

AN ORDINANCE AMENDING SECTION 405.160 "B-1 CENTRAL BUSINESS DISTRICT" BY AMENDING SUBSECTION A, 2, "CONDITIONS OF USE" PERTAINING TO WHAT COMMERCIAL ACTIVITIES CAN BE CONDUCTED OUTSIDE OF A COMMERCIAL BUILDING

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CANTON, MISSOURI, as follows:

SECTION ONE. Section 405.160, A, 2, Conditions of use amended. That from and after the effective date of this ordinance Section 405.160, A, 2, of the Municipal Code of the City of Canton, Missouri, shall be amended and shall be and appear as follows:

- "2. *Conditions of use.* All commercial activities in the B-1 Central Business District shall be conducted within a closed structure with the following exceptions:
- a. Outdoor displays and sales shall only be ancillary to the business conducted within the structure and cannot be operated as a separate business.
 - b. Only items that will normally be used out of doors may be displayed and sold out of doors.
 - i. Goods, merchandise or products normally located within a permanent building or structure such as clothing, interior furniture, indoor appliances and any other non-weatherproof products shall not be included in an outdoor display or offer for sale out of doors.
 - ii. Goods, merchandise or products normally intended for use and storage out of doors such as garden tools, outdoor furniture, garden or lawn tractors, outdoor sporting goods, outdoor plumbing fixtures, wood fired furnaces, or other related outdoor products may be included in an outdoor display or offered for sale out of doors.
 - c. Outdoor display or areas shall not be located on any public or private right-of-way.
 - d. No outdoor display area shall be located within fifty (50) feet of any single family residentially zoned district exclusive of rights-of-way.
 - e. Outdoor display areas shall be limited to 20% of the gross floor area of the primary building or tenant space to which the outdoor display is accessory.
 - f. Outdoor display areas must be located on concrete, asphalt, or brick paved areas and shall not be located on any gravel areas, lawn areas or landscaped areas.
 - g. Where an outdoor display is located on a sidewalk and/or walkway an unobstructed portion of the sidewalk and/or walkway measuring not less than three (3) feet in width from the street curbing shall be continuously maintained for pedestrian access with no point of entry or exit from any building or any individual unit within any building shall be blocked at any time.
 - h. Outdoor display areas may be located within existing parking spaces, but only if there are a sufficient number of other parking spaces available to meet the minimum parking requirements of the use of the property as required by Section 405.210 of this Code. Outdoor display areas shall not be located within any handicap accessible parking spaces or loading areas.

- i. Outdoor display areas may be located in front of, on the sides of, or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the B-1 Central Business District.
- j. No outdoor display shall obstruct visibility at the intersection of two or more roadways and/or driveways.
- k. Permit Required.
 - i. No outdoor display or area shall be installed, erected, operated or used within the City prior to receiving a permit therefore.
 - ii. Applications for permits shall be in writing on such application form as provided by the City. The application shall contain the following information:
 - A plat drawn to scale indicating the exact locations and dimensions of the proposed outdoor display area in relation to property lines for the subject property.
 - The distance of the proposed outdoor display to the property line shown in feet.
 - The location and dimension of all structures existing on the site, including the primary building and any accessory buildings.
 - Street lines, driveways, sidewalks and walkways.
 - A written description of the general types of items to be displayed and the maximum height of the items.
 - The gross floor area of the primary building to which the outdoor display is to be accessory.
 - A list of dates or a range of dates for which the outdoor display is proposed.
 - iii. No permit shall be issued until it has been approved for compliance with this Chapter by the Chief of Police of the City of Canton.
- l. All outdoor display areas must be maintained and displayed in a neat, orderly and safe manner. Failure to do so will result in revocation of the permit, if revocation is approved by a majority vote of the Board of Aldermen of the City.”

SECTION TWO. Remainder of Section 405.160 ratified and confirmed. All other provisions of Section 405.160 of the Municipal Code of the City of Canton, Missouri, not specifically herein amended by this ordinance shall remain unchanged and are hereby ratified and confirmed.


SECTION THREE. Penalties for violation. Any person, firm, corporation, partnership or other entity convicted of violating the provisions and terms of this ordinance shall be guilty of a misdemeanor and shall be subject to the punishment provided for in Section 100.220 of the Municipal Code of the City of Canton, Missouri.

SECTION FOUR. Prior inconsistent ordinances repealed. All prior ordinances or parts thereof in conflict with or inconsistent with the terms of this ordinance are hereby repealed.

SECTION FIVE. Severability. Each of the provisions of this ordinance are severable, and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.


