

BILL NO. 2071

ORDINANCE NO. 1849

**A REQUEST TO AMEND PARAGRAPH 16, SECTION 1003.167 MISCELLANEOUS REGULATIONS OF THE CITY OF CHESTERFIELD ZONING ORDINANCE TO AUTHORIZE THE CHIEF OF POLICE TO ISSUE PERMITS FOR AMUSEMENT DEVICES AND ACTIVITIES (P.Z. 4-2002)**

**WHEREAS**, the City of Chesterfield Zoning Ordinance provides that the Director of Public Works is responsible for issuance of permits for amusement devices and activities; and,

**WHEREAS**, several of the issues involved in the issuance of said permits require consultation with the Chief of Police; and,

**WHEREAS**, the Chief of Police is responsible for issuance of several other permits to the public; and,

**WHEREAS**, the Department of Planning has recommended that issuance of permits for amusement devices and activities be consolidated under the authority of the Chief of Police; and,

**WHEREAS**, the Planning Commission concurs with the recommendation of the Department of Planning to approve this change; and,

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** The City of Chesterfield Zoning Ordinance is hereby amended and agrees to make necessary changes thereto, as set out in Attachment "A" which is attached hereto and made a part hereof.

**Section 2.** The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 4-2002, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on March 11, 2002, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

**Section 3.** This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

**Section 4.** This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 20<sup>th</sup> day of May, 2002

  
MAYOR

ATTEST:

DEPUTY   
CITY CLERK

## Attachment A

### Section 1003.167, Paragraph 16 of Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance to be amended as follows (amendment in bold):

*16. Amusement devices and activities; Christmas tree sales lots; sales yards.*

- (1) The ~~Director of Public Works~~ **Chief of Police** is authorized to issue a permit for the installation of amusement devices on a temporary basis within any zoning district, provided that said permit shall not be valid for more than ten (10) consecutive calendar days and further provided that no permit shall be valid without a license to operate. The ~~Director~~ **Chief** may, in regard to any given site, designate the hours and days of the week of operation and the specific location of the amusement devices on the property. No more than two (2) such permits shall be issued in any calendar year with regard to any particular property. For the purpose of this paragraph, "amusement device" includes those devices enumerated in Chapter 803 of the SLCRO and any similar device.
  
- (2) The ~~Director of Public Works~~ **Chief of Police** is authorized to issue a permit for the operation or conducting of an amusement activity on a temporary basis within any zoning district. ~~The Director of Public Works may request a report be submitted by the Chief of Police with respect to any traffic or public safety aspect of the proposal if appropriate.~~ For the purpose of this paragraph, "amusement activity" includes a circus, carnival, fair, turkey shoot, art display, trade or animal show, concert, dance, rally, parade, athletic competition and any similar activity not involving the erection of any permanent structure or facility. The permit shall be issued for a specific period of time not exceeding ten (10) days. The permit shall contain such conditions as are necessary for protection of public health, safety, and traffic, and the ~~Director of Public Works~~ **Chief of Police** may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. This permit is in addition to any building permit, air pollution device construction or operating permit, highway special use permit, or other permit or license required by law for any proposed activity or facility. No more than two (2) temporary amusement activity permits shall be issued in any calendar year with regard to any particular property; provided, however, that this limitation with respect to the number of temporary amusement activity permits shall not apply to public property, nor to property not held for private or corporate profit and used exclusively for religious worship, for schools and colleges, for purposes purely charitable, or for agricultural and horticultural societies. These provisions applicable to the period of time and the number of temporary

permits for turkey shoots that can be held shall not apply to turkey shoots conducted on all Saturdays and Sundays falling within the months of October, November, and December of each year.

- (3) The ~~Director of Public Works~~ **Chief of Police** is authorized to issue a permit to any not-for-profit organization for the installation of a Christmas tree sales lot on a temporary basis within any zoning district, provided that said permit shall be valid for no more than thirty-five (35) days prior to Christmas day and five (5) days after Christmas day. The permit shall contain such conditions as are necessary for protection of public health, safety, and traffic, and the ~~Director of Public Works~~ **Chief of Police** may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. The permit may include the installation of one temporary or portable sign not to exceed thirty (30) square feet in outline area. The location of the sign shall be as approved by the Director of Public Works.
  
- (4) The ~~Director of Public Works~~ **Chief of Police** is authorized to issue a permit to any church, school, or other not-for-profit organization for the establishment or conducting, on a temporary basis within any zoning district, a sales yard for the sale of items for charitable purposes. ~~The Director of Public Works may request a report be submitted by the Chief of Police with respect to any traffic or public safety aspect of the proposal, if appropriate.~~ For the purpose of this paragraph, "sale of items" includes such items as plants, pumpkins, barbeque, fish fry, and bake sale. The permit shall be issued for a specific period of time not exceeding fourteen (14) consecutive calendar days. The permit shall contain such conditions as are necessary for protection of public health, safety, and traffic; and the ~~Director of Public Works~~ **Chief of Police** may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. No more than four (4) such permits may be issued for any parcel of land in any calendar year.