

Revised: 08/17/23

CITY OF RAYTOWN

Community Development Department
Planning and Zoning Division
10000 E 59th Street • Raytown, MO 64133
Phone: 816-737-6014 • Fax: 816-737-6164

Planning & Zoning Application Fee Schedule

New Sign Permit	$125.00
New Monument Sign Permit	$150.00
Change Copy / New Sign Face	$50.00
Temporary Signs Banners & Portals	$50.00
Preliminary Plats	$450.00 + $4.00 / Lot
Final Plats	$300.00 + $4.00 / Lot
Lot Split / Lot Combination	$150.00
Right-of-Way Vacation	$250.00
Conditional Use Permit	$450.00
Rezoning	$450.00
Site/Development Plan – Staff Review (Residential or Commercial)	$300.00
Appeal of Design Standards	$350.00
Variance	$350.00
Additional Variance Requests	$50.00 / Request
Zoning Verification Letter	$100.00

Revised: 08/17/23

CITY OF RAYTOWN

2014-2015

HIGHWAY

ARTERIAL

COLLECTOR

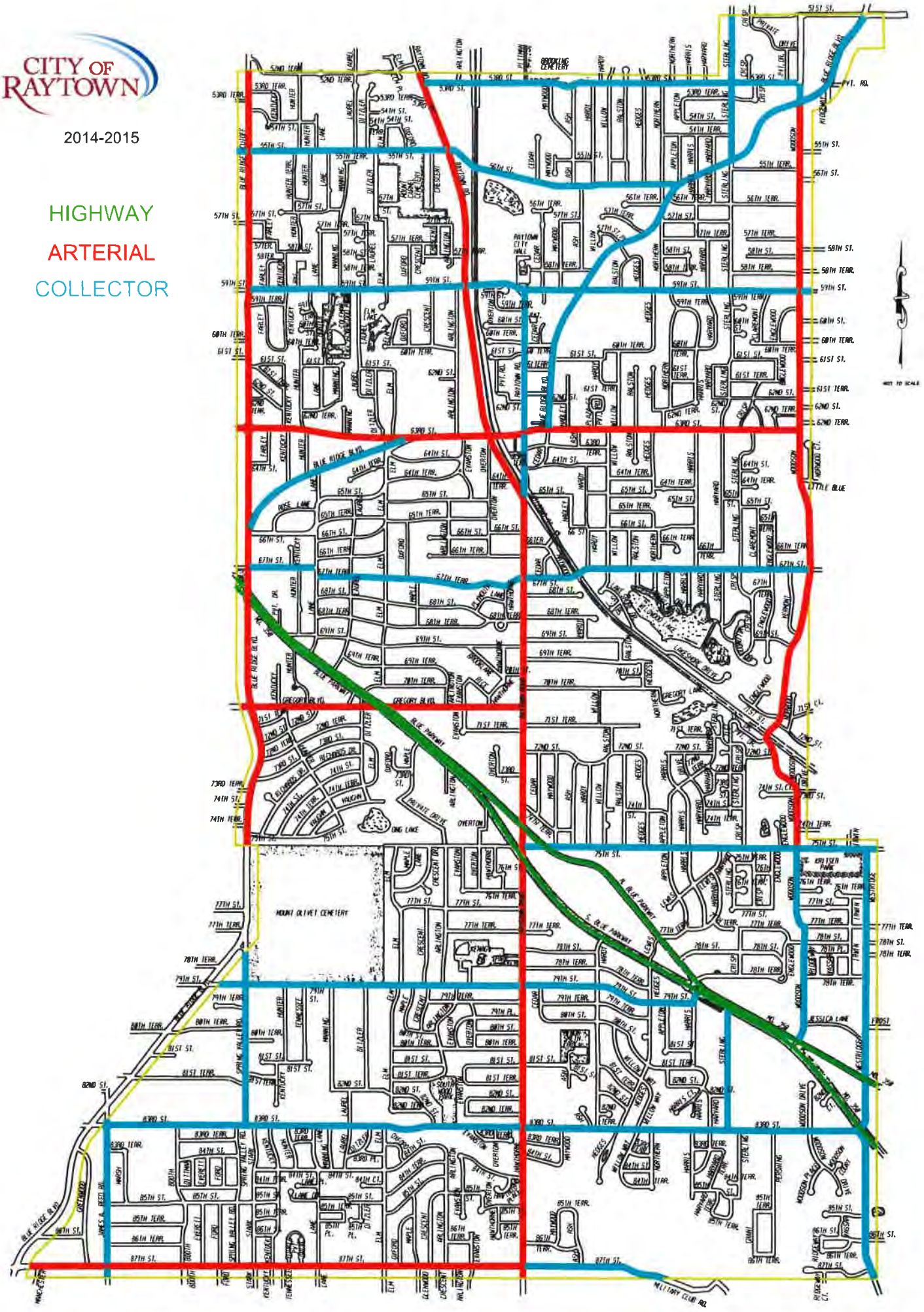


Figure 27: Future Land Use Map

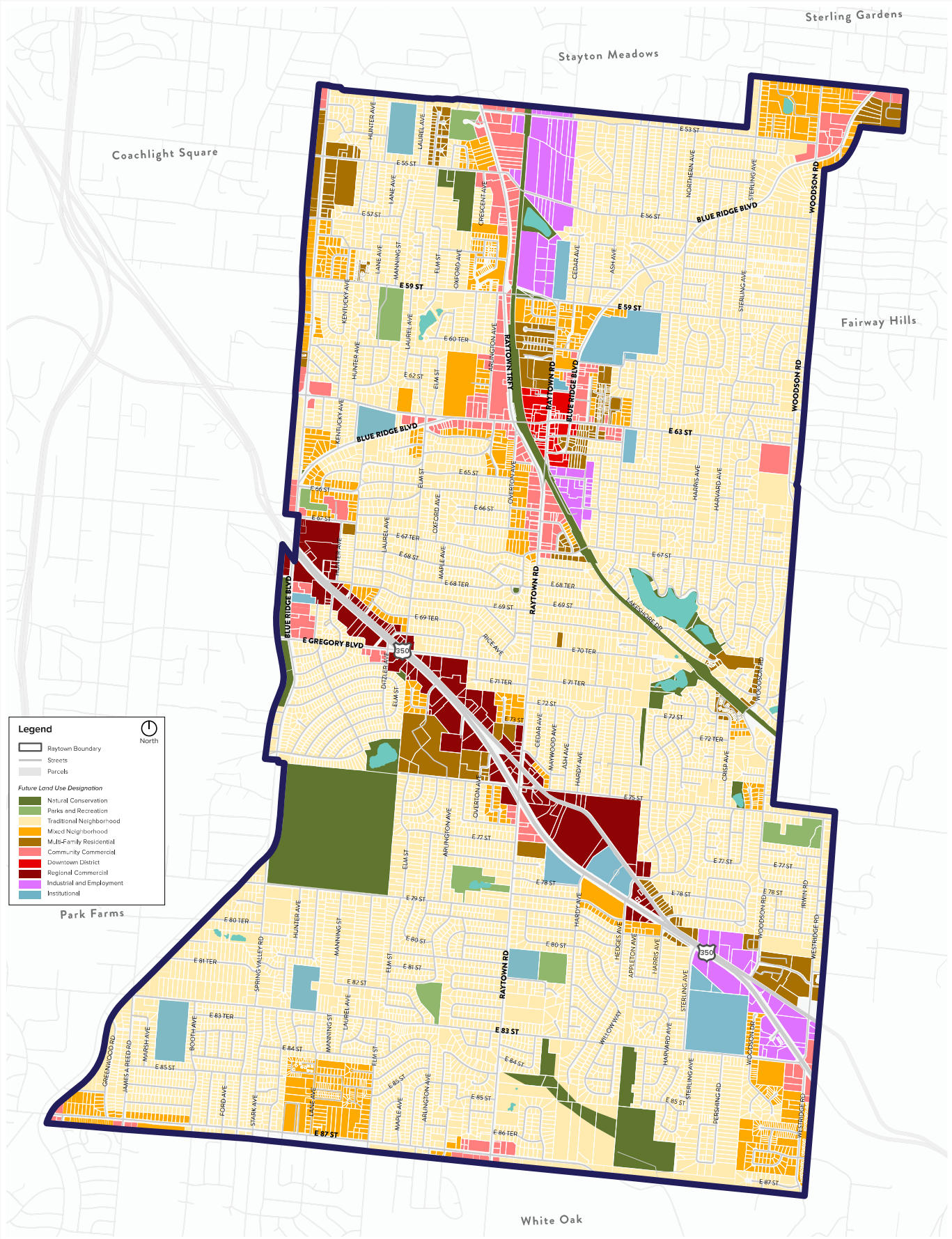
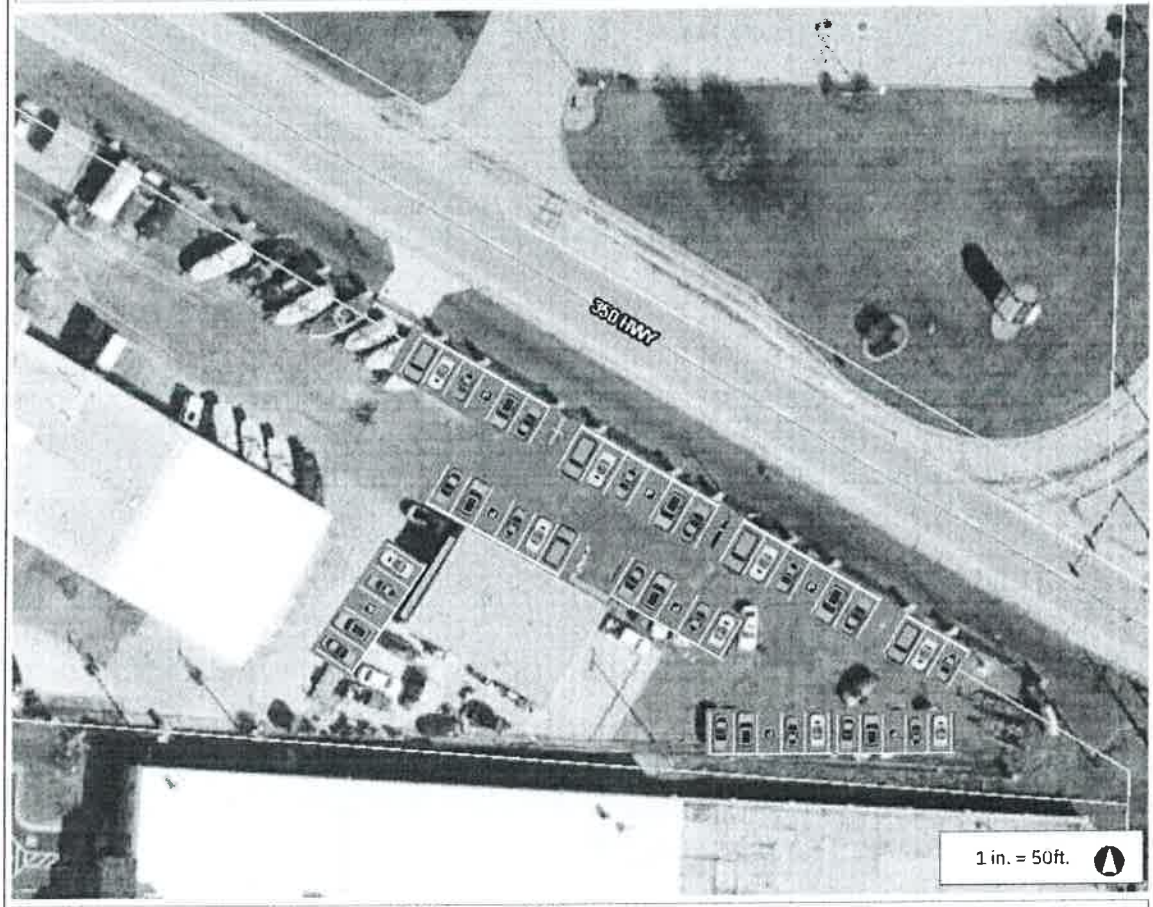


Exhibit A

Proposed Parking By Applicant (9-3-2026)

Automotive Concierge Proposed Sign Locations





Legend

- Road
- Parcel
- Address Point
- City Limit

Notes

100.0 0.0 50.00 100.0 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/12/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

SECOND READING: Bill No. 6725-26, Section XIII: Amending Chapter 50, Article IV, of the Raytown Municipal Code to exempt properties zoned N; Conservation or HP; Historic Preservation Overlay from the 350 Highway Corridor Design Guidelines.

BACKGROUND/JUSTIFICATION

The 350 Highway Corridor Design Guidelines primarily govern site and building design for new development and redevelopment in the area surrounding Missouri State Route 350. The application of these guidelines is geographically broad and makes few (if any) exceptions for properties such as those that have been rezoned to serve historic preservation objectives. Therefore, staff proposes to exempt zoning districts HP and N from the 350 Highway Corridor Design Guidelines.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Planning & Zoning Commission - September 3, 2026. Recommended for approval.
Board of Aldermen First Reading and Public Hearing - October 6, 2026

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. ORD PZ.2026.16 Txt Amend - Hwy 350
2. Staff Report and Attachments PZ-2026-16 - HWY 350 Text Amend
3. Exhibit A - PZ-2026-16

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

BILL NO. 6725-26 ORDINANCE NO. _____ SECTION NO. XIII

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO EXEMPT PROPERTIES ZONED N; CONSERVATION OR HP; HISTORIC PRESERVATION OVERLAY FROM THE 350 HIGHWAY CORRIDOR DESIGN GUIDELINES WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2026-16, was submitted by the City of Raytown, proposes to amend Chapter 50 to exempt properties zoned N; Conservation or HP; Historic Preservation from the 350 Highway Corridor Design Guidelines within the City of Raytown, Jackson County, Missouri; and

WHEREAS, the Application was considered by the Planning Commission on September 3, 2026, and by a vote of 8 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

WHEREAS, after due public notice, and opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen rendered a decision to approve the amendments to the Raytown Code of Ordinances, Chapter 50 to exempt properties zoned N; Conservation or HP; Historic Preservation from the 350 Highway Corridor Design Guidelines within the City of Raytown.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENTS. The amendments to Chapter 50, to exempt properties zoned N; Conservation or HP; Historic Preservation from the 350 Highway Corridor Design Guidelines within the City of Raytown are hereby adopted as stated in Section 2.

SECTION 2 – AMENDMENTS. The amendments as shown on attached Exhibit A are hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BILL NO. 6725-26 **ORDINANCE NO. _____** **SECTION NO. XIII**

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Benjamin Robinson, Planning & Zoning Coordinator

Case #: Text Amendment PZ-2026-16

Planning & Zoning Meeting Date: September 3, 2026

Board of Aldermen Dates: October 6, 2026, and October 20, 2026

Applicant: City of Raytown

Project Contact: Benjamin Robinson, Planning & Zoning Coordinator

Property Location: Citywide

Request: Amending Chapter 50, Article IV, of the Raytown Municipal Code to exempt properties zoned N; Conservation or HP; Historic Preservation Overlay from the 350 Highway Corridor Design Guidelines.

BACKGROUND INFORMATION:

The 350 Highway Corridor Design Guidelines were adopted into the Raytown Municipal Code in April of 2010. These guidelines primarily govern site and building design for new development and redevelopment in the area surrounding Missouri State Route 350. The application of these guidelines is geographically broad and makes few (if any) exceptions for properties such as those that have been rezoned to serve historic preservation objectives.

Therefore, staff proposes the following text amendments to Section 50-418 (a) (1) of the Raytown Municipal Code. Text in red are proposed to be added. Text ~~struck through and in red~~ are proposed to be removed, and text written in **black** are proposed to remain the same. Text present in the adopted land use table but omitted from these proposed amendments is not considered for any changes as part of this case:

(a) *Generally.*
(1) The 350 Highway Corridor Design Guidelines apply to new development and redevelopment, as those terms are defined herein, on all parcels of land that are wholly or partially within 1,320 feet of the north and south right-of-way lines of

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Highway 350, and extending from the western municipal boundary of Raytown, east to the eastern municipal boundary of Raytown. When a portion of a parcel is within 1,320 feet of these right-of-way lines, the 350 Highway Corridor Design Guidelines apply to the entire parcel. Properties in the N; Conservation base zoning district or the HP; Historic Preservation Overlay Zoning District shall be exempt from these guidelines and shall not be considered to be part of the 350 Highway Corridor Design Guidelines overlay zoning district.

ATTACHMENTS:

- Exhibit A
- Affidavit of Publication

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and recommend **APPROVAL** to the Board of Aldermen of this application proposing to amend Chapter 50, Article IV, of the Raytown Municipal Code to exempt properties zoned N; Conservation or HP; Historic Preservation Overlay from the 350 Highway Corridor Design Guidelines.

Exhibit A

Sec. 50-418. – Applicability.

(a) *Generally.*

(1) The 350 Highway Corridor Design Guidelines apply to new development and redevelopment, as those terms are defined herein, on all parcels of land that are wholly or partially within 1,320 feet of the north and south right-of-way lines of Highway 350, and extending from the western municipal boundary of Raytown, east to the eastern municipal boundary of Raytown. When a portion of a parcel is within 1,320 feet of these right-of-way lines, the 350 Highway Corridor Design Guidelines apply to the entire parcel. Properties in the N; Conservation base zoning district or the HP; Historic Preservation Overlay Zoning District shall be exempt from these guidelines and shall not be considered to be part of the 350 Highway Corridor Design Guidelines overlay zoning district.

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record
KANSAS CITY

Affidavit of Publication

To: Raytown, City Of, Missouri - City Clerk
10000 E 59Th St
Raytown, MO, 641333915

Re: Legal Notice 4188936, City of Raytown

State of MO }
} SS:
County of Jackson County }

Before the undersigned Notary Public personally appeared Stephanie Adams on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 08/20/2026 edition and ending with the 08/20/2026 edition for a total of 1 publications, and that the date of publications were as follows: 08/20/2026.

Publishers fee: $60.32

By: Stephanie Adams

Sworn to me on this 20th day of August 2026

By:

Brandon M. Crail
Notary Public, State of MO
No. 20297982
Qualified in St. Louis County
My commission expires on
March 5, 2028

BRANDON M CRAIL
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 20297982
My Commission Expires 03-05-2028

Notice of Public Hearing

An application amending Chapter 50, entitled, "Zoning", of the Raytown Municipal Code, and more specifically, Article 4, entitled "Districts and District Map," specifically to exempt properties zoned N; Conservation or HP; Historic Preservation Overlay from the 350 Highway Corridor Design Guidelines, is being initiated by the City of Raytown.

A public hearing to consider proposed new regulations will be held by the Raytown Planning & Zoning Commission at **6:00pm on Thursday, September 3, 2026.** A copy of the agenda and packet, including a staff report with the proposed changes, will be available for viewing on the City of Raytown's website, **www.raytown.mo.us,** on Friday, August 28, 2026.

This public hearing will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The Raytown Board of Aldermen will also hold a public hearing to consider this application, tentatively scheduled for 7:00pm on Tuesday, October 6, 2026.

The public is invited to attend the public hearing to ask questions and provide comments. Additional information can be obtained from the Department of Community Development located in Raytown City Hall at 10000 E. 59th Street, by telephone at (816) 737-6093 or by email at benjaminr@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend this public hearing, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the public hearing date.

4188936 Jackson Aug. 20, 2026

Exhibit A

Sec. 50-418. – Applicability.

(a) *Generally.*

(1) The 350 Highway Corridor Design Guidelines apply to new development and redevelopment, as those terms are defined herein, on all parcels of land that are wholly or partially within 1,320 feet of the north and south right-of-way lines of Highway 350, and extending from the western municipal boundary of Raytown, east to the eastern municipal boundary of Raytown. When a portion of a parcel is within 1,320 feet of these right-of-way lines, the 350 Highway Corridor Design Guidelines apply to the entire parcel. Properties in the N; Conservation base zoning district or the HP; Historic Preservation Overlay Zoning District shall be exempt from these guidelines and shall not be considered to be part of the 350 Highway Corridor Design Guidelines overlay zoning district.

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/12/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

SECOND READING: Bill No. 6726-26, Section XIII: Requesting approval of a text amendment of Chapter 50-107. of the Land Use Table of the Raytown Municipal Code to regulate the *"Agriculture"* land use.

BACKGROUND/JUSTIFICATION

Staff recommends removing "Agriculture" as a permitted land use in zoning districts NC, HC, M, N, and TS in order to protect valuable commercial, industrial, and natural land for their respective intended uses.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Planning & Zoning Commission - September 3, 2026. Recommended for Approval.
Board of Aldermen First Reading and Public Hearing - October 6, 2026

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. ORD PZ.2026.18 Txt Amend - Agricultural
2. Staff Report (BoA) and Attachments - Agricultural Land Use - Text Amend
3. Exhibit A - PZ-2026-18

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

BILL NO. 6726-26 ORDINANCE NO. _____ SECTION NO. XIII

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO REGULATE THE *"AGRICULTURE"* LAND USE WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2026-18, was submitted by the City of Raytown, proposes to amend Chapter 50 to regulate the *"Agriculture"* land use within the City of Raytown, Jackson County, Missouri; and

WHEREAS, the Application was considered by the Planning Commission on September 3, 2026, and by a vote of 8 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

WHEREAS, after due public notice, and opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen rendered a decision to approve the amendments to the Raytown Code of Ordinances, Chapter 50 to regulate the *"Agriculture"* land use within the City of Raytown.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENTS. The amendments to Chapter 50, to regulate the *"Agriculture"* land use within the City of Raytown are hereby adopted as stated in Section 2.

SECTION 2 – AMENDMENTS. The amendments as shown on attached Exhibit A are hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BILL NO. 6726-26 **ORDINANCE NO. _____** **SECTION NO. XIII**

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Shana Kelly, Economic Development Administrator

Case #: Text Amendment PZ-2026-18

Planning & Zoning Meeting Date: September 3, 2026

Board of Aldermen Dates: October 6, 2026

Applicant: City of Raytown

Project Contact: Shana Kelly, Economic Development Administrator

Property Location: Citywide

Request: For the approval of a text amendment of Chapter 50-107. of the Land Use Table of the Raytown Municipal Code to regulate the *"Agriculture"* land use.

BACKGROUND INFORMATION:

The "*Agriculture"* land use is currently defined in the Raytown Municipal Code as:

> *"Agriculture means the planting, cultivating, harvesting and storage of grains, hay or plants commonly grown in the county. The storage of crops, grains, feeds or other products shall be limited to those raised on or to be consumed on the premises."*

Per Section 50-107. the Land Use Table, it is currently allowed in the following zoning districts:

- R-1, Low-Density Residential District;
- R-2, Medium-Density Residential District;
- R-3, High-Density Residential District;
- MH, Manufactured Home Park Residential District;
- NC, Neighborhood Commercial District;
- HC, Highway Commercial District;
- M, Industrial District;
- N, Conservation District;
- TS, Town Square Overlay District;

- FP, Floodplain Overlay District; and
- P, Planned Zoning Overlay District.

Staff proposes to remove *"Agriculture"* as a permitted land use as from the following base and overlay zoning districts:

- NC, Neighborhood Commercial District;
- HC, Highway Commercial District;
- M, Industrial District;
- N, Conservation District;
- TS, Town Square Overlay District;

Staff proposes the following changes to the City of Raytown Land Use Table:

Uses:	**Zoning Districts:**														
	Residential Districts:				Non-Residential Districts:				Overlay Districts:						
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE
Agriculture	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	P		P			

Text in black is proposed to remain the same. Text in red and struck through is proposed to be removed. Text present in the adopted land use table but omitted from these proposed amendments is not considered for any changes as part of this case.

