

COMPREHENSIVE PLAN

AND

ZONING REGULATIONS

FOR

SHERMAN TOWNSHIP

SHERMAN TOWNSHIP ZONING REGULATIONS

SECTION 100.0 TITLE

- 101.0 This Township Board Order shall be known as the Sherman Township Planning and Zoning Regulations.
- 102.0 The Goals for Sherman Township shall be a part of the Sherman Township Plan and the Zoning Regulations. The purpose of these goals is to ensure a high quality of life in Sherman Township. They are as follows:
1. To improve, preserve and wisely use the natural resources of Sherman Township.
 2. To insure efficient expenditures of public funds.
 3. To promote the health, safety, prosperity, and general welfare of the inhabitants of Sherman Township.
 4. To preserve and promote agriculture as a way of life and livelihood.
 5. To encourage any business and industry to locate in Sherman Township that would promote jobs without damaging the land or environment.

SECTION 200.0 AUTHORITY

- 201.0 The Zoning Regulations of Sherman Township, Putnam County, Missouri are authorized and pursuant to Chapter 65 of the Revised Statutes of the State of Missouri.
- 202.0 No person shall use land except as permitted by these regulations.

SECTION 300.0 PROCEDURE TO FOLLOW

- 301.0 The procedure for a commercial user, prospective developer, or other interested party to follow in obtaining a permit for constructing a new building, additions to an existing building or changing land use within the unincorporated areas and places as choose to be bound by these regulations of Sherman Township, Putnam County, Missouri shall be as follows:

1. Personally contact the Code Enforcement Officer.
(Appointed by the Township Board)
2. Provide a legal description of the property in question to this officer.
3. Provide a sketch of the property showing how proposed use will be situated on property.
4. Describe proposed use in writing.
5. Code Enforcement Officer shall check the Official Land Use Map which is located in the Township Clerk's office.
6. If use conforms to permitted uses and minimum lot and yard width, the Code Enforcement Officer collects the required fee and issues a permit.
(All uses of land must provide the necessary off-street parking.)
7. Agricultural structures are exempt from fees and permits, but notification is requested to the Code Enforcement Officer.
8. The Code Enforcement Officer shall collect the fee before issuing a permit. (Fees to be established by the Township Zoning Board by separate order.)
9. The Code Enforcement Officer shall revoke all permits under which no significant work is commenced within one year of issuance. Also, permits may be revoked in case of false statement or misrepresentation by applicant or where improperly issued. In the case of a revocation of permits, there is a due process right to a hearing before the Code Enforcement Officer and/or the Zoning Commission prior to revocation.
10. The Code Enforcement Officer shall notify appropriate agencies of the issuance of a permit and it will be the agency's responsibility to see that the laws and regulations of these agencies are carried out.
11. If use does not conform to permitted uses, the applicant may make a request to the Planning and Zoning Commission or the Township Commission for a Land Use District change.

SECTION 400.0 ESTABLISHMENT OF LAND USE DISTRICTS

401.0 Sherman Township is hereby classified into three districts:

- A-1, Agricultural
- R-1, Residential
- O-1, Other

402.0 Additional districts may be added from time to time upon the recommendation the the Township Planning and Zoning Commission to the Township Board. This may be initiated by either the Planning and Zoning Commission or interested party.

403.0 The land use districts referred to in this Order shall be designated on the Official Zoning Map of Sherman Township. The Official Zoning Map will be located in the Office of the Township Clerk.

404.0 The land use districts appearing on the Official Zoning Map of Sherman Township shall follow: road centerlines, Stream or river centerlines, section lines, property lines, or be clearly noted in feet on the Official Zoning Map, with noted distances for a clear interpretation of the boundary lines.

405.0 The Official Zoning Map of Sherman Township shall be kept on file with the Code Enforcement Officer and changes shall be clearly shown on this map when officially adopted by the Township Board.

