

BILL NO. 22-219

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT MISSOURI, CHAPTER 16, LEE'S SUMMIT PROPERTY MAINTENANCE CODE, BY ADOPTING REGULATIONS PERTAINING TO OUTDOOR STORAGE OF ITEMS ON PRIVATE PROPERTY.

WHEREAS, Chapter 16 of the Code of Ordinances of the City of Lee's Summit ("Code") regulates property maintenance within Lee's Summit; and,

WHEREAS, there has been ambiguity related to the outdoor storage of items on private property within the City of Lee's Summit; and,

WHEREAS, staff has written language to clarify the location and quantity of outdoor storage on private property and added these regulations to Chapter 16, Property Maintenance Code of the Code of Ordinances of the City of Lee's Summit; and,

WHEREAS, that the City Council finds such regulations, as set forth below, to be in the best interests of the City of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 16 of the Code of Ordinances for the City of Lee's Summit, Missouri, is hereby amended by the addition of a new Section within Article II – General Requirements to read as follows:

**Sec. 16-110 – International Property Maintenance Code amended;
Section 202 General Definitions**

Section 202 General Definitions is hereby amended to add the following section:

Outdoor Storage. The keeping in an unroofed, open area of any goods, junk, material, merchandise for more than 24 hours.

Sec. 16-204. - International Property Maintenance Code amended; Section 302 Exterior property areas.

Section 302 Exterior Property Areas is hereby amended to add the following section: 302.12 Exterior Storage:

302.12 Exterior Storage. Except as specifically permitted by this section or any other city code (UDO), exterior storage is not allowed.

All outdoor storage in residential zoned districts shall also be subject to the following provisions.

1. *Outdoor Storage* of items shall be within the back or side yard.

Exception: Firewood and containers designed for exterior storage as designated in 302.12.3 may also be stored in the front.

2. Firewood shall be neatly stacked and free from insect and vermin.
3. *Outdoor Storage* of items shall be substantially screened from view from any adjacent property and ROW by an opaque wall or fence. The screen shall have a height greater than or equal to the items stored. When approved by the Code Official mature landscape material may be substituted in place of an opaque wall or fence.

Exception: Containers that incorporate screening as a component of their design and constructed and intended for exterior use.

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- 4. *Outdoor Storage* related to a home-based business shall be prohibited, unless such storage relates to a no-impact home based business as defined in Section 71.990, RSMo.
- 5. The *Outdoor Storage* areas shall be limited to no more than 20% of back yard and side yard areas excluding the footprint of any buildings or structures, unless such storage relates to a no-impact home based business as defined in Section 71.990, RSMo.

SECTION 2. That it is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

SECTION 3. That if any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Penalty Clause. Any person found guilty of violating this ordinance shall be penalized in accordance with Section 1-13 A. of the Municipal Code of the City of Lee's Summit.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*