ATTACHMENTS:

- City Zoning Map
- Exhibit A
- Affidavit of Publication

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and consider recommending **APPROVAL** to the Board of Aldermen of this application proposing these amendments to Section 50-107.- The Land Use Table of the Raytown Municipal Code as it pertains to zoning regulations for the "Agriculture" land use.

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

City Zoning Map:

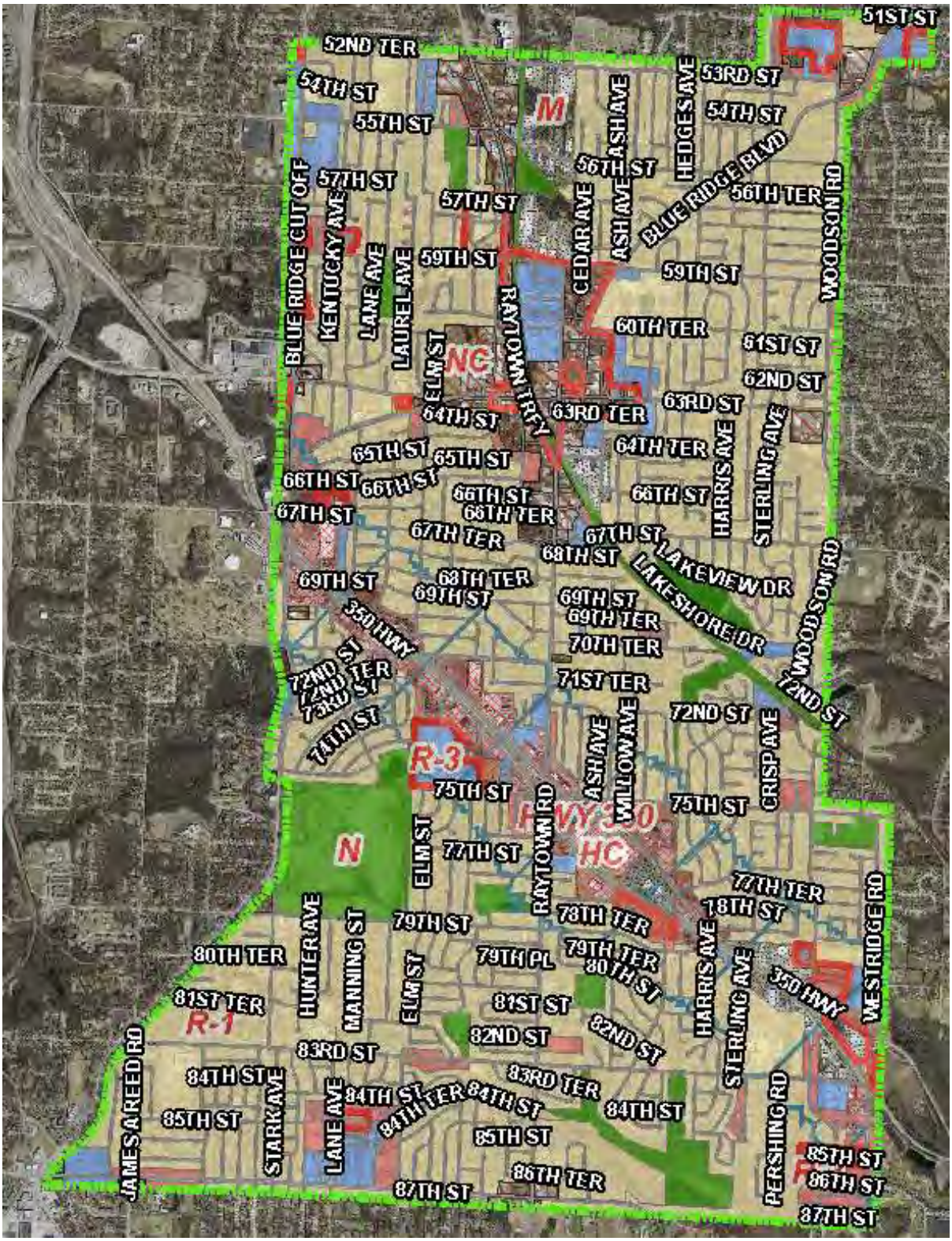


Exhibit A:

Uses:	Zoning Districts:														
	Residential Districts:				Non-Residential Districts:				Overlay Districts:						
	R-1	R-2	R-3	MH	NC	NC	M	N	TS	FP	HO	P	CD	HP	AE
Agriculture	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	P		P			

Text in black is to remain the same. Text in red and struck through is to be removed. Text present in the adopted land use table but omitted from these proposed amendments is not considered for any changes as part of this case.

The Daily Record Kansas City
920 Main St
Kansas City, MO, 64105
Phone: 8163841801 Fax: 0

The Daily Record
KANSAS CITY

Affidavit of Publication

To: City of Raytown - Missouri - Michael Stolzle
10000 E 59Th St
Raytown, MO, 64133

Re: Legal Notice 4187947, City of Raytown

State of MO }
} SS:
County of Jackson County }

Before the undersigned Notary Public personally appeared Spencer Grady-Pawl on behalf of The Daily Record Kansas City, Jackson County who, being duly sworn, attests that the said newspaper is qualified under the provisions of Missouri Law governing public notices to publish, and did so publish, the notice annexed hereto; starting with the 08/17/2026 edition and ending with the 08/17/2026 edition for a total of 1 publications, and that the date of publications were as follows: 08/17/2026.

Publishers fee: $54.52

By: Spencer Grady-Pawl

Sworn to me on this 18th day of August 2026

By: Brandon M. Crail
Notary Public, State of MO
No. 20297982
Qualified in St. Louis County
My commission expires on
March 5, 2028

BRANDON M CRAIL
Notary Public, Notary Seal
State of Missouri
St. Louis County
Commission # 20297982
My Commission Expires 03-05-2028

Notice of Public Hearing

An application amending Chapter 50, entitled, "Zoning", of the Raytown Municipal Code, specifically to modify the definitions of and to regulate, the "*Agricultural*" land use, is being initiated by the City of Raytown.

A public hearing to consider proposed new regulations will be held by the Raytown Planning & Zoning Commission at **6:00pm on Thursday, September 3, 2026.** A copy of the agenda and packet, including a staff report with the proposed changes, will be available for viewing on the City of Raytown's website, www.raytown.mo.us, on Friday, August 28, 2026.

This public hearing will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The Raytown Board of Aldermen will also hold a public hearing to consider this application, tentatively scheduled for 7:00pm on Tuesday, October 6, 2026.

The public is invited to attend the public hearing to ask questions and provide comments. Additional information can be obtained from the Department of Community Development located in Raytown City Hall at 10000 E. 59th Street, by telephone at (816)737-6059 or by email at shanak@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) to attend this public hearing, please notify the Department of Community Development at Raytown City Hall at (816)737-6014 no later than 48 hours prior to the public hearing date.

4187947 Jackson Aug. 17, 2026

Exhibit A:

Uses:	Zoning Districts:														
	Residential Districts:				Non-Residential Districts:				Overlay Districts:						
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE
Agriculture	P	P	P	P	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	P		P			

Text in black is to remain the same. Text in red and struck through is to be removed. Text present in the adopted land use table but omitted from these proposed amendments is not considered for any changes as part of this case.

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 10/12/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Administration**

Document Type: Ordinance

SUBJECT/REQUEST

SECOND READING: Bill No. 6727-26, Section XVIII: Prohibit the sales of Intoxicating Hemp and Kratom products

BACKGROUND/JUSTIFICATION

As a matter of public safety, and to keep children safe and protect our community, the attached bill was drafted prohibiting the sale of Intoxicating Hemp and Kratom products to any person under the age of 21.

The bill also prohibits the sale of dangerous chemical inhalants and certain Kratom products.

The cities of Blue Springs and Independence, Missouri have adopted similar ordinances.

This ordinance also has consolidated all of the definitions which were previously adopted throughout Chapter 28 into a centralized section, Section 28-3-Definitions.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Board of Aldermen First Reading - October 6, 2026

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Ord Chapter 28-Offenses and Nuisances-Intoxicating Hemp and Kratom Amendment-FINAL
2. Ord Chapter 28-Offenses and Nuisances-Intoxicating Hemp and Kratom Amendment-Exhibit A - FINAL

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

AN ORDINANCE AMENDING THE RAYTOWN MUNICIPAL CODE CHAPTER 28-OFFENSES AND NUISANCES, ARTICLE X - OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2., CONTROLLED SUBSTANCES AND ALCOHOL BY ADDING SECTION 28-337, REGULATING THE SALE, PURCHASE AND POSSESSION OF INTOXICATING HEMP-DERIVED CANNABINOIDS AND KRATOM PRODUCTS AND DANGEROUS CHEMICAL INHALANTS AND AMENDING CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE I, IN GENERAL, SECTION 28-3 RELATING TO DEFINITIONS

WHEREAS, the Agriculture Improvement Act of 2018 (Farm Bill) legalized industrial hemp, defined as cannabis with a Delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis; and

WHEREAS, the market has seen proliferation of chemically modified hemp products containing isomers and derivatives such as Delta-8 THC, Delta-10 THC, and HHC, which produce intoxicating effects similar to marijuana; and

WHEREAS, there has also been an emergence of products containing 7-Hydroxymitragynine (7-OH), a potent alkaloid derived from the Kratom plant (*Mitragyna speciosa*), which is distinct from hemp but produces potent psychoactive and intoxicating effects; and

WHEREAS, these products are currently sold in the United States with little oversight, regulation, or enforcement and pose health and public safety concerns; and

WHEREAS, there are no FDA-approved medical uses for Kratom or its alkaloids, that Kratom is not legally marketed in the United States as a drug produce, dietary supplement or food additive, and that federal health agencies warn against its use; and

WHEREAS, the Board of Aldermen seeks to protect the public from accessing these intoxicating substances, regardless of their botanical origin.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 - APPROVAL OF AMENDMENT TO CHAPTER 28 OFFENSES AND NUISANCES, ARTICLE I, IN GENERAL, SECTION 28-3-DEFINITIONS. That Section 28-3 Definitions of the Raytown Municipal Code of the City of Raytown, Missouri is hereby amended by adding the following new definitions:

Adulterated means the addition of fentanyl or any other controlled substance, a synthesized alkaloid or semi-synthesized alkaloid, or another substance prohibited law;

Alkaloid Fraction means a portion of a plant or plant extract that contains primarily alkaloid compounds;

Business Owner means any person with legal ownership of a licensed business establishment.

Dangerous chemical inhalant means substances containing butyl nitrite, nitrous oxide, and amyl nitrite in any form.

Intoxicating Hemp-Derived Cannabinoid means any cannabinoid derived from industrial hemp that has a psychoactive or intoxicating effect on the human body, including but not limited to:

1. Delta-8 Tetrahydrocannabinol;
2. Delta-10 Tetrahydrocannabinol;
3. Hexahydrocannabinol (HHC);
4. Tetrahydrocannabinol acetate (THC-O);
5. Tetrahydrocannabiphorol (THC-P);
6. Any other chemical substance derived from hemp that is capable of inducing a psychoactive or intoxicating effect comparable to Delta-9 THC.

Kratom Leaf means the leaf of the Mitragnya speciosa plant in fresh, dehydrated, or dried form.

Kratom Leaf Extract means the material extracted from a kratom leaf through the application of a solvent consisting of water, ethanol, food-grade carbon dioxide, or another solvent allowed by federal or state law to be used in the manufacturing of a food ingredient.

Kratom Product means a food or dietary supplement that consists of, or contains, any part of a kratom leaf, a kratom leaf extract, or any kratom alkaloid, kratom constituent, or kratom metabolite. Kratom product shall not include any synthesized alkaloids or semi-synthesized alkaloids.

Licensed Business Establishment means a business operating within the City pursuant to a license or permit issued by the City.

Operator means any person who manages, directs, or controls the day-to-day operations of a licensed business establishment.

Possession or Possess means having control or dominion over a Intoxicating Hemp-Derived Cannabinoid or Kratom Product, which can be actual or constructive. Possession involves both physical custody and the intent to control the Intoxicating Hemp-Derived Cannabinoid or Kratom Product.

Proof of Age means a driver's license or other generally accepted means of identification that contains a picture of the individual and appears on its face to be valid.

Sell or Sale means to transfer, give, exchange, or barter for any consideration.

Semi-Synthesized Alkaloids means an alkaloid or alkaloid derivative of the kratom leaf that has been created by chemical synthesis or biosynthetic means, including, but not limited to, fermentation, recombinant techniques, yeast-derived techniques, and enzymatic techniques, rather than by traditional food preparation techniques such as heat or extracting.

SECTION 2 – CHAPTER 28-OFFENSES AND NUISANCES, ARTICLE X - OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY, DIVISION 2., CONTROLLED SUBSTANCES AND ALCOHOL BY ADDING SECTION 28-337, REGULATING THE SALE, PURCHASE AND POSSESSION OF INTOXICATING HEMP-DERIVED CANNABINOIDS AND KRATOM PRODUCTS AND DANGEROUS CHEMICAL INHALANTS. That Section 28-337-Intoxicating Hemp-Derived Cannabinoid, Kratom Products and Dangerous Chemical Inhalants be added to the Raytown Municipal Code to read as follows:

Section 28-337 Intoxicating Hemp-Derived Cannabinoid, Kratom Products and Dangerous Chemical Inhalants

(a) Intoxicating Hemp-Derived Cannabinoid

1. Sale to Persons Under 21 is Prohibited. It shall be unlawful for any person, business owner, operator, retailer, or business entity to sell, provide, or distribute any Intoxicating Hemp-Derived Cannabinoid to any person under the age of twenty-one (21) years.

2. Proof of Age Required. It shall be a specific requirement of this Chapter that any person selling Intoxicating Hemp-Derived Cannabinoid must verify the age of the purchaser by inspecting a valid government-issued photo identification card containing the bearer's date of birth.

3. Purchase or Possession by Persons Under 21 Prohibited. It shall be unlawful for any person under the age of twenty-one (21) years to purchase, attempt to purchase, or possess any Intoxicating Hemp-Derived Cannabinoid product within the City; except persons between 18 – 21 years may purchase a Intoxicating Hemp-Derived Cannabinoid products if a licensed medical professional has prescribed Intoxicating Hemp-Derived Cannabinoid products to said person.

4. Intoxicating Hemp-Derived Cannabinoid may only be displayed for sale in such a manner that a person cannot have possession of the Intoxicating Hemp-Derived Cannabinoid prior to the sale of the Intoxicating Hemp-Derived Cannabinoid product, including, but not limited to, behind the register counter or in a closed and locked cabinet, etc.

(b) Kratom Product.

1. It shall be unlawful for any person to sell, offer, deliver, or distribute a Kratom Product:
   - A. That is adulterated;
   - B. That contains a level of 7-hydroxymitragnine in the alkaloid fraction that is greater than two percent (2%) of the alkaloid composition of the Kratom Product;
   - C. That is a confection, mimics a candy product, or is manufactured, packaged, or distributed in a way that is appealing to children, including, but not limited to, the distinct shape of a human, an animal, or fruit; or
   - D. That is combustible or intended for vaporization.

2. Sale and display of a Kratom Product to those under the age of 21:
   - A. It shall be unlawful for any person to sell, offer, deliver, or distribute any Kratom Products to any person under the age of 21;
   - B. It shall be unlawful for any person to display or store Kratom Products in a retail location in a manner that will allow the products to be accessed by individuals under the age of 21.
   - C. A person selling Kratom Products shall require Proof of Age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of 21. Reasonable reliance on Proof of Age shall be a defense to any action for a violation of subsection 2.A.

3. Prohibition on sale or distribution of dangerous chemical inhalants for recreational use:
   A. It shall be unlawful for any person to sell or deliver, possess with intent to sell or deliver, or manufacture with intent to sell or deliver any dangerous chemical inhalants:
      i. In any tobacco retailer, head shop, vape shop, liquor store, convenience store, or in any other context or business location where the dangerous chemical inhalant is distributed for human consumption, regardless of the labeling of, or packaging of, the product asserting any claim to the contrary; or
      ii. In any packaging or with flavoring marketed to entice human consumption as opposed to a recognized lawful use.

   B. Notwithstanding the foregoing, the prohibitions of this subsection 28-337(3) shall not apply to the following:
      i. The care or treatment of a disease, condition, or injury by a licensed medical or dental practitioner;
      ii. Manufacturing process or industrial operations; or
      iii. Propellant in food preparation for restaurants, food service, or housewares products when such retailer is regularly involved in such business.

4. Public nuisance declared. A violation of this section is hereby deemed and declared to constitute a public nuisance.

SECTION 3 – APPROVAL OF AMENDMENT 28-3-DEFINITIONS. That all definitions currently throughout Chapter 28 in Sections 28-29, 28-141, 28-210, 28-330,28-331, 28-393, 28-394, 28-395 and 28-445 as set forth in "Exhibit A" will be moved to Section 28-3-Definitions for consistent organization of the Raytown Municipal Code.

SECTION 4 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 6 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri this ___ day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Chapter 28 OFFENSES AND NUISANCES[1]

ARTICLE I. IN GENERAL

Sec. 28-1. Time limitations.

Prosecutions for offenses under this chapter must be commenced within six months. An offense is committed when every element constituting that offense occurs. Time begins the day after the offense is committed. A prosecution is commenced when a complaint is filed.

(Code 1969, § 13-2; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—State statute of limitations, RSMo 556.036.

Sec. 28-2. Multiple offenses.

When the same conduct of a person may establish the commission of more than one offense, he may be prosecuted for each such offense. He may not be convicted of more than one offense if the offense is defined as a continuing course of conduct and the person's course of conduct was uninterrupted, unless the law provides that specific periods of such conduct constitute separate offenses.

(Code 1969, § 13-3; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Limitations on conviction for multiple offenses, RSMo 556.041.

Sec. 28-3. Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning. Unless the context requires a different definition, terms shall have the same definition as the same or comparable terms in the state criminal code.

Adulterated **means the addition of fentanyl or any other controlled substance, a synthesized alkaloid or semi-synthesized alkaloid, or another substance prohibited law;**

Agent **means any director, officer or employee of a corporation or unincorporated association or any other person who is authorized to act on behalf of the corporation or unincorporated association.**

Alcoholic beverage **means and includes alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing alcohol in excess of one-half of one percent by volume.**

Alkaloid Fraction **means a portion of a plant or plant extract that contains primarily alkaloid compounds;**

Antique, curio **or** ***relic firearm*** **means any firearm so defined by the National Gun Control Act, 18 USC 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR 178.11:**

(1) Antique firearm is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

(2) Curio or relic firearm is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least 50 years old, associated with a historical event, renown personage or major war.

Blackjack **means any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use.**

Business Owner **means any person with legal ownership of a licensed business establishment.**

Concealable firearm **means any firearm with a barrel less than 16 inches in length, measured from the face of the bolt or standing breech.**

Controlled substance **means a drug substance or immediate precursor schedules I through V listed in RSMo ch. 195.**

Counterfeit substance **means a controlled substance which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any license thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.**

Customer **means the person in whose name a utility service is provided.**

Custodian **means any person over the age of 18 years who is in loco parentis to a minor.**

Close proximity **means within 500 feet on a straight line commencing at the property lines nearest to each other.**

Control **means any form of authority, regulation, responsibility or dominion, including a possessory right.**

Controlled substance **means any drug or substance included in RSMo 195.010 and 195.220.**

Dangerous chemical inhalant **means substances containing butyl nitrite, nitrous oxide, and amyl nitrite in any form.**

Dangerous drug **means one that is unsafe for use except under the supervision of a practitioner because of its toxicity or other potentiality for human effect, method of use, or collateral measures necessary to use. The term "dangerous drug" includes all other drugs or compounds, preparations or mixtures thereof which the state board of health shall find and declare by rule or regulation duly promulgated to have a dangerous hallucinogenic, hypnotic, somnifacient or stimulating effect on the body of a human or animal.**

Deface **means to alter or destroy the manufacturer's or importer's serial number of any other distinguishing number or identification mark.**

Deliver **or** ***delivery*** **means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.**

Dismantled vehicle **means any vehicle missing significant body parts such as the hood, fender, cab, door or trunk lid.**

Divert **means to change the intended course or path of electricity, water, gas or steam, without the authorization or consent of the utility, except by accidental or unintentional means.**

Drug **means:**

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) Substances (other than food) intended to affect the structure or any function of the body of man or animals; and

(4) Substances intended for use as a component of any article specified in subsections (1) through (3) of this definition. It does not include devices or their components, parts or accessories.

Enforcement official **means any person designated by the city clerk to enforce the provisions of this article.**

Explosive weapon **means:**

(1) Any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury, or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon.

(2) Any chemical compound mixture or device, the primary or common purpose of which is to function by explosion, including, but not limited to, dynamite and other high explosives, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords and igniters or blasting agents.

Fine **when used herein shall mean a monetary fine imposed by the municipal court for this city.**

Firearm **means any weapon that is designed or adapted to expel a projectile by the action of an explosive.**

Firearm silencer **means any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm.**

Gas gun **means any gas ejection device, weapon, cartridge, container or contrivance other than a gas bomb, that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellant or temporary incapacitating substance.**

Guardian **means any person over the age of 18 years who is in loco parentis to a minor.**

High managerial agent **means an officer of a corporation or any other agent in a position of comparable authority with respect to the formulation of corporate policy or the supervision in a managerial capacity of subordinate employees.**

Imitation controlled substance **means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:**

(1) Whether the substance was approved by the U.S. Food and Drug Administration (FDA) for over-the-counter (nonprescription or nonlegend) sales and was sold in the FDA-approved package, with the FDA-approved labeling information;

(2) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;

(3) Whether the substance is packaged in a manner normally used for illicit controlled substances;

(4) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;

(5) The proximity of the substances to controlled substances;

(6) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell.

The term "imitation controlled substance" does not include a noncontrolled substance that was initially introduced in commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate. Furthermore, an imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research.

Inoperable vehicle **means any vehicle that does not possess an engine, has one or more flat or missing tires, or is otherwise incapable of being operated for lack of a major component of the vehicle.**

Instrument **means a device designed for use, or intended for use in ingesting, smoking, administering or preparing marijuana, cocaine, phencyclidine, opium or any derivative thereof, or any other controlled substance. For purposes of this subsection, the phrase "intended for use" shall refer to the intent of the person selling, offering to sell, dispensing, giving away or displaying the instrument therein defined. In determining whether an item constitutes an "instrument," a court may consider the following:**

(1) Whether a person or business establishment charged with violating this section is a licensed distributor or dealer of tobacco products;

(2) Expert testimony as to the principal use of the devices, articles, or contrivances claimed to be instruments;

(3) Evidence concerning the total business of a person or business establishment and the type of devices, articles, contrivances or items involved in the business;

(4) National and local advertising concerning the use of devices, articles, or contrivances claimed to be instruments;

(5) Evidence of advertising concerning the nature of the business establishment.

Intoxicated **means substantially impaired mental or physical capacity resulting from introduction of any substance into the body.**

Intoxicating Hemp-Derived Cannabinoid **means any cannabinoid derived from industrial hemp that has a psychoactive or intoxicating effect on the human body, including but not limited to:**

1. Delta-8 Tetrahydrocannabinol;

2. Delta-10 Tetrahydrocannabinol;

3. Hexahydrocannabinol (HHC);

4. Tetrahydrocannabinol acetate (THC-O);

5. Tetrahydrocannabiphorol (THC-P);

6. Any other chemical substance derived from hemp that is capable of inducing a psychoactive or intoxicating effect comparable to Delta-9 THC.