SECTION 500.0 AGRICULTURAL DISTRICTS

501.0 A-1, Agricultural

511.0 Permitted uses, lot size and yard size.

	<u>Permitted Use</u>	<u>Min. Lot Size</u>	<u>Min. Yard Area</u>
1.	Raising Crops	1 acre	None
2.	Raising Livestock	1 acre	None

A cash or surety bond to guarantee proper closure and post closure care of Livestock Sewage Lagoons are as follows:

	<u>Setback Distances</u>	<u>Bond Required</u>
3. Livestock Sewage Lagoon System	A minimum of 1400' from an adjacent residence**** or dwelling*** for a Lagoon System 10 acre feet or less in size	10 acre feet or less no bond required

A minimum of 2800' from an adjacent residence or dwelling for a Lagoon System over 10 acre feet but less than 20 acre feet

Over 10 acre feet is \$25,000 per each acre foot over 10 acre feet i.e. 10-11 acre feet & \$25,000 & 11-12 acre feet = \$50,000 & 12-13 acre feet = \$75,000

A minimum of 5280' from an adjacent residence or dwelling for a Lagoon System 20 acre feet and above

4.	Livestock Feedlot*	A minimum of at least 1400' from an adjacent residence or dwelling district	None
		<u>Min. Lot Size</u>	<u>Min. Yard Area</u>
5.	Farm Dwelling plus one other dwelling per homestead**	None Building permit required	None
6.	Churches and related religious buildings	1 acre	None
7.	Non-commercial park and recreation area	1 acre	None
8.	Cemeteries	1 acre	None
9.	Nurseries & greenhouses sale of products raised on premises	$\frac{1}{4}$ acre	None
10.	Country Clubs	1 acre	None
11.	Country Club Buildings	1 acre	None
12.	Forestry Products	None	None
13.	Wildlife Husbandry*****	None	None

* A Livestock Feedlot is defined as:

- 100 cattle per acre
- 1000 hogs per acre
- 1000 sheep per acre
- 1000 poultry per acre

- *** Farmstead is defined as a tract of land of ten acres or more used for agricultural purposes.
- *** Dwelling is a building or other shelter in which people live or have lived within the last 18 months.
- **** Residence is the act or fact of dwelling in a place for some time, with the intention of permanence.
- ***** Wildlife Husbandry is a lease and/or fee hunting or fishing.

512.0 The following conditional land uses may be permitted in the A-1 Agricultural District upon the favorable recommendation of the Sherman Township Planning and Zoning Commission and approval of the Township Board: Airports or landing strips, Hazardous Waste Sites, Nonhazardous Waste Landfills, and Junkyards, provided these uses shall comply with this Order.

513.0 The Sherman Township Planning and Zoning Commission shall recommend favorably to the Township Board any proposed use or expansion of an existing use that will meet the following criteria. Criteria for consideration will include, but not be limited to: possible adverse effects on traffic, utility services, environment, and/or other factors that may influence the public safety, health, comfort, prosperity, and general welfare of the people. In cases not specifically noted, the desires evident in the Goals for Sherman Township, Section 102.0 shall be used as a basis for decision making.

SECTION 600.0 RESIDENTIAL DISTRICTS

601.0 R-1, Residential District

602.0 Permitted uses, lot area and yard area

	Permitted Use	Min. Lot Size	Min. Yard Area
1.	One-family dwelling	1 acre, with at least 150' lot width**	Front: 25' * Side: 25' * Rear: 25' *
2.	Public or private educational institutions	To meet State recommendations	
3.	Churches and related religious buildings	1 acre, with at least 1/2 acre parking lot included	Front; 80' * Side: 30' * Rear: 30' *

4.	Single mobile home	1 acre min.	Front: 25' *
			Side: 25' *
			Rear: 25' *
5.	Accessory buildings for above uses***	Must be on the same lot as above	Front: 25' *
			Side: 25' *
			Rear: 25' *
6.	Home Occupation****	1 acre with at least 150' lot width	Front: 25' *
			Side: 25' *
			Rear: 25' *

- * The yard distances are measured from the edge of properties and/or right-of-way lines.
- ** Acre minimum not required within incorporated places.
- *** Buildings not used as a residence.
- **** Home occupations are permitted so long as the owner(s) and/or employee(s) do not exceed a total of three people.

