

AN ORDINANCE AMENDING CHAPTER 21, SUBDIVISION REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI, AS FOLLOWS:

Section 1. Section 21-30, Easements, of the Code of Ordinances of the City of Warrensburg is amended to read as follows:

Section 21-30. Easements.

(a) On every plat, permanent utility easements dedicated to the City shall be provided, other than along streets, through each block to logically serve every future lot, tract or parcel. When utility easements cross streets they shall align for at least fifty (50) feet on either side of the street right of way. All utility easements shall be at least fifteen (15) feet wide or of greater width if necessary for proper installation of services. Utility easement requirements may be waived by the planning and zoning commission when alleys are provided for the placement of utility services.

(b) Any person, firm or entity causing property to be platted such that existing public utility facilities are not located within the newly platted public right of way or utility easements shall be responsible for all costs associated with relocating those facilities into newly platted utility easements or public right of way.

(c) Any public utility providing service within the City may file with the City facilities plans or other documents that demonstrate a need for public utility corridors other than those required by subsection (a) above, and the City may require the Developer to dedicate to the City such other utility easements as may be necessary to the orderly operation of public utility systems.

(d) All utility installations shall be made in compliance with the provisions of Article VIII of Chapter 20 of the Code of Ordinances. No public utility shall be forced to bear the cost of relocating its facilities from a corridor designated as a public utility easement in connection with public improvements so long as the facilities as originally installed were in compliance with the provisions of Article VIII of Chapter 20 at the time of installation. It shall be the sole responsibility of the utility to verify location within a public right of way or public utility easement. Nothing herein shall relieve a public utility of its duty to relocate facilities from public right of way when public improvements require such relocation.

Section 2. Section 21-101, Purpose, of the Code of Ordinances of the City of Warrensburg is amended to read as follows:

Section 21-101. Purpose.

(a) The platting of land is the first step in the process of community building. As open spaces become developed with homes and businesses the need for streets, utilities and community services becomes important to maintain the quality of urban living. Since the value of land increases in relation to the intensity of urbanization, it is realistic the developer provide the needed improvements for the area.

(b) All improvements shall be designed and installed within public easements or right of way according to the construction standards and specification of the applicable utility provider and the requirements of Chapter 20. When a utility company installs system improvements or distribution facilities which are required by law to be located at such distance from other utilities that placement in available public right of way or public easement is not possible, such improvements or facilities may be located in private easements acquired by the utility for that purpose.

Section 3. Section 21-110, Water lines and fire hydrants, of the Code of Ordinances of the City of Warrensburg is amended to read as follows:

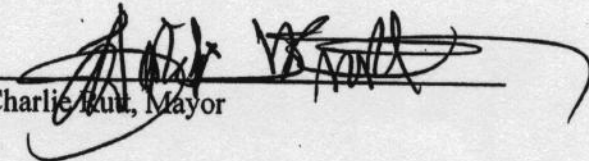
Section 21-110. Water lines and fire hydrants.

The developer shall install water lines and fire hydrants as depicted in the plat in accordance with the construction standards and specifications of the water utility and the requirements of Chapter 20, and shall bear the cost of relocating any existing facilities to accomplish this.

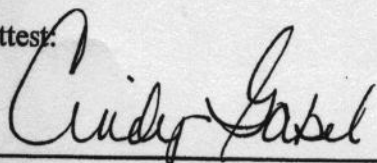
Section 4. It is intended that the provision of Sections One, Two and Three become a part of the Code of Ordinances of the City of Warrensburg and it may be renumbered to accomplish that purpose.

Section 5. This ordinance shall be in full force and effect from and after its passage.

Read two (2) times and passed by title this 10th day of April 2006.


Charlie Kunt, Mayor

Attest:


Cindy Gabel, City Clerk