Junked vehicle **means a vehicle, which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap.**

Knife **means any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. The term "knife" does not include any ordinary pocket knife with a blade no more than four inches in length.**

Knuckles **means any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles.**

Kratom Leaf **means the leaf of the Mitragnya speciosa plant in fresh, dehydrated, or dried form;**

Kratom Leaf Extract **means the material extracted from a kratom leaf through the application of a solvent consisting of water, ethanol, food-grade carbon dioxide, or another solvent allowed by federal or state law to be used in the manufacturing of a food ingredient;**

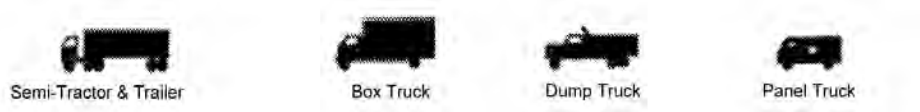
Kratom Product **means a food or dietary supplement that consists of, or contains, any part of a kratom leaf, a kratom leaf extract, or any kratom alkaloid, kratom constituent, or kratom metabolite. Kratom product shall not include any synthesized alkaloids or semi-synthesized alkaloids;**

Large commercial motor vehicle **means a motor vehicle:**

(1) Designed and regularly used for carrying more than 16 passengers, including the driver;

(2) Licensed for more than 26,000 pounds; or

(3) Examples include, but are not limited to, the following types of vehicles, if such vehicles are licensed for more than 26,000 pounds:



Large commercial trailer **means a trailer licensed for more than 10,000 pounds.**

Licensed Business Establishment **means a business operating within the City pursuant to a license or permit issued by the City.**

Machine gun **means any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger.**

Manufacture **means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:**

(1) By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

(2) By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.

***Marijuana* or *marihuana* means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp, as defined by Missouri statute, or commodities or products manufactured from industrial hemp.**

***Marijuana accessory(ies)* means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.**

***Minor* means any person who has not attained 18 years of age.**

***Motor vehicle* means any self-propelled vehicle not operated exclusively upon tracks, including those designed for racing purposes such as a stock car, dune buggy, or drag car.**

***Open house party* means a social gathering at a residence or premises of persons in addition to the owner or those with rights of possession or their immediate family members.**

***Operator* means any person who manages, directs, or controls the day-to-day operations of a licensed business establishment.**

***Owner* means any person, firm, corporation or association who holds the legal title to property.**

***Parent* means the natural or adoptive parent of a minor.**

***Patient* means, as the case may be:**

(1) The individual for whom a drug is prescribed or to whom a drug is administered; or

(2) The owner or the agent of the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering is in good faith and in the course of professional practice only.

***Person* means individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity. Whenever prescribing a penalty or fine, as to partnership or associations, "person" shall include the partners or members thereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation done by the corporation.**

***Pharmacist* means an individual currently licensed by the board to practice the profession of pharmacy in this state.**

***Place of display* means any museum, library, school or other similar public place upon which business is not transacted for a profit.**

***Portable storage unit* means any container designed for the storage of property which is typically rented to owners or occupants of property for their temporary use and which typically is delivered and removed by truck.**

***Possession or Possess* means having control or dominion over a Intoxicating Hemp-Derived Cannabinoid or Kratom Product, which can be actual or constructive. Possession involves both physical custody and the intent to control the Intoxicating Hemp-Derived Cannabinoid or Kratom Product.**

***Practitioner* means a physician (M.D. or D.O.), dentist, podiatrist, veterinarian, scientific investigator or other person licensed, registered or otherwise authorized by law to administer and prescribe, use in teaching or chemical analysis, or conduct research with respect to a controlled substance in the course of professional practice and research.**

Premises **means a business establishment and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of patrons.**

Premises open to minors **means any business establishment which sells its wares or merchandise to minors or which permits minors to enter into its place of business.**

Prescription **means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.**

Production **includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.**

Projectile weapon **means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.**

Private property **means any property within the corporate limits of the city that is not owned or controlled by a public governmental body.**

Proof of Age **means a driver's license or other generally accepted means of identification that contains a picture of the individual and appears on its face to be valid.**

Public place **means any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose. The term "public place" includes, but is not be limited to, any store, shop, restaurant, tavern, bowling alley, cafe, theater, drugstore, pool room, shopping center, and any other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above.**

Recreational vehicle **means any vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and/or eating facilities that are either permanently attached to the motor vehicle or attached to a unit that is securely attached to the motor vehicle. Nothing herein shall prevent any recreational vehicle from being classified as a commercial motor vehicle or commercial trailer if the vehicle could otherwise be so classified.**

Reconnection **means the commencement of utility service other than by the utility company, to a customer or other person after service has been discontinued by the utility.**

Residence **or** ***premises*** **means a motel room, hotel room, home, apartment, condominium, or other dwelling unit, including the curtilage of a dwelling unit, or a hall, meeting room, or other place of assembly, whether occupied as a dwelling or specifically for social functions, and whether owned, leased, rented, or used with or without compensation.**

Rifle **means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger.**

Right-of-way **means property owned by a public governmental body for the purposes of streets and associated public improvements, alleys, sidewalks, pedestrian walkways and the like.**

School **means any public or private elementary, junior high, or high school.**

Sell or Sale **means to transfer, give, exchange, or barter for any consideration.**

Semi-Synthesized Alkaloids **means an alkaloid or alkaloid derivative of the kratom leaf that has been created by chemical synthesis or biosynthetic means, including, but not limited to, fermentation, recombinant techniques, yeast-derived techniques, and enzymatic techniques, rather than by traditional food preparation techniques such as heat or extracting.**

Short barrel **means a barrel length of less than 16 inches for a rifle and 18 inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than 26 inches.**

Shotgun **means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger.**

Simulated drugs and simulated controlled substances **are any products which identify themselves by using a common name or slang term associated with a controlled substance or indicate by label or accompanying promotional material that the product simulates the effect of a controlled substance or drug.**

Small commercial motor vehicle **means a vehicle licensed for 26,000 pounds or less and regularly used for the carrying of freight or merchandise in the regular course of business; regularly advertising the name of a commercial business; and/or regularly used for responding to calls for service in the regular course of business.**

Small commercial trailer **means a trailer licensed for less than 10,000 pounds and regularly used for the carrying of freight, merchandise or equipment in the regular course of business; regularly advertising the name of a commercial business; and/or regularly used for responding to calls for service in the regular course of business.**

Somnifacient and stimulating **have the meaning attributable in standard medical lexicons.**

Spring gun **means any fused, timed or nonmanually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death.**

Switchblade knife **means any knife which has a blade that folds or closes into the handle or sheath, and:**

(1) That opens automatically by pressure applied to a button or other device located on the handle; or

(2) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.

Tamper **means to rearrange, damage, injure, destroy, alter, interfere with or otherwise prevent from performing normal or customary function.**

Tobacco product **means any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.**

Trailer **means any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle.**

Unlicensed vehicle **means any vehicle that does not display a valid license and current inspection sticker, if such are required by the state in which the vehicle is registered in order to operate the vehicle upon public streets. If the license plate of a vehicle is screened from view (such as by an adjacent structure, vegetation, a cover, tarp wrap or similar) the vehicle shall be considered unlicensed. It is a valid defense to the provisions of this article to provide proof either that the vehicle, on the date of the occurrence, had a valid license and inspection sticker or to provide proof that the vehicle is not required to be individually licensed by the state in which the vehicle is registered in order to operate the vehicle upon public streets (such as a vehicle offered for sale by an licensed automobile dealer).**

Utility service **means the provision of electricity, water, gas or steam.**

Vehicle **means any mechanical device on wheels, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or motorized wheelchairs operated by handicapped persons. The term vehicle includes, but is not limited to, commercial motor vehicle, dismantled vehicle, inoperable vehicle, junked vehicle, motor vehicle, recreational vehicle, trailer, and unlicensed vehicle.**

Warehouseman **means a person who, in the usual course of business, stores drugs for others lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.**

Wholesaler **means a person engaged in the business of distributing drugs**

(Code 1969, § 13-4; Ord. No. 2242-81, § 1, 6-16-1981)

Sec. 28-4. Incorporation of state law.

The city, its agents, officers and employees shall have all of the rights and authority granted by state statute in connection with the execution and enforcement of this chapter, including without limitation those provisions of state statute regarding search and seizure, evidence and declaratory and injunctive relief.

(Code 1969, § 13-92; Ord. No. 3149-87, § 7, 11-3-1987)

Secs. 28-5—28-26. Reserved.

ARTICLE II. LIABILITY

Sec. 28-27. Responsibility for the conduct of another.

(a) A person is responsible for the conduct of another when:

(1) The ordinance defining the offense makes him so responsible; or

(2) Either before or during the commission of an offense with the purpose of promoting the commission of an offense, he aids or agrees to aid or attempts to aid such other person in planning, committing or attempting to commit the offense.

(b) However, a person is not so responsible if:

(1) He is the victim of the offense committed or attempted;

(2) The offense is so defined that his conduct was necessarily incident to the commission or attempt to commit the offense. If his conduct constitutes a related but separate offense, he is responsible for that offense, but not for the conduct or offense committed or attempted by the other person;

(3) Before the commission of the offense, he abandons his purpose and gives timely warning to law enforcement authorities or otherwise makes proper effort to prevent the commission of the offense.

(Code 1969, § 13-16; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Responsibility for the conduct of another, RSMo 552.041.

Sec. 28-28. Defense precluded.

It is no defense to any prosecution for an offense in which the responsibility of the defendant is based upon the conduct of another that:

(1) Such other person has been acquitted or has not been convicted or has been convicted of some other offense or degree of offense or lacked capacity or was unaware of the defendant's purpose or is immune from prosecution or is not amenable to justice; or

(2) The defendant does not belong to that class of persons which was legally capable of committing the offense in an individual capacity.

(Code 1969, § 13-17; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 556.046.

Sec. 28-29. Liability of corporations and unincorporated associations.

(a) A corporation is guilty of an offense if:

(1) The conduct constituting the offense consists of an omission to discharge a specific duty of affirmative performance imposed on corporations by law;

(2) The conduct constituting the offense is engaged in by an agent of the corporation while acting within the scope of his employment and in behalf of the corporation; or

(3) The conduct constituting the offense is engaged in, authorized, solicited, requested, commanded or knowingly tolerated by the board of directors or by a high managerial agent acting within the scope of his employment and in behalf of the corporation.

(b) An unincorporated association is guilty of an offense if:

(1) The conduct constituting the offense consists of an omission to discharge a specific duty of affirmative performance imposed on the association by law; or

(2) The conduct constituting the offense is engaged in by an agent of the association while acting within the scope of his employment and in behalf of the association.

~~(c) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~*Agent* means any director, officer or employee of a corporation or unincorporated association or any other person who is authorized to act in behalf of the corporation or unincorporated association.~~

~~*High managerial agent* means an officer of a corporation or any other agent in a position of comparable authority with respect to the formulation of corporate policy or the supervision in a managerial capacity of subordinate employees.~~

(Code 1969, § 13-18; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 556.056.

Secs. 28-30—28-46. Reserved.

ARTICLE III. SENTENCING

Sec. 28-47. Authorized dispositions.

Whenever a person has been found guilty of an offense, the court shall make one or more of the following dispositions of the offender, in any appropriate combination:

(1) Sentence the person to a term of imprisonment, not to exceed the amount authorized by law.

(2) Sentence the person to pay a fine in an amount not to exceed that authorized by law.

(3) Suspend imposition of sentence, with or without placing the person on probation.

(4) Pronounce sentence and suspend its execution, placing the person on probation.

(5) Impose a period of detention as a condition of probation.

(6) Impose a period of community or public service as a condition of probation.

(Code 1969, § 13-11; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 4007-94, § 1, 6-21-1994)

Sec. 28-48. Concurrent and consecutive terms.

Multiple sentences shall run concurrently unless the court specifies that they shall run consecutively.

(Code 1969, § 13-12; Ord. No. 2242-81, § 1, 6-16-1981)

Sec. 28-49. Jail time.

A person shall receive as credit toward service of a sentence of imprisonment all time spent by him in jail awaiting trial for such offense.

(Code 1969, § 13-13; Ord. No. 2242-81, § 1, 6-16-1981)

Sec. 28-50. Response to nonpayment.

(a) When an offender sentenced to pay a fine defaults in the payment of the fine or in any installment, the court upon motion of the prosecuting attorney or upon its own motion may require him to show cause why he should not be imprisoned for nonpayment. The court may issue a warrant of arrest or a summons for his appearance.

(b) Following an order to show cause under subsection (a) of this section, unless the offender shows that his default was not attributable to an intentional refusal to obey the sentence of the court, or not attributable to a failure on his part to make a good faith effort to obtain the necessary funds for payment, the court may order the defendant imprisoned for a term not to exceed 30 days. The court may provide in its order that payment or satisfaction of the fine at any time will entitle the offender to his release from such imprisonment or, after entering the order, may at any time reduce the sentence for good cause shown, including payment or satisfaction of the fine.

(c) If it appears that the default in the payment of a fine is excusable under the standards set forth in subsection (b) of this section, the court may enter an order allowing the offender additional time for payment, reducing the amount of the fine or of each installment, or revoking the fine or the unpaid portion in whole or in part.

(d) When a fine is imposed on a corporation it is the duty of the person or persons authorized to make disbursement of the assets of the corporation and their superiors to pay the fine from the assets of the

corporation. The failure of such persons to do so shall render them subject to imprisonment under subsections (a) and (b) of this section.

(e) Upon default in the payment of a fine or any installment thereof, the fine may be collected by any means authorized for the enforcement of money judgments.

(Code 1969, § 13-14; Ord. No. 2242-81, § 1, 6-16-1981)

Sec. 28-51. Revocation of a fine.

A defendant who has been sentenced to pay a fine may at any time petition the sentencing court for a revocation of a fine or any unpaid portion thereof. If it appears to the satisfaction of the court that the circumstances which warranted the imposition of the fine no longer exist or that it would otherwise be unjust to require payment of the fine, the court may revoke the fine or the unpaid portion in whole or in part or may modify the method of payment.

(Code 1969, § 13-15; Ord. No. 2242-81, § 1, 6-16-1981)

Secs. 28-52—28-75. Reserved.

ARTICLE IV. INCHOATE OFFENSES

Sec. 28-76. Attempt.

(a) A person is guilty of attempt to commit an offense when, with the purpose of committing the offense, he does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.

(b) It is no defense to a prosecution under this section that the offense attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such offense could have been committed had the attendant circumstances been as the actor believed them to be.

(c) Unless otherwise provided, an attempt to commit an offense is punishable as the offense attempted.

(Code 1969, § 13-21; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provisions, RSMo 564.011.

Sec. 28-77. Conspiracy.

(a) A person is guilty of conspiracy with another person or persons to commit an offense if, with the purpose of promoting or facilitating its commission, he agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such offense.

(b) If a person guilty of conspiracy knows that a person with whom he conspires to commit an offense has conspired with another person or persons to commit the same offense, he is guilty of conspiring with such other person or persons to commit such offense, whether or not he knows their identity.

(c) If a person conspires to commit a number of offenses, he is guilty of only one conspiracy so long as such multiple offenses are the object of the same agreement.

(d) No person may be convicted of conspiracy to commit an offense unless an overt act in pursuance of such conspiracy is alleged and proved to have been done by him or by a person with whom he conspired.

(e) (1) No one shall be convicted of conspiracy if, after conspiring to commit the offense, he prevented the accomplishment of the objectives of the conspiracy under circumstances manifesting a renunciation of his purpose.

(2) The defendant shall have the burden of injecting the issue of renunciation of purpose under subsection (e)(1) of this section.

(f) For the purpose of time limitations on prosecutions:

(1) Conspiracy is a continuing course of conduct which terminates when the offense or offenses which are its object are committed or the agreement that they be committed is abandoned by the defendant and by those with whom he conspired.

(2) If an individual abandons the agreement, the conspiracy is terminated as to him only if he advises those with whom he has conspired of his abandonment or he informs the law enforcement authorities of the existence of the conspiracy and of his participation in it.

(g) A person may not be charged, convicted or sentenced on the basis of the same course of conduct of both the actual commission of an offense and a conspiracy to commit that offense.

(h) Unless otherwise provided, a conspiracy to commit an offense is punishable as the offense.

(Code 1969, § 13-22; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 564.016.

Secs. 28-78—28-97. Reserved.

ARTICLE V. OFFENSES AGAINST PERSONS

Sec. 28-98. Assault.

A person commits the offense of assault if:

(1) He purposely causes, recklessly causes or attempts to cause bodily harm or offensive contact with another person.

(2) He purposely places another person in apprehension of bodily harm or offensive contact.

(3) He recklessly engages in conduct which creates a grave risk of bodily injury to another person.

(4) He purposely causes physical contact with another person, knowing the other person will regard the contact as offensive or provocative.

(Code 1969, § 13-31; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Assault, RSMo 565.050.

Sec. 28-99. Harassment.

A person commits the offense of harassment, if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person, and such act does cause such person to suffer emotional distress.

(Code 1969, § 13-32; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 5767-24, § 1(Exh. A), 8-13-2024)

State law reference(s)—Similar provision, RSMo 565.090.

Sec. 28-100. False imprisonment.

A person commits the offense of false imprisonment if he knowingly restrains another unlawfully and without consent so as to interfere substantially with his liberty.

(Code 1969, § 13-33; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 565.130.

Sec. 28-101. Defenses to false imprisonment.

(a) A person does not commit false imprisonment if the person restrained is a child under the age of 17 years and:

  (1) A parent, guardian or other person responsible for the general supervision of the child's welfare has consented to the restraint; or

  (2) The actor is a relative of the child; and

    a. The actor's sole purpose is to assume control of the child; and

    b. The child is not taken out of the state.

(b) For the purpose of this section, the term "relative" means a parent or stepparent, ancestor, sibling, uncle or aunt, including an adoptive relative of the same degree through marriage or adoption.

(Code 1969, § 13-34; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 565.140.

Sec. 28-102. Interference with custody.

A person commits the crime of interference with custody if, knowing that he has no legal right to do so, he takes or entices from lawful custody any person entrusted by order of a court to the custody of another person or institution.

(Code 1969, § 13-35; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Interference with custodial rights, RSMo 565.149 et seq.

Sec. 28-103. Violation of an order of protection.

(a) It shall be unlawful for any person who has notice of an ex parte order of protection or a full order of protection entered by a court of the State of Missouri, or a comparable order entered by a court of any other

state, tribe, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia to violate such order.

(1) For the purposes of notice on an ex parte order, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if:

a. The law enforcement officer responding to a call of a reported incident of domestic violence, stalking, sexual assault, or violation of an order of protection presented a copy of the order of protection to the respondent; or

b. Notice is given by actual communication to the respondent in a manner reasonably likely to advise the respondent.

(b) A copy of an order of protection entered by a court of the State of Missouri or a certified copy of a comparable order entered by any other state, tribe, territory or possession of the United States, the Commonwealth of Puerto Rico, or the District of Columbia shall be prima facie evidence of the existence and validity of the order of protection or comparable order.

(c) Refusal of the person, for whose benefit the order of protection or comparable order was issued, to sign a complaint or to testify shall not be a defense to a violation of an order of protection or comparable order.

(d) Any person violating the provisions of this section shall be punishable in accordance with the provisions of section 1-22.

(Code 1969, § 13-36; Ord. No. 4907-03, § 1, 8-19-2003; Ord. No. 5727-23, § 1(Exh. A), 5-2-2023)

Sec. 28-104. Endangering the welfare of a minor.

(a) A person commits the crime of endangering the welfare of a minor child if that person:

(1) With criminal negligence acts in a manner that creates a substantial risk to the life, body or health of a child less than 17 years old.

(2) With criminal negligence encourages, aids or causes a child less than 17 years of age to participate in behavior that is dangerous to the minor.

(3) Being a parent, guardian or other person legally charged with the care or custody of a child less than 17 years of age knowingly fails or otherwise neglects to provide proper care or supervision for the minor.

(4) Being a parent, guardian or other person legally charged with the care or custody of a child less than 17 years of age knowingly encourages, condones, or approves the commission of delinquent acts.

(5) Being a parent, guardian or other person legally charged with the care or custody of a child less than 17 years of age knowingly allows the minor to be endangered or exposed to the potential of abuse or exploitation of others.

(6) A person acts with "criminal negligence" when he fails to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, and such failure constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

(7) Being a parent, guardian or other person legally charged with the care or custody of a child less than 16 years of age and subject to compulsory school attendance allows said child to be absent from school repeatedly and without justification.

(b) Nothing in this section shall be construed to mean the welfare of a child is endanger for the sole reason that he is being provided nonmedical remedial treatment recognized and permitted under the law of this state.

(c) Any person violating this article shall be punished in accordance with section 1-22.

(Ord. No. 5446-13, § 1(13-37), 2-19-2013)

Secs. 28-105—28-134. Reserved.

ARTICLE VI. OFFENSES RELATING TO PROPERTY[2]

Sec. 28-135. Burning or exploding.

A person commits the offense of burning or exploding when:

(1) He knowingly damages property of another by starting a fire or causing an explosion;

(2) He knowingly starts a fire or causes an explosion and thereby recklessly damages or destroys a building or inhabitable structure of another; or

(3) He with criminal negligence causes damage to property of another by fire or explosion.

(Code 1969, § 13-41; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provisions, RSMo 569.065.

Sec. 28-136. Tampering.

A person commits the offense of tampering when:

(1) He tampers with property of another for the purpose of causing substantial inconvenience to that person or another; or

(2) He unlawfully operates or rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle.

(Code 1969, § 13-42; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 3587-90, § 1, 9-18-1990)

State law reference(s)—Property damage, RSMo 569.100 et seq.

Sec. 28-137. Property damage.

A person commits the offense of property damage when:

(1) He knowingly damages property of another; or

(2) He damages property for the purpose of defrauding an insurer.

(Code 1969, § 13-43; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Property damage, RSMo 569.100 et seq.

[2]State law reference(s)—Robbery, arson, burglary and related offenses, RSMo ch. 569; stealing and related offenses, RSMo ch. 570.

Sec. 28-138. Trespass.

(a) A person knowingly commits the offense of trespass if he knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or on real property of another.

(b) A person does not commit the offense of trespass by entering or remaining on real property unless the real property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which notice against trespass is given by:

(1) Actual communication to the actor; or

(2) Posting in a manner reasonably likely to come to the attention of intruders.

(Code 1969, § 13-44; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 4184-96, § 1, 7-16-1996)

State law reference(s)—Trespass in the first degree, RSMo 569.140 et seq.

Sec. 28-139. Stealing.

A person commits the offense of stealing if he appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion.

(Code 1969, § 13-45; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Stealing and related offenses, RSMo ch. 570.

Sec. 28-140. Receiving stolen property.

A person commits the offense of receiving stolen property if, for the purpose of depriving the owner of a lawful interest therein, he receives, retains or disposes of property of another knowing that it has been stolen or believing it has been stolen.

(Code 1969, § 13-46; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Receipt of stolen or embezzled property, RSMo 541.060.

Sec. 28-141. Theft of utility service; tampering with utility equipment and service.

~~(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~*Customer* means the person in whose name a utility service is provided.~~

~~*Divert* means to change the intended course or path of electricity, water, gas or steam, without the authorization or consent of the utility, except by accidental or unintentional means.~~

~~*Reconnection* means the commencement of utility service other than by the utility company, to a customer or other person after service has been discontinued by the utility.~~

~~*Tamper* means to rearrange, damage, injure, destroy, alter, interfere with or otherwise prevent from performing normal or customary function.~~

~~*Utility service* means the provision of electricity, water, gas or steam.~~

(~~b~~)**a** A person commits the offense of theft or tampering with utility equipment or service if he commits, authorizes, aids, abets or attempts any of the following acts:

(1) Diverts, or causes to be diverted, utility service.

(2) Makes, or causes to be made, any connection or reconnection with property owned or used by the utility to provide utility service without the authorization or consent of the utility.

(3) Prevents any utility meter, or other device used in determining the charge for utility service, from accurately performing its measuring function by tampering.

(4) Tampers with any property owned or used by the utility company to provide utility service.

