

AN ORDINANCE AMENDING ORDINANCE NO. 722 AND DESIGNATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, the City of St. Mary finds that a the Noise Control Ordinance No. 722 does not have the hours of operations for various high level noise businesses, and,

WHEREAS, the City of St. Mary finds that it is now necessary to establish hours of operations for business in residential areas,

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

**SECTION 6. Commercial District Designated**

The Commercial Business District of the City of St. Mary, Missouri is designated as US Hwy 61 (2<sup>nd</sup> Street) from Walnut to Cedar Street and Third Street from Cedar Street to Walnut Street. All other areas in the city limits are considered primarily residential areas.

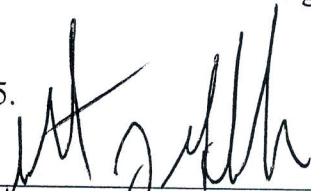
**SECTION 7. Hours of Operation**

All businesses that are situated in a residential area that produces loud and excessive noises shall cease operation at 7:00 PM and not resume operation until 7:00 am on Monday through Saturday. Hours of operation on Sunday shall be from 9:00 am. To 6:00 PM. The exceptions shall be governmental authorities and public utilities when the activities are in response to emergencies or otherwise in the interest of public health and safety. This shall include and not be limited to garages, manufacturing, construction and demolition, fabrication, car sales, and any other business that may produce such noises that are disturbing to the peace of the residential area.

**SECTION 8.** All ordinances or parts of ordinances in conflict with this ordinance shall be, and the same are hereby repealed insofar as they may be in conflict.

**SECTION 9.** The validity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part of parts.

Passed and approved this the 20<sup>th</sup> day of October, 2005.

  
MAYOR SCOTT J. GIBBAR

ATTEST:

  
CITY CLERK JOANN E. DONZE

<u>ALDERMAN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gloria Bader	x			
Robert Bequette	x			
Lyla Bova	x			
Roger Odem	x			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly read and adopted by the Board of Aldermen at a special meeting so convened on this the 20<sup>th</sup> day of October, 2005.

*Jo Ann E. Donze*  
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CITY CLERK JOANN E. DONZE