

**BILL NO. 2010-03**

**ORDINANCE NO. 2010-03**

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**AN ORDINANCE ADOPTING PROPOSED BUDGET FOR THE  
FISCAL YEAR 2010-2011.**

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**WHERE AS**, adoption of the proposed Budget for the Fiscal Year 2010-2011; and

**WHERE AS**, authorization of expenditures from general uncommitted tax funds of the City in accordance with the budget so adopted

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI THAT:**

**SECTION 1.** This ordinance shall be in full force and effect for Fiscal Year April 01, 2010 – March 31, 2011 after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 31<sup>st</sup> day of March, 2010.

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Mayor, Scott McKay

Attest: \_\_\_\_\_  
City Clerk, Christie Smith

**BILL NO. 2010-03**

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Mayor, Scott McKay

Attest: \_\_\_\_\_  
City Clerk, Christie Smith

**AN ORDINANCE AUTHORIZING THE CITY OF OSBORN TO EMPLOY AN ATTORNEY TO ASSIST THE CITY OFFICERS IN NEGOTIATING AND CLOSING A LOAN FOR THE CONSTRUCTION AND OPERATION OF A SEWER SYSTEM IN THE CITY OF OSBORN AND SUCH OTHER LEGAL WORKS AS MAY BE NEEDED IN CONJUNCTION WITH THE CONSTRUCTION AND OPERATION OF THE SEWER SYSTEM.  
BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, OF OSBORN, MISSOURI, AS FOLLOWS:**

The Mayor of the City of Osborn is hereby authorized to execute and enter on behalf of the City of Osborn a legal service agreement, a copy of which is attached hereto, with Attorney Ed Proctor of Heavner, Jarrett, & Kimball, P.C., Cameron, Missouri, to furnish advice, consultation and assistance in the negotiation and closing of a loan for the construction and operation of a sewer system for the City of Osborn, of Osborn, Missouri, and such other legal work as may be needed in connection with the construction and operation of the sewer system. The compensation to be paid such Attorney is at the rate of \$150.00 per hour for all work performed, plus out-of pocket expenses and remuneration at current IRS rates per mile for the use of his automobile, not to exceed \$35,000.00 dollars.

**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 16th day of June, 2010.

ATTEST:

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Christie Smith, City Clerk

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Scott McKay, Mayor

(Seal)

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-08 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-08 has not been altered, amended or repealed as of this 16th day of June, 2010.

---

Christie Smith, City Clerk

(Seal)

**AN ORDINANCE AUTHORIZING THE CITY OF OSBORN TO EMPLOY AN ATTORNEY TO ASSIST THE CITY OFFICERS IN NEGOTIATING AND CLOSING A LOAN FOR THE CONSTRUCTION AND OPERATION OF A SEWER SYSTEM IN THE CITY OF OSBORN AND SUCH OTHER LEGAL WORKS AS MAY BE NEEDED IN CONJUNCTION WITH THE CONSTRUCTION AND OPERATION OF THE SEWER SYSTEM.  
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**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 16th day of June, 2010.

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Christie Smith, City Clerk

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Scott McKay, Mayor

(Seal)

**CERTIFICATE**

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---

Christie Smith, City Clerk

(Seal)

**Bill No.: 2010-13**

**Ordinance No.: 2010-13**

**An Ordinance approving the Public Tax Levy Rate for 2010.**

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI THAT:

The levy for the year 2010 shall be in the sum of 0.7456 (seventy-five) cents per one hundred dollar valuation. The Levy proceeds going to the general fund.

**PASSED, SIGNED, AND APPROVED THIS 1st DAY OF SEPTEMBER, 2010.**

---

Scott McKay, Mayor

Attest:

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Christie Smith, City Clerk

**Bill No.: 2010-13**

**Ordinance No.: 2010-13**

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Scott McKay, Mayor

Attest:

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Christie Smith, City Clerk

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**AN ORDINANCE PROHIBITING NUISANCES, DEFINING AND  
PRESCRIBING PENALTIES FOR MAINTAINING SUCH**

---

WHEREAS, Section 67.398 Missouri Revised Statutes authorizes municipalities to abate public nuisances that are caused by debris, vegetation and/or weeds located on private property and