(5) Uses or receives the direct benefit of all, or a portion, of the utility service with knowledge of, or reason to believe that, the diversion, tampering, or unauthorized connection existed at the time of the use, or that the use or receipt, was without the authorization or consent of the utility.

(c)**b** In a prosecution under this section, proof that a meter or other property of a utility has been tampered with and the person or persons accused received the use or direct benefit of the utility service, the effect of which is to prevent the proper measuring of or permit the diversion of the utility service, shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of this section by the person or persons who use or receive the direct benefit of the utility service.

(Code 1969, § 13-52; Ord. No. 3587-90, § 2, 9-18-1990)

Sec. 28-142. Fraudulent use of a credit device.

A person commits the crime of fraudulent use of a credit device if he uses a credit device for the purpose of obtaining services or property, knowing that:

(1) The device is stolen, fictitious or forged;

(2) The device has been revoked or cancelled; or

(3) For any other reason his use of the device is unauthorized.

(Code 1969, § 13-53; Ord. No. 3910-93, § 1, 9-7-1993)

State law reference(s)—Fraudulent procurement of credit card, debit cards or personal identifying information, RSMo 570.135; fraudulent use of a credit device, RSMo 570.130.

Sec. 28-143. Identity theft.

(a) A person commits the crime of identity theft if he knowingly and with the intent to deceive or defraud obtains, possesses, transfers, uses, or attempts to obtain, transfer or use, one or more means of identification not lawfully issued for his use.

(b) The term "means of identification," as used in this section, includes, but is not limited to, the following:

(1) Social security numbers;

(2) Driver's license numbers;

(3) Checking account numbers;

(4) Savings account numbers;

(5) Credit card numbers;

(6) Debit card numbers;

(7) Personal identification (PIN) code;

(8) Electronic identification numbers;

(9) Digital signatures;

(10) Any other numbers or information that can be used to access a person's financial resources;

(11) Biometric data;

(12) Fingerprints;

(13) Passwords;

(14) Parent's legal surname prior to marriage;

(15) Passports; or

(16) Birth certificates.

(c) This section and section 28-144 shall not apply to the following activities:

(1) A person obtains the identity of another person to misrepresent his age for the sole purpose of obtaining alcoholic beverages, tobacco, going to a gaming establishment, or another privilege denied to minors. Nothing in this subdivision shall affect the provisions of subsection (d) of this section;

(2) A person obtains means of identification or information in the course of a bona fide consumer or commercial transaction;

(3) A person exercises, in good faith, a security interest or right of offset by a creditor or financial institution;

(4) A person complies, in good faith, with any warrant, court order, levy, garnishment, attachment, or other judicial or administrative order, decree, or directive, when any party is required to do so;

(5) A person is otherwise authorized by law to engage in the conduct that is the subject of the prosecution.

(d) It shall be unlawful for any person to obtain, transfer, or use any means of identification for the purpose of manufacturing and providing or selling a false identification card to a person under the age of 21 years for the purpose of purchasing or obtaining alcohol.

(Code 1969, § 13-54; Ord. No. 5285-07, § 1, 2-20-2007)

State law reference(s)—Similar provision, RSMo 570.223.

Sec. 28-144. Trafficking in stolen identities.

(a) A person commits the crime of trafficking in stolen identities when such person manufactures, sells, transfers, purchases, or possesses, with intent to sell or transfer means of identification as defined in section 28-143(b), for the purpose of committing identity theft.

(b) Possession of five or more means of identification of the same person or possession of means of identification of five or more separate persons shall be evidence that the identities are possessed with intent to manufacture, sell, or transfer means of identification for the purpose of committing identity theft. In determining possession of five or more means of identification of the same person, or possession of means of identification of five or more separate persons for the purposes of evidence pursuant to this subsection, the following do not apply:

(1) The possession of his own identification documents;

(2) The possession of the identification documents of a person who has consented to the person at issue possessing his identification documents.

(Code 1969, § 13-55; Ord. No. 5285-07, § 2, 2-20-2007)

State law reference(s)—Similar provision, RSMo 570.224.

Sec. 28-145. Unlawful tenting.

(a) No person shall put, keep, maintain or occupy any tent, lean-to, tarpaulin, or other structure for purposes of habitation or place of living or lodging, either temporarily or otherwise, upon any privately-owned grounds within the city. However, no person shall be in violation of this section if they are the owner of such grounds or have a lease or other consent from the owner thereof.

(b) No person shall put, keep, maintain or occupy any tent, lean-to, tarpaulin, or other structure for purposes of habitation or place of living or lodging, either temporarily or otherwise, upon any public property or public right-of-way. The city strives, through various programs, to assist those that maintain or occupy tents, lean-tos, tarpaulins or other structures for purposes of habitation. Should such person continue to maintain or occupy any tent, lean-to, tarpaulin, or other structure for purposes of habitation, such person will be found in violation of this section.

(Ord. No. 5747-23, § 1(Exh. A), 12-19-2023)

Secs. 28-146—28-171. Reserved.

ARTICLE VII. OFFENSES AGAINST PUBLIC ORDER

DIVISION 1. GENERALLY

Sec. 28-172. Noise disturbance.

(a) *Prohibited.* A person commits the offense of noise disturbance if he willfully makes or continues, or causes to be made or continued, any loud and raucous noise, which term shall mean any sound which, because of its volume level, duration and character, annoys, disturbs, injures or endangers the comfort, health, peace or safety of reasonable persons of ordinary sensibilities within the limits of the city. The term includes the kinds of noise generated by the activities enumerated in subsection (b) of this section. The terms shall be limited to loud and raucous noise heard upon the public streets, in any public park, in any school or public building or upon the grounds thereof while in use, in any church or hospital or upon the grounds thereof while in use, upon any parking lot open to members of the public as invitees or licensees, or in any occupied residential unit which is not the source of the noise or upon the grounds thereof, and in any event from a location not less than 50 feet from the source of the noise, measured in a straight line from the radio, loudspeaker, motor, horn or other noise source.

(b) *Types of noises deemed public nuisance.* The following acts, as limited by subsection (a) of this section, are declared to be public nuisances in violation of section 28-143(a), namely:

(1) *Engines, whistles, pile drivers, etc.—Exhaust.* The discharge into the open air of the exhaust of any steam engine or stationary internal combustion engine except through a muffler or other device which will effectively prevent loud and raucous noises therefrom.

(2) *Same—Pile drivers, etc.* The operation between the hours of 8:00 p.m. and 7:00 a.m. on any day or at any time on Sunday, of any pile driver, steam shovel, pneumatic hammer, derrick, dredge, steam or electric hoist or other appliance, the use of which is attended by loud and raucous noise.

(3) *Same—Blowers.* The operation of any blower or power fan or any internal combustion engine, the operation of which causes loud and raucous noise, unless the noise from such blower or fan is muffled or such engine is equipped with a muffler device sufficient to prevent loud and raucous noise.

(4) *Horns, signaling devices, etc.* The sounding of any horn, whistle, loud speakers or other audible signaling device so as to create a loud and raucous noise.

(5) *Radios, amplifiers, phonographs, etc.* The using, operating or permitting to be played, used or operated any radio, amplifier, musical instrument, phonograph or other device for the producing or reproducing of sound in such manner as to cause loud and raucous noise.

(6) *Sound trucks.* No amplifier or loudspeaker in, upon or attached to a sound truck or other device for amplifying sound shall be operated or permitted to operate within the city in such a manner as to cause loud and raucous noise.

(7) *Yelling, shouting, etc.* Yelling, shouting, whistling or singing at any time or place so as to create a loud and raucous noise.

(8) *Defect in vehicle or load.* The use of any motor vehicle so out of repair, so loaded or in such manner as to create loud grating, grinding, rattling or other loud and raucous noise or which is not equipped with a muffler in a good working order and in constant operation so as to prevent loud and raucous noise.

(9) *Construction or repairing of buildings.* The erection (including excavating), demolition, alteration or repair of any building so as to create a loud and raucous noise other than between the hours of 7:00 a.m. and 8:00 p.m. on any day, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building official, which permit may be granted for a period not to exceed three working days or less while the emergency continues and which permit may be renewed for successive periods of three days or less while the emergency continues. If the building official should determine that the public health and safety necessitates the issuance of such a permit and will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 8:00 p.m. and 7:00 a.m., he may grant permission for such work to be done within such hours or within a shorter time period during such hours, upon application being made at the time the permit for the work is issued or during the progress of the work.

(10) *Schools, public buildings, churches, hospitals.* The creation of any loud and raucous noise heard within any school, public building, church or to any hospital, or the grounds thereof, while in use, which interferes with the workings of such institution, or which disturbs or annoys patients in the hospital.

(11) *Noises to attract attention.* The use of any drum or other instrument or device to create a loud and raucous noise.

(c) *Persons responsible.* Any person, owner, agent or supervisor in charge of operating, ordering, directing or allowing the operation or maintenance of the device or machine creating a noise as prohibited in this chapter, shall be deemed guilty of violating this article.

(Code 1969, § 13-60; Ord. No. 3690-91, § 1, 8-13-1991; Ord. No. 4569-00, § 3, 1-18-2000; Ord. No. 5264-06, § 1, 11-21-2006)

State law reference(s)—Peace disturbance, RSMo 574.010.

Sec. 28-173. Peace disturbance.

(a) A person commits the offense of peace disturbance if:

(1) He unreasonably and knowingly causes alarm to another person or persons not physically on the same premises by:

a. Loud and unusual noise;

b. Loud and abusive language;

c. Fighting; or

d. Creating a noxious and offensive odor.

(2) He is in a public place or on private property of another without consent and unreasonably and knowingly causes alarm to another person or persons by:

a. Loud and unusual noise;

b. Loud and abusive language;

c. Fighting; or

d. Creating a noxious and offensive odor.

(3) He is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

a. Vehicular or pedestrian traffic; or

b. The free ingress or egress to or from public or private places.

(b) Exceptions. The term "loud and unusual noise" does not include noise or sound which would constitute a violation of the prohibition against the operation of loud sound amplification systems from within or upon vehicles.

(Code 1969, § 13-61; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 3163-87, § 1, 11-17-1987; Ord. No. 4569-00, § 4, 1-18-2000)

State law reference(s)—Similar provision, RSMo 574.010.

Sec. 28-174. Private peace disturbance.

A person commits the offense of private peace disturbance if he is on private property and unreasonably and purposely causes alarm to another person or persons on the same premises by fighting.

(Code 1969, § 13-62; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 3163-87, § 2, 11-17-1987)

State law reference(s)—Similar provisions, RSMo 574.020.

Sec. 28-175. Unlawful assembly.

A person commits the offense of unlawful assembly if he knowingly assembles with six or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States or the ordinances of this city with force or violence.

(Code 1969, § 13-63; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provisions, RSMo 574.040.

Sec. 28-176. Rioting.

A person commits the offense of rioting if he knowingly assembles with six or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States or the ordinances of this city with force or violence, and thereafter, while still so assembled, does violate any of said laws or ordinances with force or violence.

(Code 1969, § 13-64; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provisions, RSMo 574.050.

Sec. 28-177. Refusal to disperse.

A person commits the offense of refusal to disperse if, being present at the scene of an unlawful assembly, or at the scene of a riot, he knowingly fails or refuses to obey the lawful command of a law enforcement officer to depart from the scene of such unlawful assembly or riot.

(Code 1969, § 13-65; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provisions, RSMo 574.060.

Sec. 28-178. Disorderly conduct.

Any person who, with intent to provoke a breach of the peace or to cause violence to persons or property, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct:

(1) Acts in a violent or tumultuous manner toward another, placing such person in fear of safety of life, limb or health;

(2) Acts in a violent or tumultuous manner toward another, whereby property of any person is placed in danger of being destroyed or damaged;

(3) Endangers lawful pursuits of another by acts of violence, angry threats and abusive conduct;

(4) Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another;

(5) Assembles or congregates with another or others for the purpose of causing, provoking or engaging in any fight or brawl;

(6) Jostles or roughly crowds or pushes any person in any public place;

(7) Frequents any public place with intent to obtain money from another by an illegal and fraudulent scheme, trick, artifice or device;

(8) Assembles with another or others for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in the city, or to aid or abet therein;

(9) Any person accosts or attempts to force his company upon another person;

(10) Uses "fighting words" directed towards another who becomes outraged and thus creates turmoil;

(11) Assembles or congregates with another or others for the purpose of doing bodily harm to another;

(12) Any person, by acts of violence, interferes with another's pursuit of a lawful occupation;

(13) Congregates with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered by a police officer or other lawful authority;

(14) Congregates with others on a public street and refuses to move on when ordered by the police;

(15) By actions taken causes a crowd to collect, except when lawfully addressing such crowd;

(16) Takes up a position on the public streets or follows pedestrians for the purpose of soliciting alms, or who solicits alms on the public streets unlawfully;

(17) Causes a disturbance in any bus or other public conveyance by running through it, climbing through windows or upon the seats, or otherwise annoying passengers or employees therein;

(18) Stands on sidewalks or street corners and makes insulting remarks to or about passing pedestrians or annoys such pedestrians;

(19) Wanders, prowls, or loiters upon the private property of another in the nighttime and peeks or peers in the door or window of any building or structure located thereon which is inhabited by human beings, without any visible or lawful business with the owners or occupants thereof;

(20) Acts so as to annoy, disturb, interfere with, obstruct or be offensive to others.

(Code 1969, § 13-66; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 5413-11, § 1(13-66), 11-15-2011)

State law reference(s)—Peace disturbance, RSMo 574.010.

Sec. 28-179. Loitering.

(a) It shall be unlawful for any person, either alone or in concert with another or others, to stand or otherwise position themselves in any public place in such manner so as to willfully obstruct, impede, interfere with, hinder or delay either:

(1) The reasonable movement of vehicular or pedestrian traffic;

(2) The reasonably free and uninterrupted use of the property or lawfully conducted business by anyone by preventing the reasonably free and uninterrupted ingress, egress and regress, therein, thereon and thereto.

(b) When any person willfully commits either of the acts enumerated in subsection (a) of this section, a police officer or any law enforcement officer may order that person to stop committing any such act and to move on or disperse. Any person who fails or refuses to obey such an order shall be guilty of a violation of this section.

(Ord. No. 5747-23, § 2(Exh. A), 12-19-2023)

Secs. 28-180—28-209. Reserved.

DIVISION 2. WEAPONS[3]

[3]State law reference(s)—Weapons offenses, RSMo 571.010 et seq.

Sec. 28-210. Definitions.

The words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 28-3, except where the context clearly indicates a different meaning.~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Antique, curio* or *relic firearm* means any firearm so defined by the National Gun Control Act, 18 USC 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR 178.11:~~

~~(1) Antique firearm is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;~~

~~(2) Curio or relic firearm is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least 50 years old, associated with a historical event, renown personage or major war.~~

~~*Blackjack* means any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use.~~

~~*Concealable firearm* means any firearm with a barrel less than 16 inches in length, measured from the face of the bolt or standing breech.~~

~~*Deface* means to alter or destroy the manufacturer's or importer's serial number of any other distinguishing number or identification mark.~~

~~*Explosive weapon* means:~~

~~(1) Any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury, or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon.~~

~~(2) Any chemical compound mixture or device, the primary or common purpose of which is to function by explosion, including, but not limited to, dynamite and other high explosives, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords and igniters or blasting agents.~~

~~*Firearm* means any weapon that is designed or adapted to expel a projectile by the action of an explosive.~~

~~*Firearm silencer* means any instrument, attachment, or appliance that is designed or adapted to muffle the noise made by the firing of any firearm.~~

~~*Gas gun* means any gas ejection device, weapon, cartridge, container or contrivance other than a gas bomb, that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellant or temporary incapacitating substance.~~

~~*Intoxicated* means substantially impaired mental or physical capacity resulting from introduction of any substance into the body.~~

~~*Knife* means any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. The term "knife" does not include any ordinary pocket knife with a blade no more than four inches in length.~~

~~*Knuckles* means any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles.~~

~~*Machine gun* means any firearm that is capable of firing more than one shot automatically, without manual reloading, by a single function of the trigger.~~

~~*Projectile weapon* means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.~~

~~*Rifle* means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger.~~

~~*Short barrel* means a barrel length of less than 16 inches for a rifle and 18 inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than 26 inches.~~

~~*Shotgun* means any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger.~~

~~*Spring gun* means any fused, timed or nonmanually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death.~~

~~*Switchblade knife* means any knife which has a blade that folds or closes into the handle or sheath, and:~~

~~(1) That opens automatically by pressure applied to a button or other device located on the handle; or~~

~~(2) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.~~

(Code 1969, § 13-67; Ord. No. 2374-82, § 1, 4-20-1982; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(13-67), 1-18-2011)

State law reference(s)—Similar definitions, RSMo 571.010.

Sec. 28-211. Unlawful possession, manufacture, transport, repair, sale of certain weapons.

(a) A person commits the offense of unlawful possession of a weapon if he knowingly possesses, manufactures, transports, repairs or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A machine gun;

(4) A gas gun;

(5) A short barreled rifle or shotgun;

(6) A firearm silencer;

(7) A switchblade knife;

(8) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or

(9) Knuckles.

(b) A person commits the offense of unlawful possession of a concealable firearm if he has any concealable firearm in his possession and:

(1) He has pled guilty to or has been convicted of a dangerous felony, as defined in RSMo 556.061, or of an attempt to commit a dangerous felony, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a dangerous felony, or confined therefor in this state or elsewhere during the five-year period immediately preceding the date of such possession; or

(2) He is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.

(c) A person does not commit an offense under subsection (a) of this section if his conduct:

(1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution;

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subsection (c)(1) of this section;

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise;

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to dealing with the weapon solely as a curio, ornament, keepsake, or to using it in a manner reasonably related to a lawful dramatic performance; but if the weapon is a type described in subsection (a)(1) or (4) of this section, it must be in such a nonfunctioning condition that it cannot readily be made operable. No short barreled rifle, short barreled shotgun, or machine gun or firearm silencer may be possessed, manufactured, transported, repaired or sold as a curio, ornament, or keepsake, unless such person is an importer, manufacturer, dealer, or collector licensed by the federal government pursuant to federal law or unless such firearm is an antique firearm as defined in RSMo 571.080(3), or unless such firearm has been designated a collector's item by federal law.

(Code 1969, § 13-68; Ord. No. 2374-82, § 1, 4-20-1982; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(13-68), 1-18-2011)

State law reference(s)—Similar provision, RSMo 571.020.

Sec. 28-212. Unlawful use of weapon.

(a) A person commits the offense of unlawful use of weapons if he knowingly:

(1) Carries concealed upon or about his person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use;

(2) Sets a spring gun;

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section RSMo 302.010, or any building or structure used for the assembling of people;

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in any angry or threatening manner;

(5) Has a firearm or projectile weapon readily capable of lethal use on his person, while he is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within 100 yards of any occupied schoolhouse, courthouse, or church building;

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along, or across a public highway or discharges or shoots a firearm into any outbuilding;

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof;

(9) Discharges or shoots a firearm, at or from a motor vehicle, as defined in section RSMo 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

(b) Subsections (a)(1), (3), (4), (6), (7), (8), (9) and (10) of this section shall not apply to or affect any of the following:

(1) All state, county, and municipal police officers who have completed the training required by the police officer standards and training commission pursuant to RSMo 590.030 to 590.050, and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired police officers, as defined in subsection (f) of this section, and who carry the identification defined in subsection (g) of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under RSMo 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner; and

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under RSMo 571.111(2).

(c) Subsections (a)(1), (5), (8), and (10) of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subsection (a)(1) of this section does not apply to any person 21 years of age or older transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subsection (a)(10) of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to

or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

(d) Subsections (a)(1), (8), and (10) of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections RSMo 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

(e) Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

(f) Subsections (a)(3), (4), (5), (6), (7), (8), (9), and (10) of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to RSMo 563.031.

(g) As used in this section, the term "qualified retired police officer" means an individual who:

(1) Retired in good standing from service with a public agency as a police officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a police officer for an aggregate of 15 years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent 12-month period, has met, at the expense of the individual, the standards for training and qualification for active police officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

(h) The identification required by subsection (b)(1) of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a police officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active police officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a police officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active police officers to carry a firearm of the same type as the concealed firearm.

(i) Any person knowingly aiding or abetting any other person in the violation of subsection (a) of this section shall be subject to the same penalty as that prescribed for violations by other persons.

(j) A concealed carry endorsement issued pursuant to RSMo 571.094 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his person or vehicle throughout the state. No driver's license or non-driver's license containing a concealed carry endorsement issued pursuant to RSMo 571.094 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within 25 feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse or any courtroom, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subsection shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subsection are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subsection (f)(6) of this section. Nothing in this subsection shall preclude those persons listed in RSMo 571.030.1(2) while within their jurisdiction and on duty, those persons listed in RSMo 571.030.2(2) and 571.030.4, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule, from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subsection shall not be a criminal offense so long as the firearm if not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subsection shall preclude a member of the body, holding a valid concealed carry endorsement, from carrying a concealed firearm at a meeting of the body which he is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(6) Any building owned, leased or controlled by the city. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. Any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by the city shall be exempt from any restriction on the carrying or possession of a firearm. Persons violating this subsection may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subsection shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor or non-intoxicating beer for consumption on the premises, which portion is primarily devoted to that purpose without the consent of the owner or manager. The provisions of this subsection shall not apply to the licensee of said establishment. The provisions of this subsection shall not apply to any bona fide restaurant open to the general public

having dining facilities for not less than 50 persons and that receives at least 51 percent of its gross annual income from the dining facilities by the sale of food. This subsection does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subsection authorizes any individual who has been issued a concealed carry endorsement to possess any firearm while intoxicated;

(8) Any place where the carrying of a firearm is prohibited by federal law;

(9) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(10) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a driver's license or non-driver's license containing a concealed carry endorsement;

(11) Any gated area of an amusement park without the consent of the manager. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(12) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displaying in a conspicuous place of a minimum size of 11 inches by 14 inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(14) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

(k) Carrying of a concealed firearm in a location specified in subsections (j)(1) through (14) of this section by any individual who holds concealed carry endorsement issued pursuant to state statute, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a police officer is summoned, such person may be issued a citation for an amount not to exceed $100.00 for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined in amount not to exceed $200.00. If a third citation for a similar violation is issued within one year of the first citation such person shall be fined an amount not to exceed $500.00.

(l) Any person issued a concealed carry endorsement pursuant to this section shall carry the concealed carry endorsement at all times the person is carrying a concealed firearm and shall display the concealed carry endorsement upon the request of any police officer. Failure to comply with this subsection shall not be a criminal offense but the concealed carry endorsement holder may be issued a citation for an amount not to exceed $35.00.

(m) Employees of the city may, in addition to any other punishment provided hereby, be subject to disciplinary action.

(Code 1969, § 13-69; Ord. No. 2374-82, § 1, 4-20-1982; Ord. No. 2878-85, § 1, 11-19-1985; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(16-69), 1-18-2011)

State law reference(s)—Similar provision, RSMo 571.030.

Sec. 28-213. Defacing firearm or possession of defaced firearm.

A person commits the crime of defacing a firearm if he knowingly defaces any firearm. A person commits the crime of possession of a defaced firearm if he knowingly possesses a firearm which is defaced.

(Code 1969, § 13-70; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(16-70), 1-18-2011)

State law reference(s)—Similar provision, RSMo 571.045.

Sec. 28-214. Unlawful transfer of weapons.

(a) A person commits the offense of unlawful transfer of weapons if he:

(1) Knowingly sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to any person who, under the provisions of RSMo 571.070, is not lawfully entitled to possess such;

(2) Knowingly sells, leases, loans, gives away or delivers a blackjack to a person less than 18 years old without the consent of the child's custodial parent or guardian, or recklessly, as defined in RSMo 562.016 sells, leases, loans, gives away or delivers any firearm to a person less than 18 years old without the consent of the child's custodial parent or guardian; provided that this does not prohibit the delivery of such weapons to any police officer or member of the armed forces or national guard while performing his official duty; or

(3) Recklessly, as defined in RSMo 562.016, sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to a person who is intoxicated.

