



**AGENDA  
CITY OF HARRISONVILLE  
COMMUNITY DEVELOPMENT COMMITTEE  
REGULAR MEETING  
CITY HALL  
JULY 18, 2017  
6:00 PM**

**I. Attendance**

- 1. Present**

**II. Approval of Minutes**

- 1. Community Development Committee - Regular Meeting - Jun 20, 2017 6:00 PM**

**III. Agenda**

**IV. Discussion**

**V. Adjourn**

**VI. Action Items**

- 1. Chapter 430 Revisions**

**Posted on City Hall Bulletin Board this 17th day of July**

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**Randall K. Jones, City Clerk**



**DRAFT**  
**MINUTES**  
**CITY OF HARRISONVILLE**  
**COMMUNITY DEVELOPMENT COMMITTEE**  
**REGULAR MEETING**  
**CITY HALL**  
**JUNE 20, 2017**  
**6:00 PM**

**I. Attendance**

Attendee Name	Organization	Title	Status	Arrived
David Dickerson	Harrisonville	Member	Present	
Matt Turner	Harrisonville	Member	Present	
Brian Hasek	Harrisonville	Chair	Present	
Clint Long	Harrisonville	Member	Late	6:17 PM
Brad Bockelman	Harrisonville	Member	Present	

*Also in attendance: City Administrator Happy Welch, Community Development Manager Jim Clarke, Utility/Community Development Clerk Jamie Martin Recording. Meeting called to order by Mayor Hasek at 6:03PM.*

**II. Approval of Minutes**

**1. Community Development Committee - Regular Meeting - May 16, 2017 6:00 PM**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	David Dickerson, Member
<b>SECONDER:</b>	Matt Turner, Member
<b>AYES:</b>	Dickerson, Turner, Hasek, Long, Bockelman

**III. Agenda**

**A. Action Items**

**1. Muni Code Changes - Sec. 500/700**

*Changes to Municipal Code that pertain to construction*

*Consider removing Section 505.040. It is not defined as to what's required and the building code has specifications when to require Fire Warning Systems. This section was adopted in 1977 and amended in 1982. Building Official and Fire Chief are in agreement with this item.*

Consider amending Section 500.020 (5) Temporary Certificate of Occupancy. The amount required to post escrow can be excessive and this should be brought into line with what's in the building code. We could include the first TCO as part of the building permit fee, but a second TCO could include a charge of \$500.00. Not completing items (outside of landscaping when it's winter time, for example) would cause the structure to be red tagged and not occupied. Building Official is in agreement on this item.

Consider removing Section 500.020 (7) This revision increases allowances not allowed by the building code and conflict with the safety aspects of the code. Building Official and Fire Chief are in agreement on this item.

Consider removing Section 500.020 (9) This does not follow the adopted code and amending could cause problems in the future if there is a problem. Building Official and Fire Chief are in agreement on this item.

Consider removing Section 500.080 (11) This section is in conflict of State Statute. We must revise to include state language from old code which covers fire wall separation of 2 hours for townhomes.

Consider removing Section 700.210 (C) There is no need to require 15 feet of copper water line. The electric ground is required to be in the footing with a connection to the meter panel and a ground rod can be used as a secondary. The water line is not considered the primary electrode conductor any more by the code.

<b>RESULT:</b>	<b>RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]</b>
<b>MOVER:</b>	David Dickerson, Member
<b>SECONDER:</b>	Clint Long, Member
<b>AYES:</b>	Dickerson, Turner, Hasek, Long, Bockelman

**IV. Discussion**

NONE

**V. Adjourn**

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Brian Hasek, Mayor & Ex-Officio  
Chairman of the Board of Aldermen

ATTEST:

Minutes Acceptance: Minutes of Jun 20, 2017 6:00 PM (Approval of Minutes)

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Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Jun 20, 2017 6:00 PM (Approval of Minutes)



## STAFF REPORT

**TO:** Community Development Committee  
**FROM:** Happy Welch, City Administrator  
**DATE:** July 12, 2017  
**SUBJECT:** Chapter 430 Revisions

**Type of Item:** *Approval*

After working with Chapter 430 it was found that some revisions needed to be made that would clarify sections of the Chapter, add necessary requirements for developers, improve the timetable for submittal and public hearing, and clarify the language better.