WHEREAS, the community needs to take advantage of the provisions of that law, and to provide for a simplified and easy way to deal with debris, trees and shrubs, and vegetation that grows to create a nuisance.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
OSBORN, MISSOURI, AS FOLLOWS:**

**SECTION 1: NUISANCES PROHIBITED**

- A. No person, firm or corporation shall permit, cause or keep, maintain or do any nuisances defined by the laws of the State of Missouri or the Ordinances of the City of Osborn, Missouri, or cause or permit to be committed, caused or kept, maintained or done any such nuisances within the corporate limits of the City of Osborn, Missouri or within one-half mile of the corporate limits thereof.
- B. No owner, occupant, or person in charge of any house, building, lot or premises in the City shall cause or allow any nuisance to be or remain in or upon such house, building, lot or premises.

**SECTION 2. NUISANCES DEFINED**

The following are hereby defined, deemed and declared to be nuisances for the purpose and enforcement of this Article:

- A. Any act done or committed or suffered to be done or committed by any person, or any substance, or thing kept, maintained, placed or found in or upon any public or private place which is injurious or dangerous to the public health.

## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

B. All pursuits followed or acts done by any person to the hurt, injury, annoyance, inconvenience, or damage to the public.

C. All buildings, bridges, or other structures of whatever character kept or maintained, or which are permitted by any person owning or having control of the same to be kept or maintained in a condition unsafe, dangerous, unhealthy, injurious, or annoying to the public.

D. All ponds or pools of stagnant water, and all foul or dirty water or liquid when discharged through any drain, pipe, or spout or thrown into or upon any street, alley, thoroughfare, or lot to the injury and annoyance of the public.

E. All obstructions caused or permitted to any street or sidewalk to the danger or annoyance of the public, and all stones, dirt, filth, slop, vegetable matter or other articles thrown or placed by any person on or in any street, alley, sidewalk, or other public place which in any way may cause, or is liable to cause injury or annoyance to the public.

F. All sidewalks, gutters, or curbstones permitted to remain in any unsafe condition or out of repair by any person or persons required by the ordinances of this City to keep the same in good condition and repair.

G. No person shall permit or allow to be placed on any streets, alleys, sidewalks, or other public place, or upon private property which is not secured by a fence and locked gate, any refrigerator, freezer, or other chest type appliance which may be harmful or dangerous to any person by means of possible suffocation.

1. No person shall throw or cause to be thrown into any street, alley, sidewalk, or other public place, or upon any private property belonging to or in the possession of another within the City, any animal, vegetable, or other substances whatever which is or may become putrid, offensive, or unhealthy.
2. No person within this City shall conduct, cast or throw or suffer to escape into or upon any sidewalk, street, alley or other public place, or upon any private property belonging to or in possession of another, from any kitchen, house, tenement or other place, any filth, garbage, foul or unclean water; or suffer any unclean water or liquid substance to escape into or upon any private property so as to become putrid, offensive or unhealthy.

## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

3. The owner or possessor of any dumb animal or fowl which may die within this City shall within twenty-four hours after the death of such dumb animal or fowl, remove or cause to be removed the same beyond the corporate city limits of this City, and if such dead animal or fowl be not in the possession of any person at the time of its death, and the same not be removed from the City within twenty-four hours after as aforesaid, then it shall be the duty of any officer of this City to cause the same to be removed at the cost of the City.
4. No person or persons shall, in this City, own keep or use any stockyard, pen or place or premises in or upon which any number of cattle, swine, or sheep shall be so kept as to be offensive to those residing in the vicinity thereof or any annoyance to the public.
5. No person owning or in possession of any lot, house, building, or enclosure within this City shall suffer to exist in or upon the same any stagnant water, animal or vegetable matter, or other substances liable to become putrid or offensive or unhealthy.
6. Abandoned, discarded, or unused objects or equipment such as: Vehicles, furniture, stoves, refrigerators, freezers, toilets, water heaters, air conditioners, sinks, all ashes, cinders, slops, filth, excrement, boards, lumber scraps, sawdust, wood or metal shavings, rubber, plastic containers, bags, wrappers, stones, rocks, sand, oil, coal, gasoline, paint, dirt, straw, soot, sticks, boxes, barrels, buckets, kegs, crates, pallets, cans, bottles, cartons, paper, trash, leavings, rubbish (“rubbish” shall mean solid waste consisting of combustible and non-combustible waste materials from residential apartments, commercial, industrial, institutional establishments, including yard waste and items commonly referred to as “trash”), manure, broken ware, iron or other metal, rags, old wearing apparel, sweepings, refuse, debris, vehicle parts, broken concrete, slag, garbage, offal, putrid, fish, meat entrails, decaying fruits or vegetables, waste water, animal or vegetable products or matter, broken glass, bones, tacks, nails, wire, grass, dead limbs, leaves, brush, logs, weeds, foliage or shrub cuttings or clippings, or any other offensive or disagreeable substance or thing thrown, cast, dropped, blown, spilled, poured, discharged or swept, left or deposited by anyone in or upon any premises.
7. Malfunctioning private sewage disposal systems, which allow polluted, raw or partially treated wastewater or affluent to be deposited or stand upon any premises. When any private sewage disposal system has been determined to be malfunctioning in such condition as to emit any offensive, noxious or disagreeable odor or polluting ditches, streets or streams, the owner of the subject premises will be ordered to repair or make connection to the public sewer.

## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

7. (continued) “*Private Sewer Disposal*” shall mean any arrangement or devices and structures used for receiving, transporting, treating, and disposing of sewage, including private and community sewer lines.
8. Tree limbs and branches which overhang any public sidewalk or public street of such height above the sidewalk or street shall impede or interfere with the use of said sidewalk by any person or impede or interfere with the use of said street by a pedestrian or the operator of a motor vehicle, or shall endanger the safety of any person using such public sidewalk or endangered the safety of any pedestrian or occupant or any motor vehicle traveling upon any public street.
9. No person within this City shall suffer or permit the sidewalk adjacent to any premises owned or occupied by him or her, or of which he or she may have charge or control, to be or remain in an unsafe condition for travel by the ordinary mode, or go out of repair as to be dangerous to pedestrians traveling thereon, and it shall be the duty of every person within the City of Osborn owning or occupying premises, or having control thereof, to keep the sidewalks adjacent thereto in good condition or repair at all times.
10. No person shall place or cause to be placed building materials abandoned or stored in an area where construction is not in progress; however, such storage shall be permitted in an area where construction is in progress. Such permitted storage shall not extend more than thirty (30) days beyond the completion of construction. Usable building materials for use on the premises may be temporarily stored in the open, and stacked neatly for thirty (30) days.
11. No person shall encumber any square, street, or alley or sidewalk within the City by placing or causing to be placed thereon, wood, barrels, boxes, crates, lumber, brick, stone, or any other article, but this section shall not apply to persons receiving or discharging any articles in the way of regular business unless such articles are permitted to remain more than two hours upon any square, street, alley, or sidewalk.
12. Every act or thing done or made, permitted, or allowed or continued on any property, public or private by any person or corporation, their agents or servants, to the damage or injury or annoyance of any of the inhabitants of this City, and not hereinbefore specified shall be deemed a nuisance.
13. The Mayor, or his delegate, of this City are hereby authorized to enter into or upon any premises within this City where there is reason to suspect the existence of any nuisance.

### **SECTION 3. NOTICE TO ABATE NUISANCE**

Whenever the Mayor or any Aldermen of the City of Osborn shall ascertain or have knowledge that a nuisance dangerous to the public health exists, in or upon any house, premises or other land in this City, they shall, in writing notify the person occupying or having possession of such house or premises or such land to abate or remove such nuisance and the owner of such land if the owner is a different person. Such notice to abate or remove the nuisance issued hereunder shall contain the following information:

1. An order to abate the nuisance within ten (10) days of the date of the notice.
2. The location of the nuisance, if the same is stationary.
3. A description of what constitutes the nuisance.
4. A statement of the acts necessary to abate the nuisance.