(b) A person commits the crime of transfer of a concealable firearm if such person violates 18 USC 922(b) or 18 USC 922(x).

(Code 1969, § 13-70.1; Ord. No. 2374-82, § 1, 4-20-1982; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(16-70.1), 1-18-2011)

State law reference(s)—Similar provision, RSMo 571.060.

Sec. 28-215. Concealed weapons; where prohibited.

(a) It shall be unlawful for any person within the limits of the city to shoot or discharge a firearm.

(b) Subsection (a) of this section shall not apply to:

(1) Legally qualified sheriffs or police officers, persons whose bona fide duty is to execute process, civil or criminal, or persons participating in training courses or seminars sponsored by accredited educational institutions, or persons coordinating an educational sponsored sporting event by discharging a starter pistol, or members of the armed forces, National Guard, or national recognized veterans associations, while performing their official duty;

(2) Persons participating in a controlled harvest of nuisance white-tail deer under the guidelines of a written permit specifically authorized by the chief of police;

(3) Persons participating in an activity or business, not including controlled harvests of nuisance white-tail deer as stated in subsection (b)(2) of this section, specifically authorized by the council with conditions which the council deem appropriate for the health, safety and general welfare of the community. The council may revoke the permit granted at any time, at its discretion, where the discharge of the firearm or weapon under the permit granted, in its opinion, constitutes a nuisance or in any way endangers persons or property; or

(4) Persons discharging firearms in the defense of person or property or persons discharging blank cartridges as a final salute at a military funeral or memorial services as members or a ceremonial firing party or firing squad.

(Code 1969, § 13-70.2; Ord. No. 5141-06, § 1, 9-5-2006; Ord. No. 5388-11, § 1(16-70.2), 1-18-2011)

State law reference(s)—Similar provision, RSMo 571.107.

Secs. 28-216—28-238. Reserved.

ARTICLE VIII. OFFENSES RELATING TO ADMINISTRATION OF JUSTICE

Sec. 28-239. Concealing an offense.

A person commits the offense of concealing an offense if:

(1) He confers or agrees to confer any pecuniary benefit or other consideration to any person in consideration of that person's concealing of any offense, refraining from initiating or aiding in the prosecution of an offense, or withholding any evidence thereof; or

(2) He accepts or agrees to accept any pecuniary benefit or other consideration in consideration of his concealing any offense, refraining from initiating or aiding in the prosecution of an offense, or withholding any evidence thereof.

(Code 1969, § 13-71; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 575.020.

Sec. 28-240. False reports.

(a) A person commits the offense of making a false report if he knowingly:

(1) Gives false information to a law enforcement officer for the purpose of avoiding identification or prosecution in his own name or for the purpose of implicating another person in an offense;

(2) Makes a false report to a law enforcement officer that an offense has occurred or is about to occur; or

(3) Makes a false report or causes a false report to be made to a law enforcement officer, security officer, fire department or other organization, official or volunteer, which deals with emergencies involving danger to life or property that a fire or other incident calling for an emergency response has occurred.

(b) It is a defense to a prosecution under subsection (a) of this section that the actor retracted the false statement or report before the law enforcement officer or any other person took substantial action in reliance thereon.

(c) The defendant shall have the burden of injecting the issue of retraction under subsection (b) of this section.

(Code 1969, § 13-72; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 3022-86, § 1, 12-16-1986)

State law reference(s)—Similar provisions, RSMo 575.080.

Sec. 28-241. Perjury.

(a) A person commits the offense of perjury if, with the purpose to deceive, he knowingly testifies falsely to any material fact upon oath or affirmation legally administered, in any official proceeding before any court, public body, notary public or other officer authorized to administer oaths.

(b) A fact is material, regardless of its admissibility under rules of evidence, if it could substantially affect, or did substantially affect, the course or outcome of a cause, matter or proceeding.

(c) Knowledge of the materiality of the statement is not an element of this offense and it is no defense that:

(1) The defendant mistakenly believed the fact to be immaterial; or

(2) The defendant was not competent, for reasons other than mental disability or immaturity, to make the statement.

(d) It is a defense to a prosecution under subsection (a) of this section that the actor retracted the false statement in the course of the official proceeding in which it was made provided he did so before the falsity of the statement was exposed. Statements made in separate hearings at separate stages of the same proceeding are made in the course of the same proceeding.

(e) The defendant shall have the burden of injecting the issue of retraction under subsection (d) of this section.

(Code 1969, § 13-73; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 575.040.

Sec. 28-242. False impersonation.

A person commits the offense of false impersonation if he:

(1) Falsely represents himself to be a public servant with purpose to induce another to submit to his pretended official authority or to rely upon his pretended official acts, and:

a. Performs an act in that pretended capacity; or

b. Causes another to act in reliance upon his pretended official authority; or

(2) Falsely represents himself to be a person licensed to practice or engage in any profession for which a license is required by the laws of this state with purpose to induce another to rely upon such representation, and:

a. Performs an act in that pretended capacity; or

b. Causes another to act in reliance upon such representation.

(Code 1969, § 13-74; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—False impersonation, RSMo 575.120.

Sec. 28-243. Resisting or interfering with arrest.

(a) It shall be unlawful for a person to commit the offense of resisting or interfering with arrest if, knowing that a law enforcement officer is making an arrest, or attempting to lawfully detain or stop an individual or vehicle, or the person reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or stop an individual or vehicle, for the purpose of preventing the officer from effecting the arrest, he:

(1) Resists the arrest, stop or detention of himself by using or threatening, in addition to vocal protest, the use of violence of physical force or by fleeing from such officer; or

(2) Interferes with the arrest, stop or detention of another person by using or threatening, in addition to vocal protest, the use of violence, physical force or physical interference.

(b) It shall be unlawful for a person to obstruct, hinder, molest, resist or otherwise interfere with any city public safety officer, employee or inspector, including, but not limited to, any health inspector, building code inspector, zoning inspector, property maintenance or nuisances code inspector, illegal dumping inspector, regulated industries investigator or animal control officer, or any officer of the city police department or any member of any other law enforcement agency or police force, or any member of any fire suppression agency or fire district in the discharge of his official duty, including firefighters and fire prevention inspectors.

(c) It shall be unlawful for a person to obstruct, hinder, molest, resist or otherwise interfere with any firefighter, fire suppression personnel, any ambulance contractor providing ambulance service for the city or any first responder in the discharge of his official duty.

(d) This section applies to arrests with or without warrants and to arrests, stops or detentions for any crime or ordinance violation.

(e) It shall be unlawful for a person to commit the offense of interference with legal process if, knowing any person is authorized by law to serve process, for the purpose of preventing such person from effecting the service of any process, he interferes with or obstructs such person. Process includes any writ, summons, subpoena, warrant other than an arrest warrant, or other process or order of a court or by any duly authorized representative or officer of the city.

(f) It shall be unlawful for any person to willfully and knowingly obstruct, resist, oppose or fail to obey a lawful command of any duly authorized representative or officer of the city executing or attempting to execute and carry into effect any provision of this Code or other ordinance or order adopted by the proper authorities of this city.

(g) A person convicted of a violation of this section shall be punished pursuant to section 1-22.

(Code 1969, § 13-75; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 5413-11, § 1(13-75), 11-15-2011; Ord. No. 5641-20, § 2(Exh. A), 3-3-2020)

Sec. 28-244. Refusal to identify as a witness.

A person commits the offense of refusal to identify as a witness if, knowing he has witnessed any portion of an offense or of any other incident resulting in physical injury or substantial property damage, upon demand by a

law enforcement officer engaged in the performance of his official duties, he refuses to report or gives a false report of his name and present address to such officer.

(Code 1969, § 13-76; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 575.190.

Sec. 28-245. Tampering with a witness.

A person commits the offense of tampering with a witness if, with purpose to induce a witness or a prospective witness in an official proceeding to disobey a subpoena or other legal process, or to absent himself or avoid subpoena or other legal process, or to withhold evidence, information or documents, or to testify falsely, he:

(1) Threatens or causes harm to any person or property;

(2) Uses force, threats or deception; or

(3) Offers, confers or agrees to confer any benefit, direct or indirect, upon such witness.

(Code 1969, § 13-77; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 575.070.

Sec. 28-246. Failure to appear.

(A) Any person who willfully violates his/her written promise to appear or who shall fail to appear at the time and place scheduled in response to any summons or warrant shall be guilty of an ordinance violation regardless of disposition of the charge upon which he/she was originally arrested or summoned, with the exception of minor traffic violations as defined in RSMo 479.350, as a municipal or county ordinance violation prosecuted that does not involve an accident or injury, that does not involve the operation of a commercial motor vehicle, and for which the department of revenue is authorized to assess no more than four points to a person's driving record upon conviction. Minor traffic violation shall exclude a violation for exceeding the speed limit by more than 19 miles per hour or a violation occurring within a construction zone or school zone.

(Code 1969, § 13-78; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 5529-15, § 2, 12-1-2015)

State law reference(s)—Similar provision, RSMo 544.665.

Sec. 28-247. Escape from custody or confinement.

(a) A person commits the offense of escape from custody if, while after arrest being held in custody by the city, he escapes from custody.

(b) A person commits the crime of escape from confinement if, while being held in confinement in the city jail after arrest for any violation, or while in transit to or from another correctional institution used for the housing of prisoners, or while serving a sentence after conviction for any ordinance violation whether in the city jail or another correctional institute, he escapes from such confinement.

(Code 1969, § 13-79; Ord. No. 3734-91, § 1, 12-17-1991)

State law reference(s)—Similar provisions, RSMo 575.195, 575.200.

Sec. 28-248. False information to the court.

(a) A person commits the offense of false information by knowingly filing with the court or providing to the judge or a court clerk any false, fake or fraudulent document for the purpose of avoiding prosecution or seeking reduction of fines.

(b) Any person knowingly providing a document claiming to be a valid insurance card knowing it is false, fake or fraudulent shall be guilty under this section.

(Ord. No. 5751-24, § 1(Exh. A), 2-13-2024)

Secs. 28-249—28-272. Reserved.

ARTICLE IX. SEXUAL AND RELATED OFFENSES[4]

Sec. 28-273. Indecent exposure.

A person commits the offense of indecent exposure if he knowingly exposes his genitals under circumstances in which he knows that his conduct is likely to cause affront or alarm.

(Code 1969, § 13-82; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Sexual misconduct, RSMo 566.093.

Secs. 28-274—28-294. Reserved.

ARTICLE X. OFFENSES RELATING TO PUBLIC HEALTH AND SAFETY

DIVISION 1. GENERALLY

Sec. 28-295. Littering.

A person commits the offense of littering if he throws or places, or causes to be thrown or placed, any glass, glass bottles, wire, nails, tacks, hedges, cans, garbage, trash, yard waste, refuse, or rubbish of any kind, nature or description on the right-of-way of any public road or state highway or on or in any of the waters in this city or on the banks of any stream, or on any land or water owned, operated or leased by the city, any board, department, agency or commission thereof or on any private real property owned by another without his consent.

(Code 1969, § 13-109; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 3763-92, § 1, 4-8-1992)

State law reference(s)—Similar provision, RSMo 577.070; illegal disposal of solid waste, RSMo 577.071.

[4]State law reference(s)—Sexual offenses, RSMo ch. 566; prostitution, RSMo ch. 567; pornography and related offenses, RSMo ch. 573.

Sec. 28-296. Abandoning motor vehicle.

A person commits the offense of abandoning a motor vehicle if he abandons any motor vehicle on the right-of-way of any public road or on or in any of the waters in this city or on the banks of any stream, or on any land or water owned, operated or leased by the city, any board, department, agency or commission thereof or on any private real property owned by another without his consent.

(Code 1969, § 13-110; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 577.080.

Sec. 28-297. Abandoning airtight container.

A person commits the offense of abandoning an airtight container if he abandons, discards, or knowingly permits to remain upon premises under his control, in a place accessible to children, any ice box, refrigerator, or other airtight or semi-airtight container which has a capacity of 1½ cubic feet or more an opening 50 square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches, or other hardware which may cause a person to be confined therein. This section shall not apply to an ice box, refrigerator or other airtight or semi-tight container located in that part of a building occupied by a dealer, warehouseman, or repairman.

(Code 1969, § 13-111; Ord. No. 2242-81, § 1, 6-16-1982)

State law reference(s)—Similar provision, RSMo 577.100.

Sec. 28-298. Soliciting in the right-of-way.

It shall be unlawful for a person to solicit in violation of chapter 10.

(Code 1969, § 13-115; Ord. No. 4793-02, § 3, 7-2-2002; Ord. No. 5423-12, § 3, 3-6-2012)

State law reference(s)—Authority of municipality to authorize solicitation of charitable contributions on highways and roadways, RSMo 67.304.

Secs. 28-299—28-329. Reserved.

DIVISION 2. CONTROLLED SUBSTANCES AND ALCOHOL

Sec. 28-330. Marijuana, controlled substances and imitations controlled.

(a) It is unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, distribute, or compound any controlled or counterfeit substance, as defined herein, except as authorized in RSMo 195.010 to 195.320 or pursuant to Article XIV of the Missouri Constitution.

(b) It is unlawful for any person or any officer or employee of any firm, corporation or association, except as allowed under RSMo ch. 195 or Article XIV of the Missouri Constitution, to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, or use, or offer to sell, furnish or give away, or to have in his or their possession marijuana, as defined herein.

(c) It shall be unlawful for a person to be in possession or consumption of marijuana or possession of marijuana accessories on the grounds of a public or private preschool, elementary or secondary school, institution of higher education, in a school bus, or on the grounds of any correctional facility.

(d) Public consumption.

(1) Smoking of marijuana shall be prohibited in the following places:

a. It shall be unlawful for any person to smoke marijuana in a location where smoking tobacco is prohibited.

b. Within a reasonable distance of 100 feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking of marijuana is prohibited, so as to ensure that marijuana smoke does not enter those areas.

c. In all private outdoor arenas, stadiums, skate parks, ball fields and amphitheaters. Smoking of marijuana shall also be prohibited within 100 feet of bleachers and grandstands for use by spectators at sporting and other public events.

d. Elevators.

e. Health care facilities.

f. Licensed child care and adult day care facilities.

g. Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.

h. Polling places.

i. Subdivision homeowners' association facilities.

j. On or within all city park property, including but not limited to:

1. All indoor and outdoor park facilities (including restroom areas, shelters, kitchen, break rooms and common areas); and

2. Outdoor parks/playgrounds/dog parks; and

3. Spray parks.

k. On or at city facilities and city owned property, including but not limited to:

1. City Hall;

2. Community center;

3. Rooms, chambers, places of meetings or public assembly under the control of an agency, board, commission, committee or board of aldermen of the City of Raytown or a political subdivision of the state when a public meeting is in progress, to the extent the place is subject to the jurisdiction of the City of Raytown;

4. Trails;

5. In city vehicles;

6. Garages;

7. Street maintenance facilities;

8. Parking lots; and

9. No smoking of marijuana shall be permitted within 100 feet of an entrance into any city-owned indoor facility.

l. On sidewalks, streets and bridges within the city limits.

m. At all public transit stations and depots, waiting areas of public transit stations and depots, platforms, shelters, or stops within the city limits.

(2) It shall be unlawful for any person to consume marijuana in a public place, other than in an area authorized by the city or the department of health and senior services. The city authorizes all restaurants and bars within the city to allow for consumption of marijuana at the business owner's discretion.

(3) Businesses serving food or drink, that contain marijuana or any derivative thereof, must comply with all federal, state, and local laws regulating the adulteration of any food or drink product and must be approved by the appropriate regulatory authority. This approval must be on file with the City of Raytown, Missouri's Community Development Department.

(4) Violation of this section shall be punishable by a fine not to exceed $100.00.

(e) Posting of signage. Any establishment where smoking of marijuana is not regulated must post at every entrance signage at a height and location conspicuous to persons entering the establishment with primary lettering of not less than one inch in height clearly stating: "WARNING! Smoking of Marijuana is not regulated in this establishment."

(f) It is unlawful for any person to use, or to possess with intent to use, an imitation controlled substance, as defined herein.

(g) It is unlawful for any person to deliver, possess with intent to deliver, manufacture with intent to deliver, or cause to be delivered any imitation controlled substance, as defined herein.

~~(h) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~*Controlled substance* means a drug substance or immediate precursor schedules I through V listed in RSMo ch. 195.~~

~~*Counterfeit substance* means a controlled substance which, on the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any license thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.~~

~~*Fine* when used herein shall mean a monetary fine imposed by the municipal court for this city.~~

~~*Imitation controlled substance* means a substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:~~

~~(1) Whether the substance was approved by the U.S. Food and Drug Administration (FDA) for over-the-counter (nonprescription or nonlegend) sales and was sold in the FDA-approved package, with the FDA-approved labeling information;~~

~~(2) Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;~~

~~(3) Whether the substance is packaged in a manner normally used for illicit controlled substances;~~

(4) Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;

(5) The proximity of the substances to controlled substances;

(6) Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell.

The term "imitation controlled substance" does not include a noncontrolled substance that was initially introduced in commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate. Furthermore, an imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary course of professional practice or research.

Marijuana or *marihuana* means cannabis indica, cannabis sativa, and cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. 'marijuana' or 'marihuana' do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

Public place means any public or private property, or portion of public or private property, that is open to the general public, including sidewalks, streets, bridges, parks, schools and businesses.

(Code 1969, § 13-101; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 2890-85, § 1, 12-17-1985; Ord. No. 5721-23, § 1, 2-7-2023)

State law reference(s)—Controlled substances, RSMo ch. 195; Narcotic Drug Act, RSMo 195.010 et seq.; Intergovernmental Drug Laws Enforcement Act, RSMo 195.501 et seq.

Sec. 28-331. Paraphernalia.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Close proximity means within 500 feet on a straight line commencing at the property lines nearest to each other.

Controlled substance means any drug or substance included in RSMo 195.010 and 195.220.

Dangerous drug means one that is unsafe for use except under the supervision of a practitioner because of its toxicity or other potentiality for human effect, method of use, or collateral measures necessary to use. The term "dangerous drug" includes all other drugs or compounds, preparations or mixtures thereof which the state board of health shall find and declare by rule or regulation duly promulgated to have a dangerous hallucinogenic, hypnotic, somnifacient or stimulating effect on the body of a human or animal.

Deliver or *delivery* means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

Drug means:

(1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(3) Substances (other than food) intended to affect the structure or any function of the body of man or animals; and

(4) Substances intended for use as a component of any article specified in subsections (1) through (3) of this definition. It does not include devices or their components, parts or accessories.

Instrument means a device designed for use, or intended for use in ingesting, smoking, administering or preparing marijuana, cocaine, phencyclidine, opium or any derivative thereof, or any other controlled substance. For purposes of this subsection, the phrase "intended for use" shall refer to the intent of the person selling, offering to sell, dispensing, giving away or displaying the instrument therein defined. In determining whether an item constitutes an "instrument," a court may consider the following:

(1) Whether a person or business establishment charged with violating this section is a licensed distributor or dealer of tobacco products;

(2) Expert testimony as to the principal use of the devices, articles, or contrivances claimed to be instruments;

(3) Evidence concerning the total business of a person or business establishment and the type of devices, articles, contrivances or items involved in the business;

(4) National and local advertising concerning the use of devices, articles, or contrivances claimed to be instruments;

(5) Evidence of advertising concerning the nature of the business establishment.

Manufacture means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

(1) By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

(2) By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.

Marijuana or *marihuana* means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana , as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" do not include industrial hemp, as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

Marijuana accessory(ies) means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

Minor means any person who has not attained 18 years of age.

Patient means, as the case may be:

(1) The individual for whom a drug is prescribed or to whom a drug is administered; or

(2) The owner or the agent of the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering is in good faith and in the course of professional practice only.

Person means individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

Pharmacist means an individual currently licensed by the board to practice the profession of pharmacy in this state.

Place of display means any museum, library, school or other similar public place upon which business is not transacted for a profit.

Practitioner means a physician (M.D. or D.O.), dentist, podiatrist, veterinarian, scientific investigator or other person licensed, registered or otherwise authorized by law to administer and prescribe, use in teaching or chemical analysis, or conduct research with respect to a controlled substance in the course of professional practice and research.

Premises means a business establishment and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of patrons.

Premises open to minors means any business establishment which sells its wares or merchandise to minors or which permits minors to enter into its place of business.

Prescription means a written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.

Production includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

School means any public or private elementary, junior high, or high school.

Simulated drugs and simulated controlled substances are any products which identify themselves by using a common name or slang term associated with a controlled substance or indicate by label or accompanying promotional material that the product simulates the effect of a controlled substance or drug.

Somnifacient and stimulating have the meaning attributable in standard medical lexicons.

Warehouseman means a person who, in the usual course of business, stores drugs for others lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

Wholesaler means a person engaged in the business of distributing drugs.

(~~b~~)**a** Unlawful use, possession, delivery, or manufacture of drug paraphernalia and imitation controlled substance; advertising drug paraphernalia. It is an offense for any person:

(1) To use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance in violation of RSMo 195.005 to 195.425, except marijuana accessories pursuant to Article XIV of the Missouri Constitution.

(2) To deliver, possess with intent to deliver, or manufacture, with intent to deliver, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the

human body a controlled substance or an imitation controlled substance in violation of RSMo 195.005 to 195.425, except marijuana accessories pursuant to Article XIV of the Missouri Constitution.

(3) To possess an imitation controlled substance in violation of RSMo ch. 195, to deliver, possess with intent to deliver, manufacture with intent to deliver, or cause to be delivered any imitation controlled substance.

(4) To place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one should reasonably know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

(~~c~~)**b** Definition of terms. The terms used in this section shall have the meanings given them in RSMo 195.005 to 195.425, Article XIV of the Missouri Constitution or the comparable sections as amended.

(~~d~~)**c** Penalty. In addition to the penalty authorized by section 1-22 or pursuant to Article XIV of the Missouri Constitution, a violation of this section is hereby deemed and declared to be a nuisance.

(Code 1969, § 13-102; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 4511-99, § 1, 7-6-1999; Ord. No. 5721-23, § 2, 2-7-2023)

State law reference(s)—Unlawful use of drug paraphernalia, RSMo 195.233; unlawful delivery of manufacture of drug paraphernalia, RSMo 195.235.

Sec. 28-332. Inhalation, use, possession, or sale of solvents.

(a) No person shall intentionally smell or inhale the fumes of any solvent, particularly toluol, or induce any other person to do so, for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes; except that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes.

(b) No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use of any solvent, particularly toluol.

(c) No person shall intentionally possess any solvent, particularly toluol, for the purpose of using it in the manner prohibited by this section.

(d) No person shall intentionally possess or buy any solvent, particularly toluol, for the purpose of inducing or aiding any other person to violate the provisions of this section.

(e) No person shall knowingly and intentionally sell or otherwise transfer possession of any solvent, particularly toluol, to any person for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting, or disturbing the audio, visual, or mental processes.

(f) No person who owns or operates any business which receives over 50 percent of its gross annual income from the sale of alcoholic beverages or beer shall sell or offer for sale toluol or any toxic glue.

(Code 1969, § 13-103; Ord. No. 5187-07, § 1, 2-20-2007)

State law reference(s)—Similar provision, RSMo 578.250.

Sec. 28-333. Driving while intoxicated.

A person commits the offense of driving while intoxicated if he operates a motor vehicle while in an intoxicated or drugged condition.

(Code 1969, § 13-104; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 577.010.

Sec. 28-334. Driving with excessive blood alcohol content.

