

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]

# HOUSE BILL NO. 244

## 92ND GENERAL ASSEMBLY

1087L.01T

2003

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### AN ACT

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

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*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Section A. Section 64.905, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 64.905, to read as follows: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 government] shall continue to operate pursuant to those provisions as a county of the first classification until the county planning or zoning program is terminated pursuant to [the provisions of] section 64.900. After the termination of county planning or zoning pursuant to

**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 proposed language.**

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.**