The notice to abate any such nuisance shall be served as any other legal process may be served pursuant to law. The City of Osborn, after giving the aforesaid notice, may through its agents, servants, or employees cause said nuisance to be abated, and shall certify the cost to the City Collector, who shall cause a special tax bill therefore against the property involved to be prepared and to be collected with other taxes assessed against the said property; and the city tax bill from the date of its issuance shall be a lien on the city property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no more clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Such tax bills of not paid when the regular city tax on real estate is due shall bear interest.

### **SECTION 4. FINES**

Any person or persons being in violation of any section of this Ordinance shall, upon conviction of said violation be fined:

First Offense - \$ 250.00

Second Offense - \$ 500.00

Third Offense – Must appear in court

All fines shall be in addition to court costs.

**SECTION 5.** Ordinance 2010-14 replaces Ordinance 2006-257 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby revoked and repealed.

Read three times, passed and adopted by the Board of Aldermen of the City of Osborn,  
Missouri, this 10<sup>th</sup> day of November, 2010.

---

Scott McKay, Mayor

ATTEST:

---

Christie Smith, City Clerk

## **CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-14 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-14 has not been altered, amended or repealed as of this 10th day of November, 2010.

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Christie Smith, City Clerk

(Seal)

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**AN ORDINANCE PROHIBITING NUISANCES, DEFINING AND  
PRESCRIBING PENALTIES FOR MAINTAINING SUCH**

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## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

- B. All pursuits followed or acts done by any person to the hurt, injury, annoyance, inconvenience, or damage to the public.
- C. All buildings, bridges, or other structures of whatever character kept or maintained, or which are permitted by any person owning or having control of the same to be kept or maintained in a condition unsafe, dangerous, unhealthy, injurious, or annoying to the public.
- D. All ponds or pools of stagnant water, and all foul or dirty water or liquid when discharged through any drain, pipe, or spout or thrown into or upon any street, alley, thoroughfare, or lot to the injury and annoyance of the public.
- E. All obstructions caused or permitted to any street or sidewalk to the danger or annoyance of the public, and all stones, dirt, filth, slop, vegetable matter or other articles thrown or placed by any person on or in any street, alley, sidewalk, or other public place which in any way may cause, or is liable to cause injury or annoyance to the public.
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## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

3. The owner or possessor of any dumb animal or fowl which may die within this City shall within twenty-four hours after the death of such dumb animal or fowl, remove or cause to be removed the same beyond the corporate city limits of this City, and if such dead animal or fowl be not in the possession of any person at the time of its death, and the same not be removed from the City within twenty-four hours after as aforesaid, then it shall be the duty of any officer of this City to cause the same to be removed at the cost of the City.
4. No person or persons shall, in this City, own keep or use any stockyard, pen or place or premises in or upon which any number of cattle, swine, or sheep shall be so kept as to be offensive to those residing in the vicinity thereof or any annoyance to the public.
5. No person owning or in possession of any lot, house, building, or enclosure within this City shall suffer to exist in or upon the same any stagnant water, animal or vegetable matter, or other substances liable to become putrid or offensive or unhealthy.
6. Abandoned, discarded, or unused objects or equipment such as: Vehicles, furniture, stoves, refrigerators, freezers, toilets, water heaters, air conditioners, sinks, all ashes, cinders, slops, filth, excrement, boards, lumber scraps, sawdust, wood or metal shavings, rubber, plastic containers, bags, wrappers, stones, rocks, sand, oil, coal, gasoline, paint, dirt, straw, soot, sticks, boxes, barrels, buckets, kegs, crates, pallets, cans, bottles, cartons, paper, trash, leavings, rubbish ("rubbish" shall mean solid waste consisting of combustible and non-combustible waste materials from residential apartments, commercial, industrial, institutional establishments, including yard waste and items commonly referred to as "trash"), manure, broken ware, iron or other metal, rags, old wearing apparel, sweepings, refuse, debris, vehicle parts, broken concrete, slag, garbage, offal, putrid, fish, meat entrails, decaying fruits or vegetables, waste water, animal or vegetable products or matter, broken glass, bones, tacks, nails, wire, grass, dead limbs, leaves, brush, logs, weeds, foliage or shrub cuttings or clippings, or any other offensive or disagreeable substance or thing thrown, cast, dropped, blown, spilled, poured, discharged or swept, left or deposited by anyone in or upon any premises.
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## **SECTION 2. NUISANCES DEFINED (CONTINUED)**