SECTION 700.0 OTHER USE DISTRICTS

701.0 0-1. Other Use Districts

711.0 Permitted uses, lot area and yard area.

Permitted Use Such As	Min. Lot Size	Min. Yard Area
1. Retail Stores	None	Front: 80' * Side: None * Rear: None *
2. Commercial recreation Buildings	None	Front: 80' * Side: None * Rear: None *
3. Repair Shops & Garages	None	Front: 80' * Side: None * Rear: None *
4. Automobile Sales & Services	None	Front: 80' * Side: None * Rear: None *
5. Service Stations	None	Front: 80' * Side: None * Rear: None *
6. Motels	None	Front: 80' * Side: None * Rear: None *
7. Retail Lumber Yards	None	Front: 80' * Side: None * Rear: None *

8. Animal Hospitals	None	Front: 80' * Side: None * Rear: None *
9. Carpenter Shops	None	Front: 80' * Side: None * Rear: None *
10. Welding Shops	None	Front: 80' * Side: None * Rear: None *
11. Machine Shops	None	Front: 80' * Side: None * Rear: None *
12. Wholesale Business	None	Front: 80' ** Side: 30' ** Rear: 40'
13. Storage Firms	None	Front: 80' * Side: 30' ** Rear: 40'
14. Lumber Manufacturers	None	Front: 80' ** Side: 30' ** Rear: 40'
15. Stockyards	None	Front: 80' ** Side: 30' ** Rear: 40'
16. Animal Shelters/Kennels and Animal Training Facilities	None	Front: 80' ** Side: 30' ** Rear: 40'
17. Bottling Works	None	Front: 80' ** Side: 30' ** Rear: 40'
18. Dairy	None	Front: 80' ** Side: 30' ** Rear: 40'
19. Ice Plants	None	Front: 80' ** Side: 30' ** Rear: 40'

* The yard distances are measured from the edge of properties and/or right-of-way lines. There is no side or rear yard required unless the use adjoins a Residential District in which case the same side and rear yards required in the Residential Districts shall be provided for in the Other use.

** The yard distances are measured from the edge of properties and/or right-of-way lines. Where use adjoins a Residential District, there shall be an additional 20' buffer area provided on the side yard with landscaping to screen out industry from adjoining residential area.

712.0 Additional land uses other than those specifically requiring a conditional use permit under Section 900.0 may be permitted in the Other use District upon the favorable recommendation of the Sherman Township Planning and Zoning commission to the Township Board. The Sherman Township Planning and Zoning Commission and the Township Board shall determine that the proposed use will not adversely affect the character of the area, adversely affect traffic, place undue restriction on utilities or conflict with future plans for the area.

SECTION 800.0 NON-CONFORMING USES

801.0 Definition

1. A non-conforming use is any land use and/or building use existing at the date this Order becomes law which does not conform to the permitted use, minimum lot area or minimum yard area of the district in which it is located.

802.0 Continuation of Non-Conforming Uses

Any non-conforming uses in existence at the time of the adoption of these zoning regulations shall not be subject to those regulations to the extent that they would interfere with or prohibit that use. Any non-conforming use which, at any time, is not in use for a continuous twelve (12) month period following the adoption of these regulations shall be considered to be abandoned and, therefore extinguished. The initial decision as to whether a prior existing, non-conforming use has been abandoned shall be made by the Code Enforcement Officer, subject to said decision being appealed to the Planning and Zoning Commission by the affected property owner within ten (10) days of the ruling by the Code Enforcement Officer, with the Commission to uphold or overrule the Code Enforcement Officer's decision by a majority of the Commission members present and voting.

803.0 Expansion or Enlargement of Non-Conforming Uses

1. A non-conforming use cannot be expanded, enlarged, or changed to another non-conforming use.
2. A non-conforming use can be repaired and remodeled only to the extent necessary to maintain the non-conforming use as is, or to convert it into a conforming use.

SECTION 900.0 CONDITIONAL USES

901.0 Airports and Landing Strips

1. The Township Board may permit the establishment and operation of airports or landing strips if the operation of the airport or landing strip is in accordance with and does not in any way conflict with the Plan of Sherman Township.
2. The Township Board may establish and operate or allow private persons to establish and operate an airport or landing strip in Sherman Township according to the special conditions set below.
 - a. No airport or landing strip shall be aligned so that a residential district lies directly in line with and is less than one-half mile from the end of a runway.
 - b. Storage of aviation gasoline, jet fuel, and any other types of aircraft fuels is limited to one thousand (1000) gallons.

