

AN ORDINANCE TO AMEND THE MUNICIPAL CODE RELATING TO CERTAIN SETBACK AND BUILDING PERMIT PROVISIONS

WHEREAS, the Board of Aldermen has deemed it appropriate to provide for rear yard setback exceptions for swimming pools under certain conditions, as well as certain building permit consideration criteria.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF EUREKA, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1:

A new Section 5-3.2(b) is hereby enacted which shall read as follows, and existing subsection 5-3.2(b) shall be renumbered as subsection 5-3.2(c):

(b) When a lot in a residential subdivision adjoins common ground, the Building Commissioner may vary or modify the rear yard setback to allow construction of a swimming pool upon application of the owner or his representative; provided public welfare and safety be assured, and the swimming pool shall be at least ten (10) feet from the rear property line.

SECTION 2:

Section 5-3.9(g) of the Municipal Code is hereby repealed in its entirety, and a new Section 5-3.9(g) is hereby enacted in lieu thereof which shall read as follows:

(g) *Action on Application.* The building official shall examine or cause to be examined all applications for permits and amendments thereto within reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent laws, he shall reject such application in writing, stating the reasons therefor. If he is satisfied that the proposed work conforms to the requirements of the codes and all laws and ordinances applicable thereto, he shall issue a permit therefor as soon as practicable. No permit shall be approved for any proposed work that creates a safety hazard, interferes with storm water flow, or that projects over an easement, existing utility, water main or sewer main.

SECTION 3:

All ordinances, parts of ordinances or provisions of the Municipal Code of the City of Eureka in conflict with any provisions of this ordinance are hereby repealed.

SECTION 4:

This ordinance shall be in full force and effect from and after its date of passage and approval.

PASSED AND APPROVED THIS 4TH DAY OF FEBRUARY, 2020.

(Original with signature on file)

Sean M. Flower, Mayor

ATTEST:

(Original with signature on file)

Julie Wood, City Clerk