(a) A person commits the crime of "driving with excessive blood alcohol content" if such person operates a motor vehicle in this state with 0.08 of one percent or more by weight of alcohol in such person's blood.

(b) As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood or 210 liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of RSMo 577.020 to 577.041.

(Code 1969, § 13-105; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 2580-83, § 1, 9-20-1983; Ord. No. 4746-01, § 1, 12-18-2001)

State law reference(s)—Similar provision, RSMo 577.012.

Sec. 28-335. Arrest without warrant, when.

An arrest without a warrant by a law enforcement officer, for a violation of section 28-333 or 28-334 is lawful whenever the arresting officer has reasonable grounds to believe that the person to be arrested has violated the section, whether or not the violation occurred in the presence of the arresting officer; provided, however, that any such arrest without warrant must be made within 1½ hours after such claimed violation occurred.

(Code 1969, § 13-107; Ord. No. 2242-81, § 1, 6-16-1981; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Similar provision, RSMo 577.039.

Sec. 28-336. Consumption of alcoholic beverages in moving motor vehicles.

No person shall consume any alcoholic beverage while operating moving motor vehicle upon any street or highway within the city.

(Code 1969, § 13-112; Ord. No. 3056, § 1, 2-18-1987; Ord. No. 3804-92, 8-18-1992)

State law reference(s)—Similar provision, RSMo 577.017.

Sec. 28-337. Intoxicating Hemp-Derived Cannabinoid, Kratom Products and Dangerous Chemical Inhalants

(a) Intoxicating Hemp-Derived Cannabinoid

1. Sale to Persons Under 21 is Prohibited. It shall be unlawful for any person, business owner, operator, retailer, or business entity to sell, provide, or distribute any Intoxicating Hemp-Derived Cannabinoid to any person under the age of twenty-one (21) years.

2. Proof of Age Required. It shall be a specific requirement of this Chapter that any person selling Intoxicating Hemp-Derived Cannabinoid must verify the age of the purchaser by inspecting a valid government-issued photo identification card containing the bearer's date of birth.

3. Purchase or Possession by Persons Under 21 Prohibited. It shall be unlawful for any person under the age of twenty-one (21) years to purchase, attempt to purchase, or possess any Intoxicating Hemp-Derived Cannabinoid product within the City; except persons between 18 – 21 years may purchase a Intoxicating Hemp-Derived Cannabinoid products if a licensed medical professional has prescribed Intoxicating Hemp-Derived Cannabinoid products to said person.

4. Intoxicating Hemp-Derived Cannabinoid may only be displayed for sale in such a manner that a person cannot have possession of the Intoxicating Hemp-Derived Cannabinoid prior to the sale of the Intoxicating Hemp-Derived Cannabinoid product, including, but not limited to, behind the register counter or in a closed and locked cabinet, etc.

(b) Kratom Product.

1. It shall be unlawful for any person to sell, offer, deliver, or distribute a Kratom Product:
   A. That is adulterated;
   B. That contains a level of 7-hydroxymitragnine in the alkaloid fraction that is greater than two percent (2%) of the alkaloid composition of the Kratom Product;
   C. That is a confection, mimics a candy product, or is manufactured, packaged, or distributed in a way that is appealing to children, including, but not limited to, the distinct shape of a human, an animal, or fruit; or
   D. That is combustible or intended for vaporization

2. Sale and display of a Kratom Product to those under the age of 21:
   A. It shall be unlawful for any person to sell, offer, deliver, or distribute any Kratom Products to any person under the age of 21;
   B. It shall be unlawful for any person to display or store Kratom Products in a retail location in a manner that will allow the products to be accessed by individuals under the age of 21.
   C. A person selling Kratom Products shall require Proof of Age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of 21. Reasonable reliance on Proof of Age shall be a defense to any action for a violation of subsection 2.A.

3. Prohibition on sale or distribution of dangerous chemical inhalants for recreational use:
   A. It shall be unlawful for any person to sell or deliver, possess with intent to sell or deliver, or manufacture with intent to sell or deliver any dangerous chemical inhalants:
      i. In any tobacco retailer, head shop, vape shop, liquor store, convenience store, or in any other context or business location where the dangerous chemical inhalant is distributed for human consumption, regardless of the labeling of, or packaging of, the product asserting any claim to the contrary; or
      ii. In any packaging or with flavoring marketed to entice human consumption as opposed to a recognized lawful use.
   B. Notwithstanding the foregoing, the prohibitions of this subsection 28-337 (3) shall not apply to the following:
      i. The care or treatment of a disease, condition, or injury by a licensed medical or dental practitioner;
      ii. Manufacturing process or industrial operations; or
      iii. Propellant in food preparation for restaurants, food service, or housewares products when such retailer is regularly involved in such business.

4. Public nuisance declared. A violation of this section is hereby deemed and declared to constitute a public nuisance.

Secs. 28-338—28-360. Reserved.

DIVISION 3. ALCOHOL AND DRUG TESTING

Sec. 28-361. Breath test for determining alcoholic content of blood.

(a) Any person who operates a motor vehicle upon the streets of this city shall be deemed to have given consent to, subject to the provisions of this division, a chemical test of his breath for the purpose of determining the alcoholic content of his blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while intoxicated. The test shall be administered by or at the direction of a law enforcement officer whenever the person has been arrested for the offense.

(b) The implied consent to submit to the chemical tests listed in this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

(c) Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid under the provisions of this division shall be performed according to methods approved by the state division of health by licensed medical personnel or by a person possessing a valid permit issued by the state division of health for this purpose.

(d) The state division of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid under the provisions of this section and section 28-367 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state division of health.

(e) The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his own choosing and at his expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person

shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

(f) Upon the request of the person who is tested, full information concerning the test shall be made available to him.

(Code 1969, § 13-106; Ord. No. 2242-81, § 1, 6-18-1981; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Chemical tests for alcohol content of blood, RSMo 577.020.

Sec. 28-362. Validity of chemical tests.

(a) Chemical tests of the person's breath, blood, saliva, or urine to be considered valid under provisions of this division, shall be performed according to methods and devices approved by the state division of health by licensed medical personnel or by a person possessing a valid permit issued by the state division of health for this purpose.

(b) The state division of health shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by this division, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state division of health.

(Code 1969, § 13-106.1; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Similar provision, RSMo 577.026.

Sec. 28-363. Procedure.

A licensed physician, registered nurse, or trained medical technician at the place of his employment, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. A nonalcoholic antiseptic shall be used for cleansing the skin prior to venipuncture. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him.

(Code 1969, § 13-106.2; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Similar provision, RSMo 577.020.

Sec. 28-364. Persons administering tests not liable, when.

No person who administers any test pursuant to the provisions of this division upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated, shall be civilly liable in damages to the person tested unless for gross negligence or by willful or wanton act or omission.

(Code 1969, § 13-106.3; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Similar provision, RSMo 577.031.

Sec. 28-365. Inability of person to be tested to refuse, effect.

Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusing to take a test as provided in this division shall be deemed not to have withdrawn the consent provided by this division and the test or tests may be administered.

(Code 1969, § 13-106.4; Ord. No. 2580-83, § 1, 9-20-1983)

State law reference(s)—Similar provision, RSMo 577.033.

Sec. 28-366. Chemical tests, results admitted into evidence, when, effect of.

(a) Upon the trial of any person for violation of any of the provisions of section 28-333 or 28-334 arising out of acts alleged to have been committed by any person while driving a motor vehicle while in an intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged as shown by chemical analysis of the person's blood, breath, saliva or urine is admissible in evidence. Such evidence shall be given the following effect:

(1) If there was 0.05 of one percent or less by weight of alcohol in the person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of 0.05 of one percent but less than 0.08 of one percent by weight of alcohol in the person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was 0.08 of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

(b) Percent by weight of alcohol in the blood shall be based upon grams of alcohol per 100 milliliters of blood or 210 liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine.

(c) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

(d) A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection (a) of this section, shall have been performed as provided in this division and in accordance with the provisions of RSMo 577.020 to 577.041.

(Code 1969, § 13-106.5; Ord. No. 2580-83, § 1, 9-20-1983; Ord. No. 4746-01, § 2, 12-18-2001)

State law reference(s)—Similar provision, RSMo 577.037.

Sec. 28-367. Refusal to submit to chemical test; revocation of license.

If a person under arrest refuses upon the request of the arresting officer to submit to a chemical test, which request shall include the reasons of the officer for requesting the person to submit to a test and which also shall inform the person that his license may be revoked upon his refusal to take the test, then none shall be given. In this event, the arresting officer, if he so believes, shall make a sworn report to the director of revenue that he has reasonable grounds to believe that the arrested person was driving a motor vehicle upon the streets of this city while in an intoxicated condition and that, on his request, he refused to submit to the test. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of not more

than one year; or if the person arrested be a nonresident, his operating permit or privilege shall be revoked for not more than one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of not more than one year.

(Code 1969, § 13-108; Ord. No. 2242-81, § 1, 6-16-1981)

State law reference(s)—Similar provision, RSMo 577.041.

Secs. 28-368—28-392. Reserved.

ARTICLE XI. OFFENSES RELATING TO MINORS

DIVISION 1. GENERALLY

Sec. 28-393. Definitions.

The words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 28-3, except where the context clearly indicates a different meaning.~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Custodian* means any person over the age of 18 years who is in loco parentis to a minor.~~

~~*Guardian* means any person over the age of 18 years who is in loco parentis to a minor.~~

~~*Minor* means any person under the age of 17 years.~~

~~*Parent* means the natural or adoptive parent of a minor.~~

~~*Public place* means any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment, or other lawful purpose. The term "public place" includes, but is not be limited to, any store, shop, restaurant, tavern, bowling alley, cafe, theater, drugstore, pool room, shopping center, and any other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above.~~

(Code 1969, § 13-120; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 1, 7-20-2010)

Sec. 28-394. Unlawful sale, possession or use of tobacco products.

~~(a)~~ ~~The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning :~~

~~*Minor* means an individual who has not attained the age of 18 years.~~

~~*Tobacco product* mean any substance containing tobacco leaf, including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.~~

(~~b~~)**a** It shall be unlawful for any person within the city limits to sell, give away, procure for or deliver any tobacco products, cigarette wrappers, or rolling papers to any minor.

(~~c~~)**b** Every retail dealer in cigarettes shall keep posted in his place of business, in a conspicuous place readily visible and readable from the area in which cigarette sales are made, a notice to the public that the

ordinances of the city prohibit the sale of tobacco products to minors, provided, that every such retail dealer making sales of cigarettes through vending machines shall keep such notice prominently posted on the face of each such vending machine.

(~~d~~)**c** It shall be unlawful for any minor to knowingly possess or use any tobacco product, and any tobacco product knowingly possessed by a minor is hereby declared to be contraband and may be seized by a law enforcement officer and destroyed in order to protect the public health.

(~~e~~)**d** It shall be unlawful for any minor to knowingly obtain or attempt to obtain any tobacco product by misrepresentation of age or by any other method.

(~~f~~)**e** It shall be prima facie evidence for purposes of this chapter that the substance within a package or container is a tobacco product if the product package or container has affixed to it a manufacturer's label which identifies it as a tobacco product.

(Code 1969, § 13-116; Ord. No. 5186-07, § 1, 2-20-2007)

State law reference(s)—Unlawful transactions with a child, RSMo 568.070; sale of tobacco products to minors prohibited, RSMo 407.925 et seq.

Sec. 28-395. Open house parties.

~~(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:~~

~~*Alcoholic beverage* means and includes alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing alcohol in excess of one-half of one percent by volume.~~

~~*Control* means any form of authority, regulation, responsibility or dominion, including a possessory right.~~

~~*Drug* means a drug substance or immediate precursor schedules I through V listed in RSMo ch. 195.~~

~~*Minor* means a person not legally permitted by reason of age to possess, consume, or purchase alcoholic liquor as described now or hereafter by state statutes.~~

~~*Open house party* means a social gathering at a residence or premises of persons in addition to the owner or those with rights of possession or their immediate family members.~~

~~*Residence* or*premises* means a motel room, hotel room, home, apartment, condominium, or other dwelling unit, including the curtilage of a dwelling unit, or a hall, meeting room, or other place of assembly, whether occupied as a dwelling or specifically for social functions, and whether owned, leased, rented, or used with or without compensation.~~

(~~b~~)**a** No person who is the owner in possession, a tenant or subtenant, or has temporary charge of any residence or premises, shall allow an open house party to take place at the residence or premises if any alcoholic beverage or drug is possessed or consumed at the residence or premises by any minor where the person knew or reasonably should have known that any alcoholic beverage or drug was in the possession or being consumed by a minor at the residence or premises.

(~~c~~)**b** The provisions of this section shall not apply to:

(1) The consumption, use or possession of a drug by a minor pursuant to a lawful prescription for each drug.

(2) Religious observance or prescribed medical treatments.

(3) The possession by a minor of alcoholic beverages or lawfully prescribed drugs incidental to the lawful employment of such minor.

(Code 1969, § 13-117; Ord. No. 5288-07, § 1, 2-20-2007)

Secs. 28-396—28-418. Reserved.

DIVISION 2. CURFEW

Sec. 28-419. Curfew for minors.

It shall be an offense for any minor to remain, idle, wander, stroll, or play in any public place either on foot or to cruise about without a set destination in any vehicle in, about or upon any place in the city between the hours of 10:00 p.m. and 6:00 a.m. Sunday through Thursday and between the hours of 11:00 p.m. and 6:00 a.m. Friday through Saturday unless accompanied by a parent, guardian, custodian, or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation.

(Code 1969, § 13-121; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 2, 7-20-2010)

Sec. 28-420. Penalties.

Any minor violating the provisions of the division shall be dealt with in accordance with the juvenile court law and procedure. Any parent, guardian, or other person having the care and custody of a minor violating this article shall be punished in accordance with section 1-22.

(Code 1969, § 13-125; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 6, 7-20-2010)

Sec. 28-421. Responsibility of owners of public places.

It shall be an offense for any person, firm or corporation operating or having charge of any public place to knowingly permit or suffer the presence of minors under the age of 17 between the hours of 10:00 p.m. and 6:00 a.m., Sunday through Thursday and between the hours of 11:00 p.m. and 6:00 a.m., Friday through Saturday.

(Code 1969, § 13-122; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 3, 7-20-2010)

Sec. 28-422. Parents' responsibility.

It shall be an offense for the parent, guardian or other adult person having custody or control of any minor under the age of 17 years to suffer or permit or by inefficient control to allow such minor to be on the streets or sidewalks or on or in any public property or public place within the city between the hours of 10:00 p.m. and 6:00 a.m., Sunday through Thursday and between the hours of 11:00 p.m. and 6:00 a.m., Friday through Saturday. However, the provisions of this section do not apply to a minor accompanied by his parent, guardian, custodian or other adult person having the care, custody or control of the minor, or if the minor is on an emergency errand or specific business or activity directed by his parent, guardian, custodian or other adult having the care and custody of the minor or if the parent, guardian or other adult person herein has made a missing person notification to the police department.

(Code 1969, § 13-123; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 4, 7-20-2010)

Sec. 28-423. Special functions.

Any minor attending a special function or entertainment of any church, school, club, or other organization that requires such minor to be out at a later hour than that called for in section 28-419 shall be exempt from the provisions of this article, provided the church, school, club or other organization may register in advance with the chief of police or his designate to have the minors stay out to this later hour. The registrant shall state the time the function or entertainment shall end, and the minors who attend the function shall be required to be in their homes or usual places of abode within one-half hour after the function is ended.

(Code 1969, § 13-124; Ord. No. 4119-95, § 1, 11-21-1995; Ord. No. 5356-10, § 5, 7-20-2010)

Secs. 28-424—28-444. Reserved.

ARTICLE XII. NUISANCES[5]

Sec. 28-445. Definitions.

The words, terms and phrases, when used in this article, shall have the meanings ascribed to them in Section 28-3, except where the context clearly indicates a different meaning.~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Dismantled vehicle* means any vehicle missing significant body parts such as the hood, fender, cab, door or trunk lid.~~

~~*Enforcement official* means any person designated by the city clerk to enforce the provisions of this article.~~

~~*Inoperable vehicle* means any vehicle that does not possess an engine, has one or more flat or missing tires, or is otherwise incapable of being operated for lack of a major component of the vehicle.~~

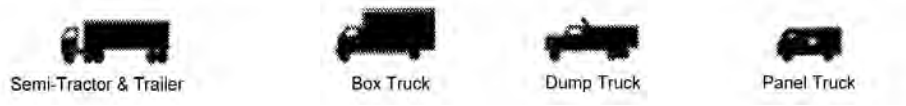
~~*Junked vehicle* means a vehicle, which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap.~~

~~*Large commercial motor vehicle* means a motor vehicle:~~

~~(1) Designed and regularly used for carrying more than 16 passengers, including the driver;~~

~~(2) Licensed for more than 26,000 pounds; or~~

~~(3) Examples include, but are not limited to, the following types of vehicles, if such vehicles are licensed for more than 26,000 pounds:~~



~~*Large commercial trailer* means a trailer licensed for more than 10,000 pounds.~~

[5]State law reference(s)—Municipal authority to regulate and abate, RSMo 67.398, 77.530; weed and trash removal, RSMo 71.285.

Motor vehicle means any self-propelled vehicle not operated exclusively upon tracks, including those designed for racing purposes such as a stock car, dune buggy, or drag car.

Owner means any person, firm, corporation or association who holds the legal title to property.

Person includes a corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals. It shall also include an executor, administrator, trustee, receiver or other representative appointed according to law. Whenever the word "person" is used in any section of this article prescribing a penalty or fine, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations, shall include the officers, agents or members thereof who are responsible for any violation of such section.

Portable storage unit means any container designed for the storage of property which is typically rented to owners or occupants of property for their temporary use and which typically is delivered and removed by truck.

Private property means any property within the corporate limits of the city that is not owned or controlled by a public governmental body.

Recreational vehicle means any vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and/or eating facilities that are either permanently attached to the motor vehicle or attached to a unit that is securely attached to the motor vehicle. Nothing herein shall prevent any recreational vehicle from being classified as a commercial motor vehicle or commercial trailer if the vehicle could otherwise be so classified.

Right-of-way means property owned by a public governmental body for the purposes of streets and associated public improvements, alleys, sidewalks, pedestrian walkways and the like.

Small commercial motor vehicle means a vehicle licensed for 26,000 pounds or less and regularly used for the carrying of freight or merchandise in the regular course of business; regularly advertising the name of a commercial business; and/or regularly used for responding to calls for service in the regular course of business.

Small commercial trailer means a trailer licensed for less than 10,000 pounds and regularly used for the carrying of freight, merchandise or equipment in the regular course of business; regularly advertising the name of a commercial business; and/or regularly used for responding to calls for service in the regular course of business.

Trailer means any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle.

Unlicensed vehicle means any vehicle that does not display a valid license and current inspection sticker, if such are required by the state in which the vehicle is registered in order to operate the vehicle upon public streets. If the license plate of a vehicle is screened from view (such as by an adjacent structure, vegetation, a cover, tarp wrap or similar) the vehicle shall be considered unlicensed. It is a valid defense to the provisions of this article to provide proof either that the vehicle, on the date of the occurrence, had a valid license and inspection sticker or to provide proof that the vehicle is not required to be individually licensed by the state in which the vehicle is registered in order to operate the vehicle upon public streets (such as a vehicle offered for sale by an licensed automobile dealer).

Vehicle means any mechanical device on wheels, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or motorized wheelchairs operated by handicapped persons. The term vehicle includes, but is not limited to, commercial motor vehicle, dismantled vehicle, inoperable vehicle, junked vehicle, motor vehicle, recreational vehicle, trailer, and unlicensed vehicle.

(Code 1969, § 13-140; Ord. No. 4917-03, § 2, 10-7-2003; Ord. No. 4964, § 1, 6-15-2004; Ord. No. 5072-05, §§ 1, 2, 11-1-2005)

Sec. 28-446. Nuisance prohibited.

It shall be unlawful for any person to cause, permit, maintain or allow the creation or maintenance of a nuisance.

(Code 1969, § 13-141; Ord. No. 4917-03, § 2, 10-7-2003)

Sec. 28-447. Liability for nuisance; continuing offense.

(a) It is the duty of every owner of property within the city, as well as the owner's agent in charge of the property and every tenant and occupant of the property, to maintain the property free of nuisances.

(b) For purposes of this article, every owner of the fee interest underlying any public street right-of-way shall be responsible for maintaining all unimproved portions of the right-of-way free of nuisances.

(c) Each day that a violation of this article continues shall be deemed a separate offense.

(Code 1969, § 13-142; Ord. No. 202-11-2029, § 2, 11-18-2002)

Sec. 28-448. Nuisance—Generally.

It shall be unlawful and a nuisance for any person who is the owner, agent, tenant, or occupant of any premises to allow or cause any of the following to remain on such premises:

(1) Any condition, substance or thing on public or private property that is injurious or dangerous to public health or safety.

(2) Any condition or thing defined as a nuisance in this article or any code adopted by the city or by the revised statutes and decisions of the state.

(3) Any accumulation or deposits of garbage, trash or debris other than that which is temporarily stored for lawful disposal, provided that it is temporarily stored in a leak proof container designed for the storage of garbage, trash or debris.

(4) Any substances that emit, generate or cause noxious or toxic odor, dust, vapor, fume or mist in the neighborhood where they exist.

(5) Any establishments or structures that emit, generate, or cause any hazardous, noxious or toxic dust, vapor, fume, mist, odor or condition.

(6) Any animal carcass remaining exposed 12 hours after death.

(7) Any malfunctioning private sewage disposal system that allows polluted, raw or partially treated wastewater or effluent to be deposited or stand upon any premises. When any private sewage disposal system has been determined to be malfunctioning, the owner of the subject premises will be ordered to make connection to the public sewer if available.

(8) Sewage or other human organic waste discharged or exposed on any land 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, or which contaminates surface water or groundwater.

(9) Any live or dead tree, limb, bush or brush which constitutes a hazard to the safety of persons or of property, private or public, including a safety hazard obstructing the line of sight of a motor vehicle driver, bicyclist or pedestrian at a street intersection, a hazard that could interfere with the passage of

motor vehicles, bicycles or pedestrians on any public right-of-way, or a tree that harbors insects or disease that constitutes a potential threat to other trees.

(10) Any barn or other place where animal or fowl waste collects that is not kept in a clean and wholesome condition so that no odors offensive to a person of ordinary sensibilities are allowed to escape the premises.

(11) Deposits of leaves, grass, dirt or any other material that interferes with the proper functioning of any sanitary or storm sewer improvement.

(12) Deposits of leaves, grass, dirt or other materials on the public right-of-way.

(13) Any accumulation or deposit of foul, dirty or polluted water or liquid, including water that does or could afford harborage for the breeding of mosquitoes.

(14) Discharge of water from private drainage systems onto public right-of-way in a manner that is injurious to public health, safety or property, including a discharge that causes an accumulation of unwholesome, impure or stagnant water.

(15) Any accumulation of material that does or could afford harborage for rats, mice or snakes.

(16) Any condition or substance that may transmit, generate or promote disease or which may present a safety hazard to the general public.

(17) Any vehicle or trailer used for storage of materials, goods or equipment other than those items considered to be a part of the vehicle or trailer or essential to its immediate use.

(18) A vehicle for the principal purpose of displaying such vehicle for sale, except:

a. Such a vehicle may be located on a private residential driveway; or

b. Such a vehicle may be located on property legally zoned, licensed and permitted by the city for the sale of vehicles.

(Code 1969, § 13-144; Ord. No. 4917-03, § 2, 10-7-2003)

Sec. 28-449. Same—Property used for residential purposes.