902.0 Billboard and other Advertising Signs

1. Billboard and advertising signs are subject to the following conditions:
 - a. No billboard or advertising sign may have more than 400 square feet of message surface.
 - b. No billboard or advertising sign will be equipped with flashing lights and/or a mechanical means of giving motion to any part of the sign.
 - c. Illumination of billboards and signs will be restricted to no more than four (4) lights with a total power consumption of one thousand (1000) watts.
 - d. No billboards or advertising sign with illumination shall be located within one-fourth (.25) miles of a residential district unless that residential district serves as the premises of the business being advertised.

903.0 Hazardous Waste Storage Sites and /or Hazardous Waste Incenerators.

903.1 Owners and operators, including Corporations, Private Owners, Governmental owned and operated, including National, State, Regional, County and Township owned and operated sites are subject to these rules and regulations:

1. A hazardous waste site is defined as a place designated for the storage of material defined by the United States Environmental Protection Agency as Hazardous Waste.
2. The Township Board may permit the establishment and operation of a hazardous waste facility if the operation of the site is in accordance with and does not in any way conflict with the Plan of Sherman Township and the requirement in Section 903.3.
3. The Township Board may establish and operate or allow private persons to establish and operate a hazardous waste facility in Sherman Township upon a showing by applicant that the operation conforms to the special conditions set below:
 - a. Hazardous waste facility may not be less than 40 acres or more than 80 acres in size.
 - b. No hazardous waste storage facility may be located within two (2) miles of a residential district or farm dwelling.
 - c. The operator of the hazardous waste storage facility may charge a "Land use fee" which will be paid by the hazardous waste generator.
 - d. The operator of the hazardous waste facility shall not allow incompatible wastes to be stored within 200 yards of each other.
 - e. The operator of the hazardous waste site shall keep on site adequate fire fighting and waste clean-up equipment.*
 - f. Because of difficulty and expense involved in clean-up in case of an accident, no hazardous waste may be buried or in any way stored below ground level at the facility.
 - g. All hazardous waste (both liquid and solid) will be stored above ground level in stainless steel containers lined with a substance that is resistant to corrosive attack by the waste stored therein, encased in six (6) inch concrete wall.

* Lawfully and reasonably sufficient

- h. The maximum volume of any stainless steel storage tank is to be no more than 500 gallons. The tank is to be surrounded by a dike and corrosion resistant liner adequate to contain the entire contents of the tank in case of tank failure.
- i. The company or person that first generated the hazardous waste stored in the tanks at the facility and/or operator retain(s) full ownership, responsibility, and liability for said wastes. The generator of this hazardous waste agrees to employ a person full time as an inspector/caretaker of the storage containers at the facility. Inspections will be made on a daily basis and a log kept of inspections. This log will be available to the Township Board or their designated representative within twelve (12) hours notice. The company or person that first generated the hazardous waste stored in the tanks at the facility, as well as the operator, have full joint ownership, responsibility, and liability for said wastes.
- j. The company or person that first generated the hazardous waste stored at the facility and/or operator agrees to keep a second stainless steel container of equal quality and volume in close proximity (100 yards or less) to the container holding the hazardous waste. The second identical container remains empty except in the event that the original first container begins to leak or shows signs of deterioration in the near future. The contents of the original container will be placed in the standby container in that event by the inspector/caretaker indicated in 903.3, i above. The company or person that first generated the hazardous waste, as well as by the operator, have full joint ownership, responsibility, and liability for said wastes.
- k. The company or person that first generated the hazardous waste stored at the facility and/or operator further agrees to keep all facilities needed to make the storage transfer indicated in 903.3 j above. In addition, the inspector/caretaker indicated 903.3, i will be specially trained to make all transfers indicated in 903.3, j. The company or person that first generated the hazardous wastes stored at the facility, as well as the operator, have full joint ownership, responsibility, and liability for said wastes.

