

SECTION

27

MISCELLANEOUS

Sections:

- 27-1 Interpretation and Conflict
- 27-2 Validity
- 27-3 Repeal of Existing Regulations and Accrued Rights and Liabilities
- 27-4 Penalties for Violations; Actions for Enforcement

Section 27-1. Interpretation and Conflict

27-1.01 In interpreting and applying the provisions of these zoning regulations, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by these zoning regulations to interfere with or abrogate or annul any easements, covenants or other agreement between parties, provided, however, that where these zoning regulations impose a greater restriction upon the use of buildings or premises or upon height of buildings, or require larger open spaces than are imposed or required by other rules, regulations or by easements, covenants or agreements, the provision of these zoning regulations shall govern.

27-1.02 The Director of Community Development shall determine, in cases of uncertainty, the classifications of any use not specifically enumerated in this Ordinance.

Section 27-2. Validity

27-2.01 Should any section, clause or provision of these regulations be declared invalid or unconstitutional by any court of competent jurisdiction, the same shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

Section 27-3. Repeal of Existing Regulations and Accrued Rights and Liabilities

27-3.01 The adoption of these regulations repeals the existing zoning regulations of Raytown.

27-3.02 Despite the repeal of regulations existing at the time of adoption of these regulations and provided in Section 27 herein, nothing contained in these regulations shall affect any rights accrued or liabilities incurred under said previously existing regulations.

Section 27-4. Penalties for Violations; Actions for Enforcement

27-4.01 Any violation of any provision of these zoning regulations shall be deemed to be a misdemeanor and punishable by a fine of not to exceed one hundred dollars (\$100.00) for each offense, and each day's violation shall constitute a separate offense. If the offense be deemed willful in nature by a court, the violation shall be deemed to be a misdemeanor punishable by imprisonment for ten (10) days for each offense and a fine not to exceed two hundred and fifty dollars (\$250.00). Each day's willful violation shall constitute a separate offense. Any such person, who, having been served with an order to remove any such violation, shall fail to comply with said order within ten (10) days after such service, or shall continue to violate any provisions of the regulations made under authority of this Ordinance in the respect named in such order, shall also be subject to a civil penalty of two hundred and fifty dollars (\$250.00).

27-4.02 The Board of Aldermen or any person, the value or use of whose property is or may be affected by such violation, shall have the authority to maintain suits or actions in any court of competent jurisdiction to enforce these zoning regulations, and to abate nuisances maintained in violation thereof.

27-4.03 Whenever any building or structure is or is proposed to be erected, constructed, altered, converted or maintained or any building, structure or land is or is proposed to be used in violation of any zoning regulations, the Board of Aldermen, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use or to correct or abate such violation or to prevent the occupancy of such building or land.

27-4.04 Special technical costs incurred on the part of the City as necessary and reasonable to prove any violation concerning noise, smoke and particulate matter, vibration, toxic and noxious matter, odorous matter, fire and explosive hazards, glare and heat, shall be assessed against the property owner as an additional penalty for the violation of any such provisions of this Ordinance.