It shall be unlawful and a nuisance for any person who is the owner, agent, tenant, or occupant of any premises zoned or used for residential purposes to:

(1) Allow or cause to remain on the premises any vehicle that is dismantled, inoperable, or junked except:

a. Such vehicles may stored within an enclosed building or a location which cannot be viewed from a ground location off the premises, so long as the vehicles do not create a harborage for mice, rats, or snakes; or

b. One such vehicle may be dismantled, repaired, stripped, stored, or serviced if the work is completed within seven days by the owner, tenant or occupant of the property and the vehicle is titled to an owner, tenant or occupant of the property.

(2) Allow or cause to remain on the premises any vehicle that is unlicensed, unless the vehicle is stored within an enclosed building or a location, which cannot be viewed from a ground location off the premises.

(3) Allow or cause any vehicle to be parked on the premises, except that portion that is constructed and surfaced for parking and driveway purposes.

(4) Allow or cause any portion of residential premises and/or vacant residential lots to be maintained in an unclean manner or used for the open storage of items or materials other than yard furniture, neatly stacked firewood, garden or yard tools, toys, or usable building materials. The open storage of usable building materials is permitted and will not be considered to constitute a nuisance if the open storage is temporary, the building materials are to be used on the premises, the building materials are neatly stacked at least 18 inches off the ground and the building materials are not stored against the side of a structure.

(5) Allow or cause to remain on the premises any accumulation of grass clippings, leaves, chipped brush, weeds, chipped foliage or shrub cuttings or clippings, or vegetable waste unless organized in a composting bin located within the backyard (defined as the area between the back property line and the rear wall of the dwelling and extending to the side property lines) and at least ten feet from any property line. No composting bin shall be constructed or maintained in such a manner or condition as to emit noxious odor, provide bedding or shelter for rats or other pests, or be in violation of other provisions of this Code.

(6) Allow or cause any of the following items to remain on such premises, for longer than 48 hours, in any outside area which can be viewed from a ground location off the premises: any appliance manufactured for indoor use only, bedding, bottles, boxes, broken glass, cans, cardboard, cartons, furniture manufactured for indoor use only, jars, machine parts, motor vehicle parts, pallets, paper, plumbing fixtures, rags, scrap metal, tires, tire rims, water heaters.

(7) Allow or cause to remain on the premises for more than seven calendar days any portable storage unit.

(8) Allow or cause to remain on the premises, except for purposes of loading and unloading, any large commercial vehicle or large commercial trailer.

(9) Allow or cause to remain on the premises more than one small commercial vehicle and one small commercial trailer.

(Code 1969, § 13-145; Ord. No. 4917-03, § 2, 10-7-2003)

Sec. 28-450. Same—Property used for other than residential purposes.

It shall be unlawful and a nuisance for any person who is the owner, agent, tenant or occupant of any premises zoned or used for any use other than residential purposes to:

(1) Allow or cause to remain on the premises any vehicle that is dismantled, inoperable, or junked, unless the vehicle is stored within an enclosed building or a location which cannot be viewed from a ground location off the premises.

(2) Allow or cause to remain on the premises any vehicle that is unlicensed, unless the vehicle is stored within an enclosed building or a location which cannot be viewed from a ground location off the premises, unless the business is validly zoned, permitted and licensed as a vehicle sales or vehicle repair business.

(3) Allow or cause any vehicle to be parked on the premises, except that portion that is constructed and surfaced for parking and driveway purposes.

(4) Allow or cause any of the following items to remain on such premises, for longer than 48 hours, in any outside area which can be viewed from a ground location off the premises: any appliance manufactured for indoor use only, bedding, bottles, boxes, broken glass, cans, cardboard, cartons, furniture manufactured for indoor use only, jars, machine parts, motor vehicle parts, pallets, paper, plumbing fixtures, rags, scrap metal, and water heaters.

(5) Allow or cause new, used and/or waste tires to remain on such premises for longer than 48 hours, in any outside area which can be viewed from a ground location off the premises, except:

a. If the premises is legally zoned, permitted and licensed by the city for the sale of tires, or the sale of tires incidental to an automobile sale or repair facility, 50 or fewer new are permitted to be stored in an outside area which can be viewed from a ground location off the premises at any time and more than 50 may be stored in an outside area which can be viewed from a ground location off the premises for sales purposes during regular business hours.

b. If the premises is legally zoned, permitted and licensed by the city for the sale or repair of tires, including the sale or repair of tires incidental to an automobile sale or repair facility 25 used tires may be stored in an outside area which can be viewed from a ground location off the premises at any time.

c. All tires must be stored in a manner that complies with all applicable safety codes, including the building and fire codes, and in a manner that does not permit the accumulation of water in the tires.

(6) Allow or cause to remain on the premises for more than seven calendar days any portable storage unit, unless the portable storage unit is stored in a location that cannot be viewed from a ground location off the premises.

(Code 1969, § 13-146; Ord. No. 4917, § 2, 10-7-2003; Ord. No. 5406-11, 7-5-2011)

Sec. 28-451. Abatement.

(a) In addition to any other legal remedies, whenever trash, including, but not limited to, debris of any kind, weed cuttings, cut, fallen or hazardous trees and shrubs, rubbish and trash, lumber not piled or stacked 12 inches off the ground, rocks or bricks, tin, steel, parts of derelict cars or trucks, broken furniture, any flammable material which may endanger public safety or any material or condition which is unhealthy or unsafe and declared to be a public nuisance, is allowed to grow or remain on any part of any lot or ground within the city, except as provided in this article, the owner of the ground, or in the case of joint tenancy, tenancy by entireties, or tenancy in common, each owner thereof shall be liable.

(b) The city clerk and/or his designee shall give a hearing after five calendar days' notice thereof, either personally or by United States mail, to the owner or owners, or his or their agents, or by posting such notice on the premises; the failure of such person to receive such notice shall not affect the validity of any proceedings taken under this section. Thereupon the city clerk and/or his designee may declare the condition to be a nuisance and order the same to be abated within four calendar days, and in case the nuisance is not abated within the four calendar days, the city clerk and/or his designee shall have the trash removed and shall certify the costs of same together with the sum of the administrative costs relating to the amount as provided in the schedule of fees adopted by the board of aldermen to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and collected by the collector, with other taxes assessed against the property.

(c) If city administrator and/or his designee determine that a property is in violation of the same nuisance according to article XII of this chapter more than once during the same calendar year, and the city has provided at least one notice of such violation either personally or by United States mail, to the owner or his agents, stating that the nuisance shall abated within five calendar days. If the city administrator and/or his designee determine that the nuisance is not abated within the five calendar days, the city administrator and/or his designee shall order the same to be abated, and shall certify the costs as described in paragraph (b) of this chapter.

(d) The tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence that the recitals therein are valid and there is no clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto.

(e) Each special tax bill shall be issued by the city clerk and delivered to the collector on or before June 1 of each year. Such tax bills, if not paid when due, shall bear interest at the rate of eight percent per annum. In the event that the city shall incur any cost in connection with the recording and/or release of the lien hereby created, each owner shall be liable for such cost, in addition to all other costs hereinabove provided.

(f) In addition to any other legal remedies, at any point in the abatement process the City of Raytown reserves the right to issue a citation to the property owner to face charges in the Raytown Municipal Court, as permitted in section 1-22: General penalty; continuing violations, of the Raytown City Code.

(Code 1969, § 13-143; Ord. No. 202-11-2029, § 2, 11-18-2002; Ord. No. 5199-07, § 2, 3-20-2007; Ord. No. 5237-07, § 1, 6-19-2007; Ord. No. 5499-14, § 2A, 8-19-2014)

State law reference(s)—Authority to abate nuisances, RSMo 77.530.

Sec. 28-452. Prohibition against maintaining nuisances.

(a) It shall be unlawful for any owner, occupant, or other person or legal entity with a lawful right to the use and enjoyment (the "party") of any property to knowingly fail to abate any illegal activity upon, or any nuisance related to, that property so owned or occupied, or for which such person has a legal right of use.

(b) For purposes of this section, the expression "illegal activity upon, or nuisance related to" any property means:

(1) Any activity which causes hurt, inconvenience, or damage, or otherwise interferes with the enjoyment of life or property, or causes danger to the public, by any person on the property;

(2) The possession, sale, or distribution of any unlawful substance, product, or service upon the property by any person on the property;

(3) The knowing failure to report the unlawful possession, sale, or distribution of drugs or alcohol by third parties on the property;

(4) The possession, storage, sale, or other transfer of stolen property or other contraband on the property by any person on the property; or

(5) Any other activity occurring on the property that is classified as a violation, misdemeanor, or felony under any applicable municipal, county, state, or federal law.

(c) Upon receipt of written notice from law enforcement authorities that a specified unlawful activity or nuisance as described in subsection (b) has occurred upon a property, the party shall have ten days to provide a written response to the city detailing the steps they will take to abate the nuisance or unlawful activity (the "abatement plan").

(1) The city may agree to an extension of the ten day timeframe for good cause shown. "Good cause" is where the party can demonstrate in writing an unexpected or unavoidable hindrance to being able to provide the written response and is not due to party's carelessness or willful disregard.

(2) The written abatement plan shall include: the nuisance activity, name and contact information for the specific person who is in charge of or overseeing abating the nuisance activity on behalf of the party, the immediate steps the party will take to abate the nuisance, names and contact information for third-parties that are assisting with the abatement process, detailed timeline of the abatement process and when the nuisance activity will be abated, and any other information related to the abatement of the nuisance as requested by the city.

(3) If the city determines that the response does not include, at a minimum the information set forth in subsection (c)(2) above, or if no response is received, the city may take further enforcement action, including but not limited to: instituting legal proceedings to evict offending tenants, posting the property against trespassers, or any other necessary and prudent actions to prevent the continuation of the nuisance. Refusal to cooperate with a valid law enforcement request for assistance shall constitute a knowing failure to abate the nuisance or unlawful activity in violation of subsection (a) of this section.

(d) Nothing in this section shall be construed to prevent law enforcement officials from coordinating enforcement with county, state, or federal authorities when prosecution under other applicable criminal or civil laws is already being pursued. However, the city's law enforcement officials shall retain primary responsibility for the enforcement of this section.

(e) In addition to the penalties and remedies otherwise provided in this Code, the city attorney is authorized to bring and maintain a civil action in the name of the City of Raytown in any court of competent jurisdiction to permanently enjoin the maintenance of a nuisance or the continuation of unlawful activity on any property within the corporate limits of the City of Raytown, and/or to seek condemnation of such property when warranted. In any such condemnation action, the city attorney may introduce evidence of the city's costs of nuisance abatement activities (including law enforcement investigative costs) as an offset against the fair market value of the property as provided by law in cases where the property owner has failed to take corrective action after receiving proper notice as outlined in subsection (c).

(f) In addition to the public remedies set out above, any person who is adversely affected by the nuisance or unlawful activities described in this section may, in addition to any other remedy available at law or equity, apply to any court of competent jurisdiction for an order to permanently enjoin the continued maintenance of such nuisance or unlawful activity on any property within the City of Raytown.

(g) This section shall be in addition to, and not replace or limit, any other enforcement provisions provided by law or in this Code. Nothing in this section shall be interpreted as restricting the city's ability to enforce nuisance violations under other provisions of this chapter or any other applicable ordinance.

(Ord. No. 5782-25, § 1, 4-22-2025)

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 09/22/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

Public Hearing - 8a. FIRST READING: Bill No. 6728-26, Section XIII: Amending Chapter 50, Article IV, of the Raytown Municipal Code to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table (Sec. 50-107) and revising Section 50-332. – "Application," to clarify use regulations on properties in the HP zoning district.

BACKGROUND/JUSTIFICATION

Zoning district HP, Historic Preservation is present in the Land Use Table (Sec. 50-107 of the Raytown Municipal Code). However, per Sec. 50-332 (c), HP districts are treated as overlays and "**the use regulations**, **parking regulations, signage regulations and height, area and yard regulations of the underlying district will apply** if approved by the planning commission and board of aldermen." Typically, local governments' historic preservation overlays do not govern land use. They are instead utilized to regulate material and spatial alteration of elements (i.e. sites, structures, and objects) that have been deemed "contributing" to the historic nature of a given property added to the local register. Staff, therefore, proposes to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Planning & Zoning Commission - September 3, 2026. Recommended for approval.

FINANCIAL IMPACT

REVIEWED BY

Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger

Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. ORD PZ.2026.12 Txt Amend - Historic Preservation-Final
2. Staff Report (BofA) Historic Preservation Text Amend
3. Exhibit A - PZ-2026-12

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

BILL NO. 6728-26 ORDINANCE NO. _____ SECTION NO. XIII

AN ORDINANCE AMENDING CHAPTER 50 ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI, TO REMOVE ZONING DISTRICT HP, HISTORIC PRESERVATION OVERLAY, FROM THE LAND USE TABLE (SEC. 50-107) AND REVISING SECTION 50-332. – "*APPLICATION*," WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2026-12, was submitted by the City of Raytown, proposes to amend Chapter 50 to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table (Sec. 50-107) and to revise Section 50-332. – "*Application*," within the City of Raytown, Jackson County, Missouri; and

WHEREAS, the Application was considered by the Planning Commission on September 3, 2026, and by a vote of 8 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

WHEREAS, after due public notice in the manner prescribed by the law, the Board of Aldermen held a public hearing on October 20, 2026, and rendered a decision to approve the amendments to the Raytown Code of Ordinances, Chapter 50 to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table (Sec. 50-107) and to revise Section 50-332. – "*Application*," within the City of Raytown.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENTS. The amendments to Chapter 50, remove zoning district HP, Historic Preservation Overlay, from the Land Use Table (Sec. 50-107) and to revise Section 50-332. – "*Application*," within the City of Raytown are hereby adopted as stated in Section 2.

SECTION 2 – AMENDMENTS. The amendments as shown on attached Exhibit A are hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of November, 2026.

_____
Michael McDonough, Mayor

ATTEST: Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Staff Report

To: City of Raytown, Planning & Zoning Commission

From: Benjamin Robinson, Planning & Zoning Coordinator

Case #: Text Amendment PZ-2026-12

Planning & Zoning Meeting Date: September 3, 2026

Board of Aldermen Dates: October 20, 2026, and November 3, 2026

Applicant: City of Raytown

Project Contact: Benjamin Robinson, Planning & Zoning Coordinator

Property Location: Citywide

Request: Amending Chapter 50, Article IV, of the Raytown Municipal Code to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table (Sec. 50-107) and revising Section 50-332. – "Application," to clarify use regulations on properties in the HP zoning district.

BACKGROUND INFORMATION:

Zoning district HP, Historic Preservation is present in the Land Use Table (Sec. 50-107 of the Raytown Municipal Code). However, per Sec. 50-332 (c), HP districts are treated as overlays and "**the use regulations**, **parking regulations, signage regulations and height, area and yard regulations of the underlying district will apply** if approved by the planning commission and board of aldermen."

Typically, local governments' historic preservation overlays do not govern land use. They are instead utilized to regulate material and spatial alteration of elements (i.e. sites, structures, and objects) that have been deemed "contributing" to the historic nature of a given property added to the local register.

Staff, therefore, proposes to remove zoning district HP, Historic Preservation Overlay, from the Land Use Table.

Proposed Updates to the Land Use Table:

Community Development Department
Planning and Zoning Division
10000 E 59th Street ● Raytown, MO 64133
Phone: 816-737-6014 ● Fax: 816-737-6164

Text in red are proposed to be added. Text ~~struck through and in red~~ are proposed to be removed, and text written in **black** are proposed to remain the same. Text present in the adopted land use table but omitted from these proposed amendments is not considered for any changes as part of this case. Those land uses which appear on the table below are those which apply to the district proposed to be removed.

Zoning Districts																
	Residential Districts				Nonresidential Districts				Overlay Districts							
Uses	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	~~HP~~	AE	Conditions
Home-Based Businesses, No-Impact	P	P	P	P	P	P	P		P		P	P	P	~~P~~		(7)
Home-Based Work	P	P	P	P	P	P	P		P		P	P	P	~~P~~		(7)

To clarify existing code language, staff also proposes the following changes to Sec. 50-332. (c) of the Raytown Municipal Code:

> This overlay district may be placed over any underlying district. The use regulations, parking regulations, signage regulations and height, area and yard regulations of the underlying district will apply to any property zoned in the Historic Preservation Overlay District (HP) ~~approved by the planning commission and board of aldermen~~.

ATTACHMENTS:

- Exhibit A
- Affidavit of Publication

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission hold this public hearing, take testimony from all parties, and recommend **APPROVAL** to the Board of Aldermen of this application proposing an amendment to Chapter 50, Article IV, of the Raytown Municipal Code, removing zoning district HP, Historic Preservation Overlay, from the Land Use Table and amending Sec. 50-332 as proposed.

Exhibit A

Sec. 50-332. – Application.

(c) This overlay district may be placed over any underlying district. The use regulations, parking regulations, signage regulations and height, area and yard regulations of the underlying district will apply to any property zoned in the Historic Preservation Overlay District (HP) ~~approved by the planning commission and board of aldermen~~.

Sec. 50-107. – Land Use Table.

Zoning Districts																
	Residential Districts				Nonresidential Districts				Overlay Districts							
Uses	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	~~HP~~	AE	Conditions
Home-Based Businesses, No-Impact	P	P	P	P	P	P	P		P		P	P	P	~~P~~		(7)
Home-Based Work	P	P	P	P	P	P	P		P		P	P	P	~~P~~		(7)

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/28/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Parks**

Document Type: Ordinance

SUBJECT/REQUEST

R-3845-26: The Raytown Parks Dept. would like to apply for OMNIBUS grant funding through a 100% paid federal grant program.

BACKGROUND/JUSTIFICATION

The Raytown Parks Dept. needs to renovate Colman Park due to the shelter houses and playground being out of date, and in a precarious location. We are seeking grant funds to demolish the two shelter houses and existing playground that is over 30 years old. Due to the age of the play ground it is in a state of constant maintenance and repairs. The grant request would be for $850,000, and would then go before the U.S. congress for a vote to be approved. Once the demolition is complete, the rest of the funds would go toward construction of new facilities.

RECOMMENDED MOTION

Staff recommend approval of the grant application to the OMNIBUS grant program.

PREVIOUS ACTION

Raytown has been awarded the OMNIBUS grant previously for $3,000,000 of federal funds with no local funding match.

COMMISSION/COMMITTEE REVIEW

Approved by the Raytown Park Board on August 17, 2026.

FINANCIAL IMPACT

REVIEWED BY

Dave Turner
Michael Graham
Jennifer Baird
Diane Egger
Teresa Henry
Diane Egger

Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso OMNIBUS Grant Application 2026
2. 8-17-26

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

RESOLUTION NO.: R-3845-26

A RESOLUTION AUTHORIZING AND APPROVING A GRANT APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN AN AMOUNT UP TO $850,000.00 FOR RENOVATIONS AT SARAH COLMAN-LIVENGOOD PARK

WHEREAS, the City of Raytown (the "City") will apply for a grant application to the U.S. Department of Housing and Urban Development in an amount up to $850,000.00 for pursuing OMNIBUS funding for renovations at Sarah Colman-Livengood Park; and

WHEREAS, the Board of Aldermen find it is in the best interests of the City to authorize and approve the application to the U.S. Department of Housing and Urban Development in an amount up to $850,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the application to the U.S. Department of Housing and Urban Development in an amount up to $850,000.00 for pursuing OMNIBUS funding for renovations at Sarah Colman-Livengood Park is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute any and all other documents necessary or incidental thereto and to take any and all actions necessary to effectuate the terms of the grant on behalf of the City and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 20th day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Raytown Park Board
Minutes
August 17, 2026

Attendance:
Park Board: Brian Morris, Robbie Tubbs, Dave Thurman, Melina Alford and Angel Ambercrombie attended in person and by Zoom- Rhonda Herring and Brent Hugh.

Staff: Dave Turner, Tony Mesa, Jonda DeMarco and by Zoom Connor O'Reilly

Guests: Kurt Morrison and by Zoom Alderman Loretha Hayden

A quorum was declared present, and the meeting was called to order at 7:00pm. Dave Thurman made a motion to approve the minutes from July 20, 2026 meeting. Robbie Tubbs seconded, and the motion passed.

Reports of Officers:
President – no report
Vice President – no report

Reports of Standing & Special Committees:
Personnel – Dave Turner completed personnel reports for staff. Robbie Tubbs made a motion to evaluate Dave Turner at the Personnel Meeting on September 21, 2026 at 6:30pm. Melina Alford seconded, and the motion passed.

Finance – no report
Program – no report
Buildings & Grounds – Buildings & Grounds Committee met at 630pm to decide the top 3 5-year project goals, item will be addressed later in meeting.
Main Street – meetings have been moved to last Wednesday of the month.

Staff Reports:
Director – a written report was distributed
Superintendent of Parks – a written report was distributed
Recreation – a written report was distributed

New Business:
1. Dave Thurman made a motion to approve continued pursuit of grant requests to go to Board of Alderman for 1) Google Corporate Water Stewardship-fully funded 2) Variety KC up to $3,000,000.00 with 20% match and 3) OMNIBUS up to $850,000.00. Melina Alford seconded and the motion passed.
2. 5-year project goals-first 3 projects ranked in order:
   Tier 1 Projects- A. Kenagy Pond Wall, B. Colman Shelter & Playground, C. Southwood Lagoon Trail & Dev
   Tier 2 Projects – A. Southwood Tennis & m-p Court, B. Colman Basketball Court, C. Kritser East Playground
   Tier 3 Projects – A. Southwood Parking Lot, B. Pocket Park Trees, C. Minor Shelter House

Other Business:
Kurt Morrison will be on the consent agenda at the BOA-Tuesday, August 18, 2026 for appointment to Raytown Park Board. Dave Turner had a meeting at city hall August 17 for the information on rezoning of Rice Tremonti.

Robbie Tubbs made a motion to adjourn at 7:43pm. Angel Ambercrombie seconded and the motion passed.

Please note: September meeting will be on September 21, 2026

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/28/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Parks**

Document Type: Resolution

SUBJECT/REQUEST

R-3846-26: Approve a grant application to the Variety KC 10 Parks program, which is a private grant that has raised $30,000,000 to redevelop ten parks in the KC Metro area. Each application can request up to $3,000,000 with a 20% match. The intent of the Parks Dept. is to use the OMNIBUS grant funding as our match to the private grant through the Variety KC 10 Parks program.

BACKGROUND/JUSTIFICATION

This is a privately funded grant with a very low local match specifically designed for park development for maximum ADA accessibility for people of all ranges of physical mobility. The intent of the Variety KC funding is to develop aesthetically pleasing park areas that will be welcoming and accommodating to those with special needs and the able-bodied.

RECOMMENDED MOTION

Staff recommends approving the request for the Variety KC 10 Parks Grant Application.

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

Approved by the Raytown Park Board on August 17th 2026

FINANCIAL IMPACT

REVIEWED BY

Dave Turner
Michael Graham
Jennifer Baird
Diane Egger
Teresa Henry
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso Variety KC 10 Parks Program-Grant Application
2. 8-17-26

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

RESOLUTION NO.: R-3846-26

A RESOLUTION AUTHORIZING AND APPROVING AN APPLICATION FOR FUNDING THROUGH VARIETY KC 10 PARKS PROGRAM

WHEREAS, the City of Raytown (the "City") will apply for funding through Variety KC 10 Parks Program for various City of Raytown Parks & Recreation projects; and

WHEREAS, the Board of Aldermen find it is in the best interests of the City to authorize and approve the application;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the application for funding through Variety KC 10 Parks Programs for various City of Raytown Parks & Recreation projects is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute any and all other documents necessary or incidental thereto and to take any and all actions necessary to effectuate the terms of the grant on behalf of the City and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 20th day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Raytown Park Board
Minutes
August 17, 2026

Attendance:
Park Board: Brian Morris, Robbie Tubbs, Dave Thurman, Melina Alford and Angel Ambercrombie attended in person and by Zoom- Rhonda Herring and Brent Hugh.