- l. In the event of a leaking container or one that is near leaking, the Township Inspector will first notify the inspector/caretaker employed by the company who will immediately take action to transfer the contents to the standby container. The Township Inspector will notify the Township Board Members, and the hazardous waste generator who owns the container and contents via telephone within one hour of the event and follow up by a letter via registered mail within five days.
- m. The Township Board shall employ their own representative as an inspector in addition to the one employed by the hazardous waste generator to make daily on-site inspections of all hazardous waste containers at the facility. This Township Inspector will keep a log of all inspections and will also note the accuracy of the log kept by the inspector/caretaker employed by the (hazardous waste generator). The Township Inspector will report to the Board on a weekly basis regarding the condition of the hazardous waste containers and on the hazardous waste facility in general. The Township Inspector will report more frequently in case of a leaking container or any other dangerous situations arising at the hazardous waste facility.
- n. The Township Board may assess a "Storage Fee" from the hazardous waste generator, and/or operator, which will be paid to the Township Board.
- o. A cash or surety bond in the amount of one million dollars (\$1,000,000.00) shall be furnished to the Township Board from each hazardous waste generator, which generates in excess of 100kg per month of hazardous waste, for each container of hazardous waste stored at the facility. The bond plus interest earned (if any) will be returned to the hazardous waste generator when he removes this hazardous waste from the storage site. In the event of bankruptcy of the hazardous waste generator, the bond will be used to cover the costs of storage and inspection until the judicial system decides ownership of the hazardous wastes. At that time, the remaining bond monies will be returned to the new owner upon removal of the hazardous wastes from the facility. If the new owner wishes to continue storage at the facility a new bond must be established.

- p. In the event that the hazardous waste generator company is sold to a new company or person, and the old hazardous waste generator, and/or operator, have not removed their hazardous waste, the new company or person and/or facility operator have full joint ownership, responsibility, and liability for said wastes.
- q. Failure to notify the Township Board and/or Zoning Commission of a change in use or operation within 15 days will be grounds for revoking a permit.
- r. The Township Board will make any additional regulations for hazardous waste facilities that are necessary for their safe operation.
- s. Hazardous waste storage sites and/or hazardous waste incinerator disposal facilities shall be enclosed with a 6' high chain-link fence around the perimeter of the facility.

904.0 Nonhazardous Waste Landfills and/or Waste Incinerators

904.1 Owners and operators, including Corporations, Private Owners, Governmental owned and operated, including National, State, Regional, County and Township owned and operated sites are subject to these rules and regulations:

1. Nonhazardous waste facilities in Sherman Township are subject to the following conditions:
2. A nonhazardous waste facility is defined as a place designated for the disposal of materials defined by the Missouri Department of Natural Resources as nonhazardous waste. In the event the Missouri DNR does not have specific definitions, United States Environmental Protection Agency definitions will be used.
3. The Sherman Township Board may permit the establishment and operation of nonhazardous waste landfills and/or incinerators if the operation of the facility is in accordance with and does not in any way conflict with the Plan of Sherman Township.
4. The Township Board may establish and operate or allow private persons to establish and operate a nonhazardous waste facility in Sherman Township according to the special conditions set below:

- a. No recyclable wastes may be disposed of in the facility. If the recyclable materials have not been removed prior to shipment to the facility, the facility operator will set up a building for the sorting of recyclable waste and separate the following recyclable wastes into the classes set below.
- 1) Aluminum cans and other aluminum.
 - 2) All other cans.
 - 3) Clear glass (colorless glass).
 - 4) Brown glass.
 - 5) Green glass.
 - 6) Iron.
 - 7) Copper.
 - 8) Cardboard.
 - 9) Newsprint and other paper.
 - 10) High density polyethylene plastic.
 - 11) Low density polyethylene plastic.
 - 12) Rags and cloth.
 - 13) Tires.
 - 14) Batteries.
 - 15) Stainless steel.
 - 16) Any other items the Township Commission or Township Board determines to be recyclable.
- b. If the Township Board determines that any of the items of section 904.4 a. are no longer recyclable (i.e. there is no organization or company that will buy or accept free of charge those particular wastes) they may remove them from the list of recyclable wastes and allow their disposal in the landfill/incinerator.
- c. Recyclable wastes may be sold or given to a recycling center so that they will enter the recycling stream. Any monies derived from the sale of recyclable wastes will be paid directly to the operator of the facility. In the case that the Township Board is the facility operator, monies derived in excess of operating costs may go into the Township general fund for the operation of Sherman Township.
- d. Nonhazardous wastes from all sources must have all materials that are accepted by recycling collection centers where the waste was generated removed before shipment to Sherman Township for disposal. In the event the shipper fails to remove recyclable material these materials shall be removed by the facility operator in accordance with section 904.4, a.