This has been revised by the city attorney, and reviewed and approved by the city administrator and community/economic development director.

**1. Action Item (ID # 2573)**

Chapter 430 Revisions

Attachments:

Chapter 430 - Harrisonville Code 2017 redline suggested amendments JF.revJC (PDF)

## **Chapter 430. Urban Redevelopment Regulations**

### **Section 430.040. Procedural Requirements.**

[Ord. No. 2764 §1(140.040), 4-1-2002]

- A. *Submission Of Application.* Three (3) applications for approval of a development plan pursuant to the provisions of this Chapter and Chapter 353, RSMo., shall be filed by the Redevelopment eCorporation (a.k.a. the “urban redevelopment corporation”) at the office of the City Clerk. Additional copies may be requested as necessary to allow adequate review. Concurrent with such filing, the applicant shall file an application for rezoning to the appropriate land use district in accordance with the requirements of the zoning regulations of the City of Harrisonville (a.k.a the “City”) if the current zoning of the proposed development project is incompatible with the proposed development plan.
- B. *Contents Of Application.* An application for approval of a development plan shall contain the following supporting information:
  1. A development plan of the property which shall include the following information:
    - a. A legal description of each parcel of land included in the proposed redevelopment area and a legal description of all property proposed to be acquired by eminent domain and a statement outlining the reasons why eminent domain is requested.
    - b. A proposed phasing or staging plan for the development project, if more than one (1) phase or stage is intended, and the time schedule for acquisition, commencement and completion of each phase or stage.
    - c. Existing structures to be demolished, retained and renovated and the time schedule for each.
    - d. Proposed new construction including, but not limited to, type of building (i.e., residential, commercial, industrial, office building heights, square footage, parking space).
    - e. Public improvements proposed with the development plan, including any proposed changes in existing public facilities, including, but not limited to, streets, sidewalks and utilities.
    - f. Amenities proposed to be included with the development.
    - g. Necessary zoning changes.
  2. A blight study prepared in accordance with the requirements of Section 430.060 of this Chapter.

3. A relocation plan in accordance with the requirements of Section [430.070](#) of this Chapter.
4. Appraisals of all parcels of property proposed for acquisition in accordance with the requirements of Section [430.080](#) of this Chapter.
5. An affidavit from the [Redevelopment eCorporation](#) certifying financial capability of the redevelopment corporation to complete the [development](#) project as proposed in accordance with the requirements of Section [430.100](#). In addition, a [qualified market study shall be performed by a qualified company and customized for the Harrisonville market study](#) demonstrating the financial and market feasibility of the proposed new development project.
6. A study analyzing post [development](#) project tax impact versus current tax levels to fully justify the tax abatement as economically essential to the proposed [development](#) project and assessing the impact of abatement on all taxing jurisdictions. This document shall also be provided as the basis for determining any in-lieu-of tax payments to be made by the [Redevelopment eCorporation](#) during the period of abatement. A statement from the applicant indicating a willingness to make payments in lieu of taxes as necessary. Submittal of copies of return receipts indicating notice has been given to all taxing jurisdictions in accordance with the requirements of Section [430.090](#) herein.
7. A provision for the disposition of surplus earnings of the [Redevelopment eCorporation](#) as provided in Chapter 353, RSMo.
8. Identification, including background and experience of the individuals who will be responsible for the management of the development plan and the development therein.
9. Certificate of Incorporation of the Redevelopment Corporation, including a certified copy of the articles of incorporation, names and addresses of the officers, directors and registered agent, [and any owner, partner, member or shareholder having more than five percent \(5%\) ownership in the Redevelopment Corporation.](#)
10. A statement that each person or entity having a property interest of record (including any interest which is a security interest or any leasehold interest of record) and each occupant or resident in the project area has been given written notice of the filing of the development plan by depositing such notice in the regular United States mail, postage prepaid, addressed to such person or entity having a property interest of record at the address indicated in the records of the Recorder's office of Cass County in which the property is located and addressed to each occupant at the address of such occupant in the project area.

