

FIRST REGULAR SESSION

HOUSE BILL NO. 244

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER, COOPER (120),
RECTOR AND DAVIS (122) (Co-sponsors).

Read 1st time January 22, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1087L.011

AN ACT

To repeal section 64.905, RSMo, and to enact in lieu thereof one new section relating to county planning and zoning ordinances.

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

Section A. Section 64.905, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 64.905, to read as follows:

64.905. 1. The provisions of sections 64.800 to [64.905] **64.906** are established as an alternative to [the provisions of] sections 64.510 to [64.690] **64.727** for counties of the second and third classifications, and as an alternative to [the provisions of] sections 64.211 to 64.295 for counties of the first classification not having a charter form of government.

2. Except as provided in [subsections 4 and 5] **subsection 4** of this section, if the voters of any county of the second or third classification adopt county planning or zoning pursuant to [the provisions of] sections 64.800 to [64.905] **64.906** after having previously adopted county planning or zoning pursuant to [the provisions of] sections 64.510 to [64.690] **64.727**, the provisions of sections 64.800 to [64.905] **64.906** shall be effective in the county, and the county planning or zoning shall be conducted thereafter as provided in sections 64.800 to [64.905] **64.906** rather than as provided in sections 64.510 to [64.690] **64.727**.

3. Except as provided in [subsections 4 and 5] **subsection 4** of this section, any county of the second classification which adopts county planning or zoning pursuant to [the provisions of] sections [64.800 to 64.905 or 64.510 to 64.690 prior to] **64.510 to 64.727 or 64.800 to 64.906 before** becoming a county of the first classification [not having a charter form of

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.

16 government] shall continue to operate pursuant to those provisions as a county of the first
17 classification until the county planning or zoning program is terminated pursuant to [the
18 provisions of] section 64.900. After the termination of county planning or zoning pursuant to
19 sections 64.800 to [64.905] **64.906**, the county commission of any county of the first
20 classification not having a charter form of government may exercise all powers and duties
21 prescribed by and may elect to [come under the provisions of] **be subject to** sections 64.211 to
22 64.295.

23 4. Notwithstanding the provisions of subsections 2 and 3 of this section, in any county
24 of the first classification without a charter form of government which has a population of at least
25 one hundred fifty thousand inhabitants which contains all or a portion of a city with a population
26 of at least three hundred thousand inhabitants, **or in any county of the first classification with**
27 **more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants**
28 which has adopted planning and zoning prior to becoming a county of the first classification, the
29 county governing body may, by ordinance, provide that the county's planning and zoning may
30 be conducted as provided in sections [64.510 to 64.690, sections 64.800 to 64.905 or sections
31 64.211 to 64.295] **64.211 to 64.295, sections 64.510 to 64.727, or sections 64.800 to 64.906.**