

Bill No. 4705, an Ordinance of the City of Wentzville, Missouri, Amending Title IV Land Use, Chapter 405 Zoning Regulations; Article IV Environmental Performance Standards; Section 405.520 (b) (1) and (2) pertaining to Noise Regulations; and Matters Relating Thereto, as Per Application 24-29-PZ

WHEREAS, pursuant to Chapter 405, Article X Amendments, the City's Planning Division has been directed to draft a Text Amendment to Chapter 405 of the City of Wentzville's Zoning Code (the "Text Amendment"); and

WHEREAS, Chapter 10 of the City's adopted Comprehensive Plan has established Land Use & Growth Management objectives which direct the community to update and monitor the Community's ordinances to ensure compatibility, desired development activities, and to maintain a progressive ordinance; and

WHEREAS, it is important that the City of Wentzville, Missouri (the "City"), regulate and limit the creation of excessive and unnecessary noise in order to allow residents, businesses and visitors of the City to peacefully enjoy the City and their property; and

WHEREAS, the Board of Aldermen of the City has recently amended Section 210.290 to recognize that regulation of excessive and unnecessary noise should be done using both objective and subjective standards to ensure reasonable limitations on the creation of unnecessary noise, while also recognizing that certain activities and events create significant noise, which at certain times and during certain events should be permitted; and

WHEREAS, it has been identified that an amendment to Section 405.520 (b) of the Code of Ordinances regarding Noise Regulation is required due to the amendment to Section 210.290 Unnecessary Noises regulations of the Code Of Ordinances of the City of Wentzville to maintain consistency within the City's Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI, AS FOLLOWS:

Section 1: Subsection (b)(1) and (2) of Section 405.520 of Title IV Land Use, Chapter 405 Zoning, Article IV Environmental Performance Standards regulating noise is hereby repealed in its entirety and a new subsection (b) of Section 405.520 "Noise" is hereby enacted to read as follows:

(b) Noise. Refer to Title II Public Health, Safety and Welfare, Chapter 210 Offenses, Section 210.290 of the Code of Ordinances for noise regulations.

Section 2: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance shall be deemed valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the governing body of the City has enacted the valid

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portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent. All prior Ordinances in conflict herewith shall be and are hereby repealed.

Section 3: This ordinance shall be in full force and effective immediately upon enactment and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI THIS 24 DAY OF April, 2024.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

APPROVED BY THE MAYOR OF THE CITY OF WENTZVILLE, MISSOURI THIS 25 DAY OF April, 2024.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

Approved as to Form:


Attorney