- e. Nonhazardous waste disposal sites shall be at least 1 and no more than 80 continuous acres. No nonhazardous waste facility may be established within one (1) mile of another nonhazardous waste facility that is currently operating or closed. No nonhazardous waste facility site may be located within one (1) mile of a residential district or farm dwelling.
- f. The township Board shall set and collect tipping fees for the disposal of nonhazardous waste in any disposal facility.
- g. A cash or surety bond in the amount of Five Hundred Thousand Dollars (\$500,000.00) per acre shall be furnished by the operator to the Township Board. If the bond is a surety bond, the surety must be approved by the Township Board and found to be of reputable character and financially sound with respect to the obligation incurred. For the purpose of calculating the total bond, the number of acres shall be deemed to be the same as the acreage permitted under the applicable Missouri Department of Natural Resources permit. The bond will be furnished during the operating period and for thirty (30) years following closure of the facility. The bond shall be conditioned upon the operator's compliance with all federal, state and local law in the operation of the facility and upon the prompt clean up and proper disposal of any waste improperly handled or disposed of at the facility and restoration of the premises upon which the facility is operated. At the end of the thirty (30) year period following closure and upon compliance with all of the conditions of the bond, the principal and surety shall be fully released. If a cash bond be posted, all interest earned thereon shall become a part of the bond subject to its terms and conditions, including the condition of release.
- h. The owners and operators of nonhazardous waste facilities agree to assume total and complete joint responsibility and liability for the operation of the facility. In addition, this liability extends beyond the closure date of the facility for a period of not less than thirty (30) years. The owners and operators will further agree to pay all expenses incurred in cleaning up any waste for which disposal has been improperly executed.

- i. Inspectors shall be hired by the Township Board with salaries to be paid from Township funds. These employees of the Board shall be at the facility site and make inspections of the waste to be disposed of on a load by load basis. Any loads not passing inspection (i.e. contains materials not to be buried or burned) will be returned to the source at the expense of the source. Inspectors shall keep a log of all inspections. If the operator is found to be in violation of the provisions of this section, written notice will be given to the operator or his designated representative at the site citing said violation(s) and allowing the operator thirty (30) days to correct said violations.
- j. In the event of a nonhazardous waste landfill or incinerator being owned or operated by corporations, private owners, Governmental owned and operated, including National, State, Regional, County and Township owned and operated facility, the Township Board shall set an inspection fee, the proceeds of which shall be placed into the general operating fund of Sherman Township. The fee shall be set in such an amount as shall be necessary to cover all of the actual and anticipated costs incurred by the Township by reason of the operation of the facility. These costs shall include, but not be limited to, the cost of inspection and the cost of maintaining any public access to and from the facility. In the event it is determined that voter approval is necessary in the setting or collection of the inspection fee, the same shall be submitted to the voters of Sherman Township, Putnam County, Missouri, for approval at a general or special election called for such purpose.
- k. Failure to notify the Township Board and/or Zoning Commission of a change in use or operation within 15 days will be grounds for revoking a permit.
- l. Unloading waste will be permitted only during the hours when the Township Inspector(s) is/are present. Those hours will be from 7:00 a.m. to 5:00 p.m., Monday through Friday, and 7:00 a.m. to 12:00 noon on Saturday.

- m. The Township Board will make any additional regulations for nonhazardous waste disposal facilities that are necessary for their safe operation before closure and their safe maintenance following closure.
- n. Nonhazardous waste disposal facilities shall be enclosed with a 6' high chain-link fence around the perimeter of the facility.

905.0 Junk Yards

- 1. "Junk" shall mean old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber, other bottles; bones, and other waste or discarded material which might be prepared to be used again in some form; (and) any or all of the foregoing; (and motor vehicles; no longer used as such, to be used for scrap metal or stripping of parts;) but "junk" shall not include materials or objects accumulated by a person as by-products, waste or scraps from the operation of his own business or materials or objects held and used by a manufacturer as an integral part of his own manufacturing processes.
- 2. A "Junk Yard" is a yard, lot or place covered or uncovered, outdoors or in an enclosed building, containing junk, upon which occurs one or more acts of buying, keeping, dismantling, processing, selling, or offering for sale any junk, in whole units or by parts, for a business or commercial purpose, whether or not the proceeds for such act or acts are to be used for charity.
- 3. The Township Board may permit the establishment and operation of junkyards if the operation of the junkyard is in accordance with and does not in any way conflict with the Plan of Sherman Township.
- 4. The Township Board may permit the establishment and operation of a junkyard in Sherman Township according to the special conditions set below.
 - a. Junkyards may not be less than one acre nor more than 20 contiguous acres.
 - b. Junkyards will be so screened with vegetation,

natural terrain, or fencing so as not to be visible from any Federal, State, County or Township road at any season of the year.

