

Building Permit Ordinance

#18-1

Filed January 14, 2019

BUILDING PERMIT ORDINANCE

ORDINANCE NO. 18-1

BILL NO. _____

**AN ORDINANCE ADOPTING A NEW BUILDING PERMIT
ORDINANCE FOR THE VILLAGE OF LEAWOOD, MISSOURI,
IN ACCORDANCE WITH CHAPTER 89 OF THE REVISED
STATUTES OF MISSOURI**

WHEREAS, on or about the 15th of May 2018, after at least 15 days of notice of the time and place had been published in an official paper of general circulation in the Village of Leawood, Missouri, and in accordance with Section 89.050 of the Revised statutes of Missouri, the Planning and Zoning Board of the village of Leawood, Missouri held a public hearing at which parties in interest and citizens had an opportunity to be heard in relation to this Ordinance to adopt a new Building Permit Ordinance for the village of Leawood, Missouri in accordance with Chapter 89 of the Revised statutes of Missouri: and

WHEREAS, on or about the 15th of May 2018, after the foresaid public hearing, the Planning and Zoning of the Board of Leawood, Missouri approved, recommended and submitted as its final report, Pursuant to Section 89.070 of the revised Statutes of Missouri, the adoption of this Ordinance as herein above Described; and

WHEREAS, on or about the 15th of May 2018, after a public hearing duly advertised in accordance with Section 89.050 of the Revised Statutes of Missouri, the Board of Trustees of the village of Leawood, Missouri received and considered the aforesaid final report and recommendation of the Planning and Zoning Board of the village of Leawood, Missouri.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LEAWOOD, MISSOURI, AS FOLLOW:

A. TITLE – This Ordinance shall be known and may be cited as “The Village of Leawood, Missouri, Building Permit Ordinance.”

B. PURPOSE

1. The primary purpose of a building permit is to insure compliance with village ordinances. An approved building permit must be obtained prior to the start of any activity requiring a building permit as stated below.

2. Building permits are required for any exterior construction, to include but not limited to, extensions, changes to original footing, additional floors, and attachments to include decks and patios, lean-tos and other such changes to an existing building. Moreover, the construction, addition or placement of an exterior outbuilding, accessory building, shed or barn shall also require a building permit. This will include the movement of an existing such outbuilding, shed or barn if relocated to an area which violates set back requirements or any other applicable zoning ordinance. No such building, shed, barn, outbuilding or accessory building shall be placed in or upon any land designated as a right of way of easement. A permit may also be required for certain types of construction such as fences, landscaping, driveways, parking areas, etc.

C. APPLICATION PROCESS:

1. Building permit applications may be obtained from either the village clerk or the building inspector, who also serves as the Chairman, Planning and Zoning Committee. Building Permits must be completed and returned to the Building Inspector or Village Clerk. Applications requiring a review of the Planning and Zoning Committee will be placed on the agenda for the next scheduled Planning and Zoning committee meeting. Such applications must be received in time to meet required public notice requirements and allow for committee member review and site visits. Applications received beyond required time deadlines will be held for the next meeting – an action that may significantly delay designed construction planning.

2. The Planning and Zoning Committee shall post public notice in the Leawood Ledger and post a public notice sign on the concerned property. The committee is also required to inform, by personal visit or letter, all property owners within 185 feet of

such property who may cast their approval or disapproval about such construction. Any such resident disapproving of proposed construction must complete a village Petition to Protest form and give it to the Chairman, Planning and Zoning Committee.

3. The Planning and Zoning Committee will review the application, hear public input and other findings, then recommend approval, disapproval or table the issue. The Chairman shall then forward the findings and final recommendations to the Board of Trustees for final action. If approved, the Building Inspector or Village Clerk will issue a permit. In any instances where the permit was disapproved for other than Planning and Zoning ordinance requirements, the applicant may take the application to the Board of Adjustments for review.

4. The Village Clerk will process and application not requiring review of the Planning and Zoning Committee as expeditiously as possible

D. APPLICATION REQUIREMENTS:

1. Applications must be accompanied by plans clearly indicating the developer's intention to comply with the provisions of this ordinance. Such plans must be drawn to a scale of not less than one inch equals fifty feet (1"=50') by a registered engineer, professional land use Planner, or registered land surveyor. All plans must show the lot plot plan and the placement of the building or construction involved with appropriate dimensions and measurements. This shall include all exterior changes or additions.

2. For minor issues such as small shed construction, movement or installation, the application process shall consist of a verbal or written request. This request must be accompanied by a resident provided sketch showing placement with measurements of the shed, set back dimensions from property lines and the closest corner of any existing building corner – if applicable. Set back requirements for these sheds will be five (5) feet from any property line. They will also, under normal lot layouts, be located behind a line extending out from the back edge of the house.

3. The Village Clerk shall have the authority to impose such reasonable conditions and safeguards on the proposed development as it deems necessary for the protection of adjoining properties and the public interests.

E. PERMIT FEES:

1. Permit fees are:

- a. Residential building \$25
- b. Shed \$10
- c. Fence \$10

- d. Commercial building \$600 (A private consultant will be used to review any and all plans for this project)

It shall be the responsibility of the owner and builder to meet current building codes and requirements in effect for Joplin and surrounding area.

2. No fee shall be charged for the movement of any outbuildings.

F. INSPECTION/ENTRY ON PRIVATE PROPERTY:

1. The Chairman of the Board of Trustees, the Chairman of the Zoning and Planning Board or Village Clerk, or any law enforcement officer shall hereby be authorized to enter and inspect any and all building and other premises for the purpose of inspection and enforcing the provisions of this ordinance. Such will be for the express purpose of permit request site visits and inspecting construction. The latter shall also include that construction for which a building permit is deemed necessary but not applied for.

2. It shall be unlawful to interfere with any officer, agent, or employee of the village or with any representative of the Chairman of the Board of Trustees of the Village of Leawood when conducting such site visits.

G. STOP WORK ORDER

1. The Chairman of the Zoning and Planning Board who also serves as the building inspector or Village Clerk shall also be empowered to issue legal “Stop Work Orders” for any non-approved construction. Once a “Stop Work Order” has been issued, in either written or verbal form, all construction must immediately cease until the formal application and review process has been completed. Any verbal order shall be followed up with a written order.

H. PROCESS VIOLATION:

1. Violation of the provisions of this section or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this section or fails to comply with any of its requirements shall, upon conviction thereof, be punished in accordance with the Village Code. Each day the violation continues shall be considered a separate offense.

SECTION 1. That a new Building Permit Ordinance for the Village of Leawood, Missouri be, and the same hereby is, adopted in accordance with Chapter 89 of the Revised Statutes of Missouri.

SECTION 2. This Ordinance having been available for public inspection prior to its consideration by the Board of Trustees, and having been read by title twice prior to passage, shall become effective immediately upon its Passage by the Board of Trustees.

APPROVED after final passage, this 15th day of May 2018

DENNY DESMOND, CHAIRMAN

DALE OWEN, VILLAGE CLERK