Staff: Dave Turner, Tony Mesa, Jonda DeMarco and by Zoom Connor O'Reilly

Guests: Kurt Morrison and by Zoom Alderman Loretha Hayden

A quorum was declared present, and the meeting was called to order at 7:00pm. Dave Thurman made a motion to approve the minutes from July 20, 2026 meeting. Robbie Tubbs seconded, and the motion passed.

Reports of Officers:
President – no report
Vice President – no report

Reports of Standing & Special Committees:
Personnel – Dave Turner completed personnel reports for staff. Robbie Tubbs made a motion to evaluate Dave Turner at the Personnel Meeting on September 21, 2026 at 6:30pm. Melina Alford seconded, and the motion passed.

Finance – no report
Program – no report
Buildings & Grounds – Buildings & Grounds Committee met at 630pm to decide the top 3 5-year project goals, item will be addressed later in meeting.
Main Street – meetings have been moved to last Wednesday of the month.

Staff Reports:
Director – a written report was distributed
Superintendent of Parks – a written report was distributed
Recreation – a written report was distributed

New Business:
1. Dave Thurman made a motion to approve continued pursuit of grant requests to go to Board of Alderman for 1) Google Corporate Water Stewardship-fully funded 2) Variety KC up to $3,000,000.00 with 20% match and 3) OMNIBUS up to $850,000.00. Melina Alford seconded and the motion passed.
2. 5-year project goals-first 3 projects ranked in order:
   Tier 1 Projects- A. Kenagy Pond Wall, B. Colman Shelter & Playground, C. Southwood Lagoon Trail & Dev
   Tier 2 Projects – A. Southwood Tennis & m-p Court, B. Colman Basketball Court, C. Kritser East Playground
   Tier 3 Projects – A. Southwood Parking Lot, B. Pocket Park Trees, C. Minor Shelter House

Other Business:
Kurt Morrison will be on the consent agenda at the BOA-Tuesday, August 18, 2026 for appointment to Raytown Park Board. Dave Turner had a meeting at city hall August 17 for the information on rezoning of Rice Tremonti.

Robbie Tubbs made a motion to adjourn at 7:43pm. Angel Ambercrombie seconded and the motion passed.

Please note: September meeting will be on September 21, 2026

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/28/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Parks**

Document Type: Resolution

SUBJECT/REQUEST

R-3847-26: This grant is privately funded by Google with the intent of improving and conserving water resources. This is a fully funded private grant with no local match. The Raytown Parks Dept. would make a request for $3,500,000 for the renovation and dredging of the Kenagy Park pond, and to address the pond wall which is in need of maintenance.

BACKGROUND/JUSTIFICATION

The Kenagy Pond has silted in over the last 30 years since it was last dredged. It was over 15' deep, but now is 8' deep due to erosion and runoff. With this privately funded grant, we would be able to renovate and improve the carrying capacity of the pond, which is tied into the Public Works storm water system. By increasing the capacity of the pond with dredging, we would improve the water quality for the park users and wildlife in the area. This would also redesign and renovate the walls of the pond to make them safer and more aesthetically pleasing.

RECOMMENDED MOTION

Staff recommends approving the request to apply for the Google Corporate Water Stewardship Grant in the amount of $3,500,000.

PREVIOUS ACTION

We have tried to find funding for the Kenagy Park Pond renovation but have not found a fully funded grant for the project until now.

COMMISSION/COMMITTEE REVIEW

Approved by the Raytown Park Board on August 17th, 2026.

FINANCIAL IMPACT

REVIEWED BY

Dave Turner
Michael Graham
Jennifer Baird

Diane Egger
Teresa Henry
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso Google Corpoate Water Steward Grant Application
2. 8-17-26

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

RESOLUTION NO.: R-3847-26

A RESOLUTION AUTHORIZING AND APPROVING AN APPLICATION FOR FUNDING THROUGH GOOGLE FOR THE GOOGLE CORPORATE WATER STEWARDSHIP GRANT FOR THE RENOVATION OF THE KENAGY PARK POND

WHEREAS, the City of Raytown (the "City") will apply for funding through Google for the Google Corporate Water Stewardship Grant for the renovation and dredging of the pond at Kenagy Park along with pond wall maintenance; and

WHEREAS, the Board of Aldermen find it is in the best interests of the City to authorize and approve the application;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the application for funding through Google for the Google Corporate Water Stewardship Grant for the renovation and dredging of the pond at Kenagy Park along with pond wall maintenance is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute any and all other documents necessary or incidental thereto and to take any and all actions necessary to effectuate the terms of the grant on behalf of the City and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 20th day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Raytown Park Board
Minutes
August 17, 2026

Attendance:
Park Board: Brian Morris, Robbie Tubbs, Dave Thurman, Melina Alford and Angel Ambercrombie attended in person and by Zoom- Rhonda Herring and Brent Hugh.

Staff: Dave Turner, Tony Mesa, Jonda DeMarco and by Zoom Connor O'Reilly

Guests: Kurt Morrison and by Zoom Alderman Loretha Hayden

A quorum was declared present, and the meeting was called to order at 7:00pm. Dave Thurman made a motion to approve the minutes from July 20, 2026 meeting. Robbie Tubbs seconded, and the motion passed.

Reports of Officers:
President – no report
Vice President – no report

Reports of Standing & Special Committees:
Personnel – Dave Turner completed personnel reports for staff. Robbie Tubbs made a motion to evaluate Dave Turner at the Personnel Meeting on September 21, 2026 at 6:30pm. Melina Alford seconded, and the motion passed.

Finance – no report
Program – no report
Buildings & Grounds – Buildings & Grounds Committee met at 630pm to decide the top 3 5-year project goals, item will be addressed later in meeting.
Main Street – meetings have been moved to last Wednesday of the month.

Staff Reports:
Director – a written report was distributed
Superintendent of Parks – a written report was distributed
Recreation – a written report was distributed

New Business:
1. Dave Thurman made a motion to approve continued pursuit of grant requests to go to Board of Alderman for 1) Google Corporate Water Stewardship-fully funded 2) Variety KC up to $3,000,000.00 with 20% match and 3) OMNIBUS up to $850,000.00. Melina Alford seconded and the motion passed.
2. 5-year project goals-first 3 projects ranked in order:
   Tier 1 Projects- A. Kenagy Pond Wall, B. Colman Shelter & Playground, C. Southwood Lagoon Trail & Dev
   Tier 2 Projects – A. Southwood Tennis & m-p Court, B. Colman Basketball Court, C. Kritser East Playground
   Tier 3 Projects – A. Southwood Parking Lot, B. Pocket Park Trees, C. Minor Shelter House

Other Business:
Kurt Morrison will be on the consent agenda at the BOA-Tuesday, August 18, 2026 for appointment to Raytown Park Board. Dave Turner had a meeting at city hall August 17 for the information on rezoning of Rice Tremonti.

Robbie Tubbs made a motion to adjourn at 7:43pm. Angel Ambercrombie seconded and the motion passed.

Please note: September meeting will be on September 21, 2026

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 09/23/2026

MEETING DATE: October 20, 2026

SUBMITTED BY: **DEPARTMENT: Parks**

Document Type: Resolution

SUBJECT/REQUEST

R-3848-26: On August 9, 2026 two mowers were stolen from a separate garage at Colman Park at 4:20 AM. The mowers were a 2020 Toro 60" zero turn, and a 2023 Bad Boy 72" zero turn. A police report was made, and the City Clerk was notified. Insurance valued the stolen equipment at $20,394, with the deductible being $2,500. The total insurance pay out is $17,894.

The cost of comparable replacements for 60" and 72" zero turn mowers is $33,401.94. The out-of-pocket funds from the Parks Dept. is $15,507.94.

BACKGROUND/JUSTIFICATION

With this still being a busy mowing season and Parks having some properties getting out of hand, we asked Finance to declare an emergency purchase for the replacement of our mowing equipment. This was approved and the mowers were purchased so that we can get back to maintaining the grass on our properties.

RECOMMENDED MOTION

Staff recommends approving the emergency purchase. There is not a need to transfer funds as there are funds available through our Capital Improvements budget, 201-92-00-100-57000

PREVIOUS ACTION

Police report was filed, and our alarm system has been updated to prevent any future failures in that separate garage.

COMMISSION/COMMITTEE REVIEW

Approved by the Raytown Park Board September 21, 2026.

FINANCIAL IMPACT

Contractor:	Blue Valley Tractor
Amount of Request/Contract:	$33,401.94
Amount Budgeted:	

From Account Name and #: 201-92-00-100-57000	Amount: $33,401.94
To Account Name and #:	Amount:

REVIEWED BY

Dave Turner
Michael Graham
Teresa Henry
Jennifer Baird
Diane Egger
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso Exmark Zero-Turn Mowers Purchase-Parks-2026
2. Mower evaluations
3. Park Board minutes9-21-2026

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		
Project Exemption Certificate needed:		
Other:		

RESOLUTION NO.: R-3848-26

A RESOLUTION AUTHORIZING AND APPROVING THE PURCHASE OF TWO (2) EXMARK ZERO-TURN MOWERS FROM BLUE VALLEY TRACTOR AND SUPPLY AND RATIFYING THE EXPENDITURE OF FUNDS FOR SUCH PURCHASE IN THE AMOUNT OF $33,401.94 FOR FISCAL YEAR 2025-2026

WHEREAS, the Raytown Parks & Recreation Department has a need to purchase two (2) Exmark zero-turn mowers; and

WHEREAS, the City of Raytown, in the adoption of its purchasing policy has approved emergency purchases when departmental operations would be hampered; and

WHEREAS, the City of Raytown finds it is in the best interest of the citizens of the City of Raytown to authorize and approve the purchase of two (2) Exmark zero-turn mowers from Blue Valley Tractor and Supply and to ratify the expenditure of funds for such purchase in the amount of $33,401.94.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the purchase of two (2) Exmark zero-turn mowers from Blue Valley Tractor and Supply and to ratify the expenditure of funds for such purchase in the amount of $33,401.94 is hereby authorized and approved; and

FURTHER THAT the City Administrator is hereby authorized to execute all documents necessary to this transaction and the City Clerk is authorized to attest thereto.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 20th day of October, 2026.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Mower evaluations

Blue Valley tractor ExMark LZR Z x Mower quote $ 33,401.94 demo

This mower combination performed flawlessly, staff recommends the purchase with the options per the quote from Blue Vally tractor

LuMax Power Equipment Toro 6000 series Vanguard eng. W/O options $ 35,791.86 no demo

We have owned the Toro 6000 mowers in the past including the one that was stolen we have confidence in the product but no experience with the Vanguard combonation

Blue Valley Tractor Toro 6000 series 31 KAW w/ options $ 37,382.39 owned

We have oned Toro 6000 mowers including the mower that was stolen. We have complete confidence in the operation of this mower

Heritage Tractor john Deere Z970R series Vanguard eng w/options $ 34,067.05 no demo

No working demo available but a test drive in a parking lot was offered. Too big of a purchase to not have a demo

Lawn and Liesure Scag Turf Tiger 2 KAW eng w/options $ 34,513.44 demo VG

The demo machine had the Vanguard 40hp and didn't perform well. The deck is centered which prevents close mowing to certain obstacles. Operators don't like it compared to the Toro/ExMark

We did demo the turf tiger 2 from Scag and Lawn and liesure with the Vanguard 40hp engine and while it was slightly cheaper it didn't perform satifactory for our needs in real life testing on our park property.
Staff recommends the purchase of the ExMark mowers per the quote from Blue Valley tractor

Mower evaluations

Blue Valley tractor ExMark LZR Z x Mower quote	$ 33,401.94	demo
LuMax Power Equipment Toro 6000 series Vanguard eng. W/O options	$ 35,791.86	no demo
Blue Valley Tractor Toro 6000 series 31 KAW w/ options	$ 37,382.39	owned
Heritage Tractor john Deere Z970R series Vanguard eng w/options	$ 34,067.05	no demo
Lawn and Liesure Scag Turf Tiger 2 KAW eng w/options	$ 34,513.44	demo VG

We did demo the turf tiger 2 from Scag and Lawn and liesure with the Vanguard 40hp engine and while it was slightly cheaper it didn't perform satifactory for our needs in real life testing on our park property.

Staff recommends the purchase of the ExMark Mowers per the quote. For additional information see the notes.

ExMark Mower evaluations

Blue Valley tractor ~~Encore~~ LZR Z x Mower quote $ 33,401.94 demo

Tony:This product performed flawlessly. Staff reccommends the purchase oa a 60in and a 72in per the quote wit hthe options to match our equipment that was stolen.

LuMax Power Equipment Toro 6000 series Vanguard eng. W/O options $ 35,791.86 no demo

Tony:We have owned the Toro 600 mowers in the past including the one that was stolen we have confidence in the product but no experience with the Vanguard combonation

Blue Valley Tractor Toro 6000 series 31 KAW w/ options $ 37,382.39 owned

Tony:We have oned Toro 6000 mowers including the mower that was stolen. We have complete confidence in the operation of this mower

Heritage Tractor john Deere Z970R series Vanguard eng w/options $ 34,067.05 no demo

Tony: No working demo available but a test drive in a parking lot was offered. Too big of a purchase to not have a demo

Lawn and Liesure Scag Turf Tiger 2 KAW eng w/options $ 34,513.44 demo VG

Tony:The demo machine had the Vanguard 40hp and didn't perform well. The deck is centered which prevents close mowing to certain obstacles. Operators don't like it compared he Toro/ExMark

We did demo the turf tiger 2 from Scag and Lawn and liesure with the Vanguard 40hp engine and while it was slightly cheaper it didn't perform satifactory for our needs in real life testing on our park property.

Staff recommends the purchase of the ExMark Mowers per the quote. For additional information see the notes.

We decided and this is our choice

Prepared For

Raytown, City of 820 Kawi

Prepared By

Darren Sisino
Blue Valley Tractor & Supply (#7300049)
8530 W 199th St
Overland Park, KS 66013-9618
(913) 681-8088
darren.sisino@bvtractor.com

Quote # **1102776**
Quote Type **OMNIA**
Created On **8/17/2026**

Image	Equipment	CSP	Quote Price	Quantity	Extended Price
	2026 Lazer Z X-Series 34.5 HP* Kaw FX820EVO w/ 60" UltraCut Series 6 Deck, Adapt & Wide Semi-Pneum Tires (LRX820AKA606Q1)	$19,599.00	$15,772.00	1	$15,772.00
	2026 Lazer Z X-Series 34.5 HP* Kaw FX820EVO w/ 72" UltraCut Series 6 Deck, Adapt & Wide Semi-Pneum Tires (LRX820AKA726Q1)	$19,999.00	$16,094.00	1	$16,094.00
	KIT, OCD PEDAL (142-8166)	$212.99	$212.99	2	$425.98
	KIT, GATE AND CABLE (142-8181)	$415.99	$415.99	2	$831.98
	KIT,HITCH (109-9487)	$138.99	$138.99	2	$277.98

Notes

Equipment Total	$33,401.94
Sales Tax (0.000%)	$0.00

QUOTATION

No Demo but we have previously owned this model

LUMAX POWER EQUIPMENT INC
17131 BEL RAY PLACE
BELTON, MO 64012
Phone #: (816)331-1843
Fax #: (816)425-5398

PHONE #: **(816)358-4100 Ext: OF**
CELL #:
ALT. #:
P.O.#: **TORO**
TERMS: **Net 30**
SALES TYPE: **Quote**

DATE: **8/10/2026**
ORDER #: **185481**
CUSTOMER #: **1412**
CP: **NK**
LOCATION: **1**
STATUS: **Waiting on Cust**

BILL TO 1412

RAYTOWN PARKS AND RECREATION
5912 LANE
RAYTOWN, MO 64133

SHIP TO

RAYTOWN PARKS AND RECREATION
5912 LANE
RAYTOWN, MO 64133

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
TOR	72977	6000 SERIES 72" TORO ZERO TURN	1	$23,221.00	$18,112.38	$18,112.38
TOR	72981	6000 SERIES 60" TORO ZERO TURN	1	$22,666.00	$17,679.48	$17,679.48
		CURRENT ETA OF MOWERS ARE END OF AUG.				

QUOTES ARE ONLY GOOD FOR 30 DAYS
THANK YOU FOR YOUR BUSINESS

NO RETURNS ON ELECTRICAL COMPONENTS.
NO RETURNS ON SERIALIZED ITEMS.
NO RETURNS ON FUEL RELATED COMPONENTS.
PARTS MAY NOT BE RETURNED AFTER 30 DAYS. A VALID RECEIPT IS REQUIRED.
ALL APPROVED RETURNS ARE SUBJECT TO A 15% RESTOCKING FEE.

STORAGE POLICY
EQUIPMENT NOT PICKED UP WITHIN 30 DAYS OF REPAIR COMPLETION AND CUSTOMER NOTIFICATION, WILL BE ASSESSED A STORAGE FEE OF $35 PER MONTH. EQUIPMENT LEFT FOR MORE THAN SIX MONTHS (180 DAYS) WILL BECOME THE PROPERTY OF LUMAX POWER EQUIPMENT AND WILL BE DISPOSED OF ACCORDINGLY.

LUMAX POWER EQUIPMENT, INC. PROVIDES A 30 DAY WARRANTY ON ALL REPAIRS PERFORMED.

SUBTOTAL:	**$35,791.86**
TAX:	**$0.00**
Non Cash Due:	**$35,791.86**
[redacted]	

Authorized By: _____

No Demo but we have previously owned this model

QUOTATION

BLUE VALLEY TRACTOR and SUPPLY
PO BOX 219
STILWELL, KS 66085
Phone #: (913)681-8088
Fax #: (913)681-8091

PHONE #: **(816)268-7160**
CELL #:
ALT. #:
P O #:
TERMS: **Cash**
SALES TYPE: **Quote**

DATE: **8/18/2026**
ORDER #: **187884**
CUSTOMER #: **100456**
CP: **Darren S**
LOCATION: **1**
STATUS: **Active**

BILL TO 100456

RAYTOWN SCHOOL DIST 2
5911 BLUE RIDGE BLVD
RAYTOWN, MO 64133

SHIP TO

RAYTOWN SCHOOL DIST 2
5911 BLUE RIDGE BLVD
RAYTOWN, MO 64133

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
****	SEQ	Toro 6000 60" 31 hp kaw delivery ETA 2-3 weeks	1	$15,992.00	$15,992.00	$15,992.00
****	SEQ	Toro 6000 72" 31 hp kaw delivery ETA 2-3 weeks	1	$16,294.00	$16,294.00	$16,294.00
MISC	SD	SALES DELIVERY CHARGE	1	$3.50	$.00	$0.00
****	SEQ	mulch kit (2)	2	$750.00	$750.00	$1,500.00
****	SEQ	labor	1	$400.00	$400.00	$400.00

All special orders require prepayment. No returns on electrical or special ordered items. Returned items are subject to a 25% restocking fee. Parts & Accessories must be returned within 30 days, Serialized equipment are non-returnable after 5 days. Equipment returned within 5 days will have a $35.00 per hr. useage charge. Deposits or down payments are non-refundable on special order equipment. All returns must be accompanied by the original receipt.

Used Equipment Sales: All items are sold as is, not expressly warranted or guaranteed unless agreed to by dealer in writing.

Auction sale items are available for inspection prior to the auction. Items are sold as is, not expressly warranted or guaranteed. Seller is not responsible for any expenses incurred after the auction. All sales are final. No refunds or exchanges.

Service parts & Labor is guaranteed for 90 days from invoice date.

Thank you for the business!

SUBTOTAL:	**$34,186.00**
TAX:	**$3,196.39**
ORDER TOTAL:	**$37,382.39**

Authorized By: _____

Did not demo this engine Combo

QUOTATION

Lawn & Leisure of Lee's Summit Inc
706 SE Blue Parkway
Lee's Summit, MO 64063 USA
Phone #: (816)524-6695
Fax #: (816)524-0502

PHONE #: **(816)358-4100** DATE: **8/11/2026**
CELL #: **(816)358-4100** ORDER #: **121904**
ALT. #: CUSTOMER #: **100062**
P.O.#: **SOURCEWELL CONTR/** CP: **BryanA**
TERMS: **Net 10th EOM** LOCATION: **1**
SALES TYPE: **Quote** STATUS: **Active**

BILL TO 100062

CITY OF RAYTOWN PARKS AND REC
5912 LANE
RAYTOWN, MO 64133

SHIP TO

CITY OF RAYTOWN PARKS AND REC
5912 LANE
RAYTOWN, MO 64133

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
SCA	STT11-61V-31DFI	TURF TIGER 11, 61 VELOCITY + 31HP KAW DFI	1	$20,499.00	$15,989.22	$15,989.22
SCA	STT11-72V-31DFI	TURF TIGER 11 - 72" VELOCITY +, 31HP KAW LC DFI	1	$21,799.00	$16,769.22	$16,769.22
		ABOVE REFLECT SOURCEWELL CONTRACT PRICING - DISC APPLIED				
SCA	9256	REAR BUMPER STT	2	$310.00	$310.00	$620.00
MISC	NQD-STTWC61	QWIKCHUTE - SCAG 61" VELOCITY PLUS DECKS	2	$392.00	$392.00	$784.00
****	LABOR	INSTALLATION LABOR - INCLUDES BOTH UNITS	3	$117.00	$117.00	$351.00

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.All special orders require pre-payment, and this deposit is not refundable. No returns on electrical or special-order items. There may be a 20% restocking fee imposed on returned items. All returns must be accompanied by the original receipt and be made within 30 days. For questions, contact customerservice@lawnandleisure.com. Thank you for your business!

SUBTOTAL:	**$34,513.44**
TAX:	**$0.00**
ORDER TOTAL:	**$34,513.44**

Authorized By: _____

Raytown Park Board
Minutes
September 21, 2026

Attendance:
Park Board: Brian Morris, Robbie Tubbs, Melina Alford, Angel Ambercrombie, Rhonda Herring, Kurt Morrison and Jules Sneddon attended in person and by Zoom- Dave Thurman, Brent Hugh.

Staff: Dave Turner, Tony Mesa, Connor O'Reilly and Jonda DeMarco

Guest: Greg Walters, Mindy McDaniel and Morris Melloy all spoke during Public Comments

A quorum was declared present, and the meeting was called to order at 7:00pm. Robbie Tubbs made a motion to approve the minutes from August 17, 2026, meeting. Rhonda Herring seconded, and the motion passed.

Reports of Officers:
President – Brian Morris discussed sympathy to neighboring neighbors to Colman Park for excessive loud music during shelter reservations. He also attended the Ribbon Cutting Ceremony at Kritser Park last month.
Vice President – no report

Reports of Standing & Special Committees:
Personnel – Rhonda Herring reported that committee completed Dave Turner annual review
Finance – no report on finance
Program – no report
Buildings & Grounds – no report
Main Street – report in packet

Staff Reports:
Director – a written report was distributed
Superintendent of Parks – a written report was distributed
Recreation – a written report was distributed

New Business:
1. 2027 Fee Schedule - Dave Thurman made a motion to approve the proposed Fee Schedule Update for FY 26/27. Angel Ambercrombie seconded and the motion passed.
2. Shelter Reservation Process Updates – Park Board discussed changing procedures for Shelter Reservations – with possible applicant signing contract, extra fees or fines in case park rules are broken and possible security deposit to be held. Additional discussion next meeting.
3. Dave Thurman made a motion to add the stolen mower replacement to agenda as item #3. Robbie Tubbs seconded and the motion passed.
4. Stolen Mowers Replacement - Robbie Tubbs made a motion to approve purchase of 2 mowers in the amount of $33,401.94 with insurance reimbursement of $17,894.00. Brent Hughes seconded and the motion passed.

Jules Sneddon made a motion to adjourn at 8:04pm. Angel Ambercrombie seconded and the motion passed.

Please note: October meeting will be on October 19, 2026