- c. No engine, transmission or radiator may be kept on the site without the removal and proper disposal of all antifreeze compounds.
- d. Engines, transmissions and rearends stored with contained oils and other lubricants shall be stored in such a manner as to prevent the contained oils and lubricants from escaping and contaminating the soil and water of Sherman Township.
- e. The Township Board shall collect a bond of one thousand (\$1,000.00) dollars per acre of site permitted. This bond is to be used by the Township Commission for closure and cleanup purposes. Unused portions of the bond are refundable. The bond is transferable.
- f. Failure to follow 905.3, a,b,c,d, above are grounds for revocation of permit.
- g. Existing junkyards at the time of adoption of this regulation are exempt from its provision except in the event of expansion. Acreage added to existing junkyards after the adoption of this regulation shall follow all of its provisions.

SECTION 1000.0 POWERS AND DUTIES OF THE CODE ENFORCEMENT OFFICER

1001.0 Interpretation of the Planning & Zoning Regulations

1. Determine if the use proposed by the applicant for a permit is permitted in the District in which it is located.
2. Determine if the use proposed by the applicant for a permit provides the minimum lot area and or/yard area.

1002.0 Refer Applicant for Proper Action

1. Applicants proposing a use which is not permitted in the District designated for the property in question as it appears on the Official Zoning Map, refer to the Sherman Township Planning and Zoning Commission for

a recommendation on a Zoning change within 60 days.

2. Applicants proposing a use which does not provide the minimum lot area or yard area will be referred to the Board of Adjustment.

1003.0 Take Applications for Permits

1. Get name and address of applicant.
2. Get name and address of developer if different from above.
3. Get description of proposed use and a legal description of a metes and bounds description of property in question.
4. Get a sketch or diagram of the property in question and property line dimensions and showing proposed building(s), lagoon(s), etc., and distances from building(s) to property line if applicable.
5. Completed applications must be processed within seven working days.

1004.0 Issuing or Revoking Permits

1. Check to see that the proposed use is permitted in the District governing the area in question and meets all requirements.
2. Collect a fee as required.
3. Revoke all permits under which no work is commenced within one year of issuance.
4. Permits may be revoked in case of false statement or misrepresentation by applicant.
5. Failure to notify the Township Board and/or Zoning Commission of a change in use or operation within 15 days will be grounds for revoking permits.

1005.0 Notify County, State and Federal Agencies

1. From a list of agencies possibly needing to be informed of land use changes, notify them of the issuance of each permit. These agencies will be responsible for the enforce-

ment of Local, State and Federal regulations unless specifically agreed to by the Township Board.

1006.0 Keep Records of Zoning Matters

1. Keep records of all requests to the Sherman Township Planning and Zoning Commission and Board of Adjustment.
2. Keep records of all permits issued.

1007.0 Enforce Zoning Regulations

1. Make periodic checks for land use changes being made without a permit and violations of issued permits.
2. Upon failure of efforts to have permits applied for or compliance by violators of issued permits, refer information to the County Prosecuting Attorney or Township Attorney for legal procedures.

SECTION 1100.0 POWERS AND DUTIES OF THE TOWNSHIP BOARD

1101.0 Appointments

1. The Township Planning Commission shall consist of the Township Trustee, the Commission of the County Commission who represents the Township, one member of the Township Board selected by the Township Board, and resident freeholder appointed by the Township Board from the unincorporated part of the Township.
2. Appoint members of the Board of Adjustment. Membership shall consist of five members. No more than two can be residents of any incorporated city, town or village and no more than one can be a member of the Sherman Township Planning and Zoning Commission. The term shall be appointed as follows:
1 for 1 year, 1 for 2 years, 1 for 3 years, and 2 for 4 years. All subsequent appointments shall be for 4 years.
3. Hire or appoint the Code Enforcement Officer. This person may be a present Township employee or official or a person to fill a newly created position.