7. (continued) “*Private Sewer Disposal*” shall mean any arrangement or devices and structures used for receiving, transporting, treating, and disposing of sewage, including private and community sewer lines.
8. Tree limbs and branches which overhang any public sidewalk or public street of such height above the sidewalk or street shall impede or interfere with the use of said sidewalk by any person or impede or interfere with the use of said street by a pedestrian or the operator of a motor vehicle, or shall endanger the safety of any person using such public sidewalk or endangered the safety of any pedestrian or occupant or any motor vehicle traveling upon any public street.
9. No person within this City shall suffer or permit the sidewalk adjacent to any premises owned or occupied by him or her, or of which he or she may have charge or control, to be or remain in an unsafe condition for travel by the ordinary mode, or go out of repair as to be dangerous to pedestrians traveling thereon, and it shall be the duty of every person within the City of Osborn owning or occupying premises, or having control thereof, to keep the sidewalks adjacent thereto in good condition or repair at all times.
10. No person shall place or cause to be placed building materials abandoned or stored in an area where construction is not in progress; however, such storage shall be permitted in an area where construction is in progress. Such permitted storage shall not extend more than thirty (30) days beyond the completion of construction. Usable building materials for use on the premises may be temporarily stored in the open, and stacked neatly for thirty (30) days.
11. No person shall encumber any square, street, or alley or sidewalk within the City by placing or causing to be placed thereon, wood, barrels, boxes, crates, lumber, brick, stone, or any other article, but this section shall not apply to persons receiving or discharging any articles in the way of regular business unless such articles are permitted to remain more than two hours upon any square, street, alley, or sidewalk.
12. Every act or thing done or made, permitted, or allowed or continued on any property, public or private by any person or corporation, their agents or servants, to the damage or injury or annoyance of any of the inhabitants of this City, and not hereinbefore specified shall be deemed a nuisance.
13. The Mayor, or his delegate, of this City are hereby authorized to enter into or upon any premises within this City where there is reason to suspect the existence of any nuisance.

### **SECTION 3. NOTICE TO ABATE NUISANCE**

Whenever the Mayor or any Aldermen of the City of Osborn shall ascertain or have knowledge that a nuisance dangerous to the public health exists, in or upon any house, premises or other land in this City, they shall, in writing notify the person occupying or having possession of such house or premises or such land to abate or remove such nuisance and the owner of such land if the owner is a different person. Such notice to abate or remove the nuisance issued hereunder shall contain the following information:

1. An order to abate the nuisance within ten (10) days of the date of the notice.
2. The location of the nuisance, if the same is stationary.
3. A description of what constitutes the nuisance.
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The notice to abate any such nuisance shall be served as any other legal process may be served pursuant to law. The City of Osborn, after giving the aforesaid notice, may through its agents, servants, or employees cause said nuisance to be abated, and shall certify the cost to the City Collector, who shall cause a special tax bill therefore against the property involved to be prepared and to be collected with other taxes assessed against the said property; and the city tax bill from the date of its issuance shall be a lien on the city property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no more clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Such tax bills of not paid when the regular city tax on real estate is due shall bear interest.

### **SECTION 4. FINES**

Any person or persons being in violation of any section of this Ordinance shall, upon conviction of said violation be fined:

First Offense - \$ 250.00

Second Offense - \$ 500.00

Third Offense – Must appear in court

All fines shall be in addition to court costs.

**SECTION 5.** Ordinance 2010-14 replaces Ordinance 2006-257 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby revoked and repealed.

Read three times, passed and adopted by the Board of Aldermen of the City of Osborn,  
Missouri, this 10<sup>th</sup> day of November, 2010.

---

Scott McKay, Mayor

ATTEST:

---

Christie Smith, City Clerk

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-14 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-14 has not been altered, amended or repealed as of this 10th day of November, 2010.

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Christie Smith, City Clerk

(Seal)

**AN ORDINANCE CALLING A SPECIAL ELECTION ON A REVENUE  
BOND QUESTION IN THE CITY OF OSBORN, MISSOURI.**

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**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:**

**Section 1.** The Board of Aldermen finds it necessary and hereby declares its intent to borrow \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system (the "Project") and to evidence such borrowing by the issuance of combined waterworks and sewerage system revenue bonds (the "Bonds") of the City in the amount of \$1,300,000.