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11. A deposit of five hundred dollars (\$500.00) plus one hundred dollars (\$100.00) per individual tract of ground included in the proposed redevelopment. The applicant shall also pay in advance to the City of Harrisonville a deposit and such additional sums necessary to cover costs for the City to engage independent professional services to assist in the review of the application, to conduct an analysis of the impact on City Services, financial and market feasibility, the financial capability of the Redevelopment Corporation to complete the development project, and the review of the ownership and management of the Redevelopment Corporation (“Professional Review”). ~~to a maximum of one thousand five hundred dollars (\$1,500.00) which shall be used to cover costs associated with the review of the application.~~
12. Any additional information from time to time which is deemed necessary.

C. *Review Process.*

1. *Filing application and review.* Upon receipt of the application, the City Clerk shall refer the application to the City Administrator and City Attorney for a determination that all required information has been submitted. A public hearing on said application shall be scheduled at the direction of the Mayor before the Board of Aldermen no later than ~~sixty-ninety~~ (690) days after determining the application and the Professional Review is/are complete (the “Public Hearing”).
2. Initial Development Plan Review. After the application and the Professional Review are complete, and prior to submittal to the Board, the development plan, at the discretion of the Mayor, may be reviewed by the Mayor, City Administrator, Community Development Director, and City Attorney, who may require the developer or Redevelopment Corporation to provide additional information. Such information must be provided to the City by the developer and Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City. The Mayor may also create a committee of the Board to have an initial hearing on the development plan, which may determine that additional information should be provided by the developer or Redevelopment Corporation prior to the scheduling of the Public Hearing, and the date of such Public Hearing may be postponed until such additional information requested is provided to the City.
2. *Public notice.* A notice of said ~~p~~Public ~~h~~Hearing shall be published in a newspaper having a general circulation in the City of Harrisonville providing no less than fifteen (15) days' notice of the time and place of hearing before the Board of Aldermen. Applicant shall be required to give notice by mail to all property owners and occupants in the redevelopment area, to the taxpayers listed on the County tax rolls for any hearings before the Board of Aldermen no less than thirty (30) days before the date of the hearing. Applicant shall be notified in sufficient time of the date of the public hearing to give the mailed noticed required herein to the property owners and occupants in the redevelopment area. Evidence of mailing of notices for each and every public hearing shall be given to the City, and should the applicant fail to provide



the evidence of mailing of notices, the Public Hearing shall be postponed until such time as the applicant provides satisfactory evidence of mailing of notices.

3. *Board of Aldermen.* The Board of Aldermen shall have the following duties and responsibilities:
  - a. A development plan shall not be recommended for approval by the Board of Aldermen until and unless the Board makes the following determinations:
    - (1) *Necessity.* That the area within which the redevelopment is to be made is blighted and that redevelopment in accordance with this development plan is necessary or advisable to effectuate the purposes declared in Section 430.010 of this Chapter.
    - (2) *Compliance with the Comprehensive Plan.* That the development complies with the Comprehensive Plan of the City.
    - (3) *Sufficient size.* That the area is of sufficient size to allow its redevelopment in an efficient and economically satisfactory manner.
    - (4) *Stages of plan.* That the various stages, if any, by which the redevelopment is proposed to be constructed or undertaken as stated in the development plan are practical and in the public interest.
    - (5) *Public facilities.* That public facilities, including, but not limited to, school, fire, water, sewer, Police, transportation, park, playground or recreation, are presently adequate, or will be adequate at the time that the redevelopment is ready for use, to service the area and if additional public facilities are deemed necessary, the [Redevelopment eCorporation](#) is required to build all public improvements to support the proposed development.
    - (6) *Zoning, street changes.* That the proposed changes, if any, in the case of the zoning ordinance or map have been approved by the Planning and Zoning Commission and in streets or street levels or any proposed street closings, are necessary or desirable for the redevelopment and its protection against blighting influences and for the City as a whole.
    - (7) *Financial capability.* Evidence of existing financial capability to complete the project and provision for the continuing availability of funding in accordance with the requirements of Section 430.100 of this Chapter.
    - (8) *Relocation plan.* That the relocation plan submitted with the application complies with the requirements of Section 430.070 of this Chapter.

- (9) Notice to taxing authorities. That proper notice has been given to all taxing jurisdictions as required in Section 430.090(A) of this Chapter.
  - (10) Payments in lieu of taxes. Approve and authorize execution of any agreement between the City and the applicant regarding payments in lieu of taxes.
  - (11) That the area included within a development plan is a blighted area and that the clearance, redevelopment, replanning, rehabilitation or reconstruction thereof is necessary for the public convenience and necessity
  - (12) That if a [Redevelopment eCorporation](#) or [developer](#) seeks to acquire all or any part of the real property within a blighted area by exercise of the power of eminent domain, such acquisition is for the public convenience and necessity.
  - (13) That approval of the development plan and construction of the redevelopment project are necessary for the preservation of the public health, safety and general welfare.
- b. Upon making the findings and the declaration required, the Board of Aldermen shall consider an ordinance approving the development plan. If the Board of Aldermen approves the ordinance, the Board of Aldermen shall authorize the Mayor to enter into a contract with the [Redevelopment eCorporation](#) on behalf of the City ([the "Contract"](#)), such [eContract](#) to contain, among other provisions, the provisions as embodied in the plan, the approving ordinance, a provision that the applicable provisions of this Chapter shall be incorporated by reference into such [eContract](#), a provision outlining any required payments in lieu of taxes, a provision pertaining to non-compliance remedy of breach of contract as more particularly stated in Section 430.130 and a provision that the terms, conditions or provisions of the [eContract](#) can be neither modified nor eliminated except by mutual agreement between the City and the [Redevelopment eCorporation](#); provided however, that no such [eContract](#) shall be construed as an enlargement of the authority conferred upon the City by Chapter 353, RSMo. [The City at its discretion may require the Redevelopment Corporation or developer to advance such sums necessary to for the City to engage an independent attorney to draft and negotiate the terms of the Contract.](#)

### **Section 430.050. Plan Implementation.**

[Ord. No. 2764 §1(140.050), 4-1-2002]

- A. *Certification Of Public Convenience And Necessity For Corporation To Acquire Property By Eminent Domain.* If the [Redevelopment eCorporation](#) proposing a development plan

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seeks to acquire all or any part of the real property described in the development plan by eminent domain, the Board of Aldermen shall, by the ordinance approving such plan, determine that the public convenience and necessity will be served by the development plan and the redevelopment project and shall grant to such a [Redevelopment eCorporation](#) a certificate of public convenience and necessity authorizing and empowering such [Redevelopment eCorporation](#) to acquire by the exercise of eminent domain such real property in fee simple or other estate; provided that such real property shall be devoted to the purposes and uses described in the development plan. The [Redevelopment eCorporation](#) may thereafter exercise the power of eminent domain in the manner provided for corporations in Revised Statutes of Missouri or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provision. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to the City or to the State or any other political subdivision thereof may be acquired without its consent.

B. *Commission To Check Compliance, Make Reports, Adopt Rules And Regulations.*

1. Investigation and reports. It shall be the duty of the City Administrator, after a development plan has been approved by the Board of Aldermen, to investigate and report to the Board of Aldermen semi-annually during construction of the redevelopment project whether the [Redevelopment eCorporation](#) is fully complying with the approved development plan, [the Contract](#) and this Chapter.
2. Compliance with time schedule. The [Redevelopment eCorporation](#) shall comply with the time schedule or staging plan approved with the development plan, including the time schedule for acquisition, commencement and completion of each phase or stage. Upon application for an extension of time by the [Redevelopment Corporation eCorporation](#), the Board of Aldermen, if deemed in the public interest, may with a three-fourths (¾) majority vote grant to the [Redevelopment Corporation eCorporation](#) operating under an approved development plan an extension of time in which to complete the development plan or any approved phase or stage. In the event an extension is denied and the [Redevelopment Corporation eCorporation](#) cannot comply with the required time schedule, an ordinance to repeal the ordinance approving the development plan shall be considered.
3. Recommendation of certification. When a [Redevelopment Corporation eCorporation](#) operating under an approved development plan has completed the redevelopment project in accordance with the provisions of the development plan, the City Administrator, upon the written request of such [Redevelopment Corporation eCorporation](#), shall conduct an investigation and if the City Administrator determines that the project has been completed, the City Administrator shall recommend to the Board of Aldermen that a certificate of full compliance be issued to the [Redevelopment Corporation eCorporation](#) for each stage and the Board of Aldermen may authorize the City Administrator to issue a certificate of compliance which shall be conclusive evidence of compliance.

C. *Reports Required By Corporations.*

1. Every ~~Redevelopment Corporation corporation~~ shall render annually to the City Clerk during the period of tax relief provided in Section 430.090 a financial report for the preceding year, verified under oath by the ~~Redevelopment Corporation's corporation's~~ certified public accountant, which report shall disclose the earnings of the ~~Redevelopment Corporation corporation~~ and the disposition of any net earnings in excess of those provided for under Section 430.100 and the interest rate on income debenture bonds, notes or other evidence of debt of the ~~Redevelopment Corporation corporation~~, thereupon, the City Clerk shall forward the report to the City Administrator for review. Such financial reports shall be submitted not more than ninety (90) days after the ~~Redevelopment Corporation's corporation's~~ fiscal year end as specified in the application for approval of a development plan.
2. The ~~Redevelopment Corporation corporation~~ shall annually file with the City Clerk a certified financial statement indicating compliance with Section 430.100 of this Chapter.
3. The ~~Redevelopment Corporation corporation~~ shall report annually progress on property acquisition and the occupants displaced by the ~~Redevelopment Corporation corporation~~ by name and address and specify the relocation benefits provided to each occupant.

**Section 430.060. Supporting Evidence of Blight.**

[Ord. No. 2764 §1(140.060), 4-1-2002]

Any application for approval of a development plan shall be supported by factual evidence that the area is a blighted area as defined by Chapter 353, RSMo. Evidence must be complete prior to any Public Hearing to allow the Board to make a finding of blight as required by Statute and this Chapter.

**Section 430.070. Relocation Plan.**

[Ord. No. 2764 §1(140.070), 4-1-2002]

- A. General. Every ~~Redevelopment Corporation corporation~~ which requests the power of eminent domain for any part of the project area shall submit a relocation plan as part of the development plan.
- B. Contents Of Plan. The relocation plan shall outline specific requirements and procedures for handling displacement in each of the following instances: owner-occupied residential units, renter-occupied residential units, owner-occupied businesses, renter-occupied businesses or any combination of the above.
- C. Relocation Payments. Payments shall be made to all displaced occupants, except those occupants who have agreed to waive their relocation benefits for payments made for the

purpose of real property or other mutually agreeable settlement. A displaced occupant who lives on a business property shall be eligible for both a payment as a dwelling occupant and a payment with respect to the business operation.

- D. Review Of The Relocation Plan. In reviewing any plan proposed, the City retains the right to determine the adequacy of the proposal and, if appropriate, require additional elements to be provided therein.
- E. Reporting Requirements. The [Redevelopment Corporation](#) shall submit to the City Clerk a relocation progress report on an annual basis during the entire relocation process and until such time as the Board of Aldermen certifies that all relocation needs have been met. Such progress report shall demonstrate and document compliance with the approved relocation plan. The report shall be certified by affidavit of a corporate officer.

### **Section 430.080. Acquisition of Real Property.**

[Ord. No. 2764 §1(140.080), 4-1-2002]

- A. General. At the time of filing a development plan which provides for the acquisition of property by eminent domain, the [Redevelopment Corporation](#) shall certify that, as a condition of approval of the plan, it shall make every reasonable effort and good faith attempt to acquire the real property expeditiously by negotiation and ensure that owners of real property to be acquired are treated fairly and consistently. Further, the [Redevelopment Corporation](#) shall submit a property acquisition schedule on a parcel-by-parcel basis for the development area.
- B. Appraisal. The [Redevelopment Corporation's](#) appraisal of "fair market value" shall be based upon nationally recognized appraisal standards and techniques consistent with the concepts of value and the rules on the admissibility of evidence of value under the eminent domain law of the State of Missouri. The owner shall be notified, in writing, of all appraisals and be extended the opportunity to accompany the appraiser on their inspection.
- C. Offer Of Just Compensation. Promptly after establishment of just compensation the [Redevelopment Corporation](#) shall transmit a written purchase offer with a copy of the approved appraisal to the owner and furnish the City with proof such offer was received. The [Redevelopment Corporation](#) shall make every reasonable effort to meet with the owner or their representative to discuss the basis for the determination of just compensation and attempt to arrive at a negotiated purchase price. Should such negotiations continue for a period greater than ninety (90) days, either the owner or the [Redevelopment Corporation](#) may elect to proceed with eminent domain proceedings.
- D. Mandatory Purchase By Corporation. Upon **arrival-submittal** of the development plan or at any time thereafter during the life of the project, any property owner wishing to sell their property and relocate immediately may notify the [Redevelopment Corporation](#) of such in writing. Upon receipt of the request, the [Redevelopment Corporation](#)

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shall in good faith attempt to purchase by negotiation said property subject to eminent domain. If a sale of the property cannot be consummated within ninety (90) days, the corporation shall proceed forthwith to file a proceeding in condemnation.

### **Section 430.090. Tax Relief For Redevelopment Corporations.**

[Ord. No. 2764 §1(140.090), 4-1-2002]

- A. Notice To Taxing Authority. In addition to the notification requirements of Section 430.040, written notice shall be given by the [Redevelopment Corporation](#) ~~corporation~~ to all taxing authorities within the area that is the subject of the development plan. A separate notice shall be given prior to the filing of the development plan and the ~~Public Hearing~~ before the Board of Aldermen. Certification of notice shall be provided to the City Clerk at the time of filing the development plan and to the Board of Aldermen prior to the hearings before each body.
- B. Full Exemption. Once the requirements of this Section have been complied with, the real property of urban redevelopment corporations acquired pursuant to this Chapter ~~shall may~~ be subject to full exemption of taxes for a period of up to ten (10) years as provided by Chapter 353, RSMo. and pursuant to the Contract with the City.
- C. Property Already Exempt. In the event, however, that any such real property was tax exempt immediately prior to ownership by any urban redevelopment corporation, the County Assessor shall assess the property as provided by Chapter 353, RSMo.
- D. Partial Exemption. For the next ensuing period not in excess of fifteen (15) years, ad valorem taxes upon such real property shall be measured as provided by Chapter 353, RSMo. and pursuant to the Contract with the City.
- E. Full Assessment. After a period totaling not more than twenty-five (25) years, such real property shall be subject to assessment and payment of all ad valorem taxes as provided by Chapter 353, RSMo.
- F. Tax Agreements By Corporations. In the course of considering any development plan for approval, the Board of Aldermen shall consider any agreement, in writing, on behalf of the [Redevelopment Corporation](#) ~~corporation~~ presenting such plan that, notwithstanding the provisions of the Missouri Redevelopment Corporations Law, it will make payments in lieu of real property taxes to the appropriate taxing bodies in such amount which, together with the real property taxes to be paid on the land for the first ten (10) years, shall, as a minimum, equal the total real property taxes on the land and improvements during the tax year immediately preceding purchase of the property by the corporation; however, such sum may actually in fact exceed the current level of taxes.