1102.0 Adoption of Regulation

1. Adopt the Township Zoning Regulations and Official Zoning Map of Sherman Township by Board Order after a public hearing giving 15 days notice in a county-wide read newspaper.
2. Adopt changes to the Official Zoning Map by Board Order after a public hearing* giving 15 days notice in a county-wide read newspaper.
3. Adopt amendments to the provisions of the Zoning Regulation after a public hearing* giving 15 days notice in a county-wide read newspaper.
4. Township Board will set permit fees.

* Hearings are to be called by the Sherman Township Planning and Zoning Commission specified in Section 1301.2.

SECTION 1200.0 POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT

1201.0 Hear and Decide Appeals

1. To hear and decide appeals where it is alleged that there is an error to any order, requirement, decision or determination of the Code Enforcement Officer in the enforcement of this order.
2. To hear and decide on appeals where a permit was denied by the Code Enforcement Officer because of insufficient lot area or yard area if the strict application of the requirement would result in peculiar and exceptional practical difficulty or exceptional and undue hardship upon the application and the modification would not adversely affect the intent of this Order.

SECTION 1300.0 POWERS AND DUTIES OF THE TOWNSHIP PLANNING AND ZONING COMMISSION

1301.0 Make Recommendations to the Township Board

1. Make recommendations to the Township Board concerning proposing changes in the Official Zoning Map. When the Township Board receives request for a Land use District change, the

Planning and Zoning Commission will have sixty (60) days to make such recommendations upon the Comprehensive Plan of Sherman Township.

2. Make recommendations to the Township Board concerning proposed changes in the Sherman Township Zoning Regulation. When the Township Board receives a request for an amendment or change in any part of the Zoning Regulation, the Planning and Zoning Commission will have sixty (60) days to make such recommendations upon the effects such a change would have upon the comprehensive Plan of Sherman Township.
3. Keep an up-to-date evaluation of the effectiveness of this Zoning Regulation toward the Implementation of the comprehensive Plan of Sherman Township. Where changes are needed, make such recommendations to the Township Board.
4. The Planning and Zoning Commission shall call public hearings for changes concerning Amendments of the Zoning Regulations.
5. The Township Planning and Zoning Commission will meet a minimum of four (4) meetings annually. The Commission has the power to call special meetings at the written request of a majority of the members.

SECTION 1400.0 VIOLATIONS, EXCEPTIONS AND PENALTIES

1401.0 Violations

1. It shall be a violation of this Order to add to or increase floor space of or erect any building without obtaining a building permit in the O-1 district.
2. It shall be a violation to use or to permit the use of any land in a manner not permitted by this Order.
3. It shall be a violation of this Order to fail to obtain a permit prior to commencing a residential structure.
4. It shall be a violation of this Order to fail to conform with or promptly (within 10 days) appeal any Order of the Zoning Enforcement Officer.

1402.0 Exceptions

1. This Order does not pertain to farm buildings prohibited from land use control by State Statute.

1403.0 Penalties

1. Any person, persons or organizations violating the building and/or land use provisions of this Order are to be notified by the Code Enforcement Officer in writing and given ten (ten) days to conform to the provisions of this Order.
2. Upon failure to comply to the provision of this Order or respond to the notice from the Code Enforcement Officer, the matter will be turned over to the County Prosecuting Attorney or Township Attorney.
3. Violations are subject to fines in accordance with the Statutes of Missouri.

SECTION 1500.0 SEVERABILITY

- 1501.0.1. In the event that any section or provision of these regulations shall be declared unconstitutional or otherwise invalid by any Court of competent jurisdiction, the section or provision declared invalid shall be deemed to be severed from all other provisions hereof and the surviving provisions shall remain in full force and effect.

Adopted by the Sherman Township Board:

Date: _____

Trustee _____

Clerk _____

Member _____

Member _____

SUBSCRIBED AND SWORN to before me by _____

_____ on this _____ day of _____, 19____, with each of the above-named stating that he or she signed the foregoing as his or her free and voluntary act.

My Commission Expires _____.

Notary Public

This Order has been approved by me as to content and legality according to the Statutes of Missouri.

Township Attorney

Date

I certify that this is a true and complete copy of the Sherman Township Zoning Order, which (together with the Official Zoning Map) were adopted by the Township Board on the _____ day of _____, 19____.

APPROSE:

Clerk