SECTION SIX. Effective date. This ordinance shall take effect from and after it has been made available to the general public by posting a copy thereof in the City Office, 106 North Fifth Street, Canton, Missouri, as provided by law, after it has been read by title two times before the Board of Aldermen of the City of Canton, Missouri, after it has been adopted by the Board of Aldermen of the City of Canton, Missouri, and approved by the Mayor of the City of Canton, Missouri.

Adopted this 15th day of September, 2014.



Presiding Officer

Approved this 15th day of September, 2014.



Mayor

ATTEST:



City Clerk

AN ORDINANCE AMENDING SECTION ONE, 2, K, OF ORDINANCE NO. 737-C, TO PROVIDE FOR A ONE YEAR PERMIT FOR OUTDOOR DISPLAYS, BEGINNING AND ENDING DATES FOR THE ONE YEAR PERMIT, AND THE COST OF ISSUING THE ONE YEAR PERMIT

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CANTON, MISSOURI, as follows:

SECTION ONE. Section One. 2, k, of Ordinance No. 737-C amended. From and after the effective date of this ordinance Section One, 2, k, of Ordinance No. 737-C, shall be amended by adding thereto the following new subparagraphs which shall be and appear as follows:

“iv. The outdoor display permit is good for one year, or part thereof, from July 1 of the year of issue to June 30 of the following year. If the permit is issued after July 1 it shall expire June 30 of the following year.

v. The permit fee for each permit shall be \$25 which shall be the fee for one year or fraction of a year if the permit is issued after July 1. There shall be no proration of the permit fee for a permit issued after July 1 of the year of issue, expiring on June 30 of the following year.”


SECTION TWO. Remainder of Ordinance No. 737-C ratified and confirmed. All provisions of Ordinance No. 737-C not specifically amended by this ordinance are hereby ratified and confirmed and shall remain in full force and effect.

SECTION THREE. Prior inconsistent ordinances repealed. All prior ordinances or parts thereof in conflict with or inconsistent with the terms of this ordinance are hereby repealed.

SECTION FOUR. Severability. Each of the provisions of this ordinance are severable, and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.


SECTION FIVE. Effective date. This ordinance shall take effect from and after it has been made available to the general public by posting a copy thereof in the City Office, 106 North Fifth Street, Canton, Missouri, as provided by law, after it has been read by title two times before the Board of Aldermen of the City of Canton, Missouri, after it has been adopted by the Board of Aldermen of the City of Canton, Missouri, and approved by the Mayor of the City of Canton, Missouri.

Adopted this 17th day of February, 2015.



Presiding Officer

Approved this 17th day of February, 2015.



Mayor

City of Canton

106 North Fifth Street, Canton, MO 63435 Tel: 573.288.4413

OUTDOOR DISPLAY PERMIT

Prior to the start of an outdoor display, an application for an outdoor display permit must be submitted and approved by the Chief of Police of the City of Canton.

Property Address: _____

Name of Establishment: _____

Applicant(s) Name: _____

Telephone: _____ Email Address: _____

Items to be displayed (attach photos of proposed items also):

Gross Floor Area of Primary Building: _____ Outdoor Display Area: _____

Maximum Height of Display Items: _____ Date Range of Display: _____

Site Plan Attached

I have received a copy of the outdoor display ordinance

Requirements for processing outdoor display permit:

1. A plat drawn to scale indicated the exact locations and dimensions of the proposed outdoor display area in relation to property lines for the subject property.
2. The distance of the proposed outdoor display to the property line show in feet.
3. The location and dimension of all structures existing on the site, including the primary building and any accessory buildings.
4. Street lines, driveways, sidewalks, and walkways.
5. A written description of the general types of items to be displayed and the maximum height of the items.
6. The gross floor area of the primary building to which the outdoor display is to be accessory.
7. A list of dates or a range of dates for which the outdoor display is proposed.

Please review the attached ordinance for full regulations regarding outdoor displays. City ordinances are also available at showmecanton.com.

Permits will not be issued until compliance with Section 405.160 Subsection A, 2 of the ordinances of the City of Canton has been verified by the Chief of Police.

By signing below, I hereby certify that the application that I am submitting, including all additional required information, is complete and accurate to the best of my knowledge. I understand that any misstatement or omission of the requested information or of any subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper by the City of Canton.

Applicant: _____ Date: _____

Staff Use Only (Do not write below this line)

Reviewed by: _____ Date: _____

Approved Denied

Conditions of Approval:

Permit Fee: \$25 Paid: Y N (circle one)