### **Section 430.100. Financial Restrictions On Corporation.**

[Ord. No. 2764 §1(140.100), 4-1-2002]

*Financial Capability.* Proof of financial capability to complete the project shall include a description of the method by which the developer proposes to obtain the financing necessary to complete the project and the developer's proposed equity interest in the project. Further, this information shall be related to the market feasibility and proposed tax abatement to allow analysis of the project's financial feasibility.

### **Section 430.110. Prerequisites To Amendment of An Approved Development Plan.**

[Ord. No. 2764 §1(140.110), 4-1-2002]

The Board of Aldermen shall review any amendment to a development plan previously approved by ordinance. No such amendment shall be reviewed and no action shall be taken by the Board of Aldermen, unless and until an application for amendment has been filed with the City Clerk by the [Redevelopment Corporation](#) or its assignee containing those portions of the statements and information required by Section [430.040](#) of this Chapter relevant to the proposed amendment and unless and until the Board of Aldermen shall make the determinations required by Section [430.040](#) relevant to the proposed amendment. The notice requirements of Section [430.040](#) shall also apply.

### **Section 430.120 Disposal of Property.**

[Ord. No. 2764 §1(140.120), 4-1-2002]

Any urban redevelopment corporation may sell or otherwise dispose of any or all of the real property acquired by it for the purposes of a redevelopment project as provided by Chapter 353, RSMo.

### **Section 430.130 Remedies For Failure To Follow Plan or Breach of Contract.**

[Ord. No. 2764 §1(140.130), 4-1-2002]

Whenever any person or [Redevelopment Corporation](#) or its grantee or assignees operating under an approved development plan does not substantially comply with the development plan or with any contract entered into pursuant to the regulations contained herein, then such non-compliance shall immediately be certified by the Board of Aldermen which shall direct the City Administrator to notify said [Redevelopment Corporation](#), its successors, grantees and assignees who is the then current responsible party to the [Contract with the City](#) by certified mail to the last known address that it has been found in non-compliance and giving thirty (30) days' notice to correct said non-compliance. The thirty (30) day period shall begin on the date notice is posted. If the non-

compliance has not been remedied within the thirty (30) day period, the Board of Aldermen may authorize an attorney to commence a proceeding in the Circuit Court in the name of the City to have such action, failure or omission or threatened action or omission stopped, prevented or rectified by injunction or otherwise or bring an action for damages, including punitive damages against the ~~Urban Redevelopment Corporation~~ for breach of any of the provisions of the redevelopment plan; provided that in the event that the Board of Aldermen determines that ~~the Redevelopment Corporation~~ has abandoned construction before completion of the project in accordance with the terms of an approved development plan, a declaration of abandonment shall be filed with the Recorder's office in the appropriate County and the real property thereafter included in the plan shall be subject that date to assessment and payment of all ad valorem taxes based on the true value of such real property.

### **Section 430.140 Amendments To Chapter.**

[Ord. No. 2764 §1(140.140), 4-1-2002]

- A. Amendments to this Chapter shall be approved by the Board of Aldermen. At such time as an amendment is recommended, it shall be scheduled for public hearings before the Board of Aldermen with fifteen (15) days' notice of the date, time and place of each hearing published in a newspaper having a general circulation of the City of Harrisonville.
- B. The Board of Aldermen shall hold a public hearing regarding the proposed amendment. Upon considering the evidence presented in the public hearing, the Board of Aldermen may either continue, for good cause, its action upon such an amendment to a date specific or approve or deny such amendment. Approval of the amendment shall be by ordinance.