

BILL NO. 23-\_\_

ORDINANCE NO. 23-\_\_

**AN ORDINANCE AMENDING CHAPTER 65, ARTICLE I, SECTION 65-23 (4), OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO AN EXEMPTION FOR REQUIRING A VARIANCE TO RESTORE A TINY HOUSE CONSTRUCTED BEFORE AUGUST 8, 2023; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

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

Section 1. That Chapter 65, Article I, Section 65-23 (4), of the Code of Ordinances of the City of Jackson, Missouri, is hereby **amended** to read as follows:

**“Sec. 65-23. Nonconforming uses.**

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(4) When a building, the use of which does not conform to the provisions of this chapter, is damaged by fire, explosion, any act of God, or the public enemy, to the extent of more than sixty-five (65) percent of its fair market value, it may be restored only on the issuance of a variance by the zoning board of adjustment. However, no variance shall be required for a building used exclusively as a dwelling that was constructed before August 8, 2023; that is six hundred (600) square feet or less in floor area, excluding lofts; and is damaged more than sixty-five (65) percent of its fair market value.”

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**NOTE TO CODIFIER: Please note that Section 65-23 (4) has been amended by adding the second sentence.**

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Jackson, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: August 21, 2023.

SECOND READING: August 21, 2023.

PASSED AND APPROVED this 21st day of August, 2023, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions and \_\_\_\_\_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk