

FIRST REGULAR SESSION

# HOUSE BILL NO. 498

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WALLINGFORD (Sponsor), LICHTENEGGER, HODGES,  
WRIGHT AND BRANDOM (Co-sponsors).

1377L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 89.145, RSMo, relating to peripheral zoning.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 89.145, RSMo, is repealed.

2 [89.145. 1. Any constitutional charter city having a population of more  
3 than thirty-five thousand inhabitants, located in any county of the first class not  
4 having a charter form of government or in any county of the second class, may,  
5 by ordinance, adopt and enforce any and all regulations governing zoning,  
6 planning, subdivision and building within all unincorporated area extending up  
7 to two miles outward from the corporate limits of the city if the city has a zoning  
8 commission and a board of adjustment established pursuant to sections 89.010  
9 to 89.140. When authorized by ordinance, the zoning commission and the board  
10 of adjustment of the city shall have the same powers within the above county as  
11 they have within the corporate limits of the city.

12 2. The ordinances, before passage, must be approved by order of a  
13 majority of the county commission of the county in which the city is located and  
14 the ordinances shall not be more, but may be less, restrictive than the ordinances  
15 governing zoning, planning, subdivision and building within the corporate limits  
16 of the city. Before the approval of the ordinance, the county commission shall  
17 hold at least one public hearing thereon, fourteen days' notice of the time and  
18 place of which shall be published in at least one newspaper having general  
19 circulation within the county; the notice of such hearing shall also be posted at  
20 least fourteen days in advance thereof in one or more public areas of the  
courthouse of the county. Such hearing may be adjourned from time to time.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

21                   3. In the event the county in which such city is located creates a county  
22                   planning commission and the planning commission adopts an official master plan  
23                   for the unincorporated areas of the county in accordance with the authority  
24                   granted by sections 64.211 to 64.295 or by sections 64.510 to 64.690, the  
25                   authority granted such constitutional charter city under the terms of this section  
26                   shall terminate.]

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