**Section 2.** A special bond election is hereby ordered to be held in the City of Osborn, Missouri, concurrently with the general municipal election, on Tuesday, April 6, 2010, on the following question:

**QUESTION**

**Shall the City of Osborn, Missouri, issue its combined waterworks and sewerage system revenue bonds in the amount of \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system, the cost of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewerage system, including all future improvements and extensions thereto?**

The authorization of the Bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its combined waterworks and sewerage system, including all extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to provide funds to pay the costs of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on the Bonds as they become due and to provide for the establishment of reasonable reserves therefor.

**Section 3.** The form of Notice of Special Election showing said question, a copy of which is attached hereto and made a part hereof, is hereby approved.

**Section 4.** The City Clerk is hereby authorized and directed to notify the County Clerk of DeKalb County, Missouri, and the County Clerk of Clinton County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on Tuesday, January 26, 2010, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

**Section 5.** The City expects to make expenditures on and after the date of passage of this Ordinance in connection with the Project, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the Project is \$1,300,000.

**Section 6.** The City hereby engages the firm of Gilmore & Bell, P.C., Kansas City, Missouri, as bond counsel with respect to the Bonds.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 20th day of January, 2010.

(SEAL)

\_\_\_\_\_  
Scott McKay, Mayor

ATTEST:

\_\_\_\_\_  
Christie Smith, City Clerk

# NOTICE OF SPECIAL ELECTION

## THE CITY OF OSBORN, MISSOURI

Notice is hereby given to the qualified voters of the City of Osborn, Missouri, that the Board of Aldermen of the City has called a special election to be held in the City concurrently with the general municipal election on Tuesday, April 6, 2010, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

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**OFFICIAL BALLOT  
SPECIAL ELECTION  
THE CITY OF OSBORN, MISSOURI**

**TUESDAY, APRIL 6, 2010**

**QUESTION**

**Shall the City of Osborn, Missouri, issue its combined waterworks and sewerage system revenue bonds in the amount of \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system, the cost of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewerage system, including all future improvements and extensions thereto?**

**YES**   
**NO**

**INSTRUCTIONS TO VOTERS:** If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

---

The election will be held at the following polling place:

**POLLING PLACE**

Osborn United Methodist Church  
451 Clinton Avenue  
Osborn, Missouri

DONE BY THE ORDER OF THE CLERK OF THE BOARD OF ALDERMAN, THIS 20<sup>th</sup> DAY OF JANUARY, 2010.

This is to certify that the foregoing notice is a true copy of the certification of Election Notice filed in this office on Friday the 22<sup>nd</sup> day of January, 2010 by the Clerk of the City of Osborn, Missouri:

\_\_\_\_\_  
Christie Smith, City Clerk of Osborn, Missouri

\_\_\_\_\_  
Mary Berry, Clerk of DeKalb County, Missouri

**AN ORDINANCE CALLING A SPECIAL ELECTION ON A REVENUE  
BOND QUESTION IN THE CITY OF OSBORN, MISSOURI.**

---

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN,  
MISSOURI, AS FOLLOWS:**

**Section 1.** The Board of Aldermen finds it necessary and hereby declares its intent to borrow \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system (the "Project") and to evidence such borrowing by the issuance of combined waterworks and sewerage system revenue bonds (the "Bonds") of the City in the amount of \$1,300,000.

**Section 2.** A special bond election is hereby ordered to be held in the City of Osborn, Missouri, concurrently with the general municipal election, on Tuesday, April 6, 2010, on the following question:

**QUESTION**

**Shall the City of Osborn, Missouri, issue its combined waterworks and sewerage system revenue bonds in the amount of \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system, the cost of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewerage system, including all future improvements and extensions thereto?**

The authorization of the Bonds will authorize the City to fix, establish, maintain and collect rates and charges for the services provided by the City through its combined waterworks and sewerage system, including all extensions and improvements thereto hereafter constructed or acquired by the City, in addition to the other rates and charges for such services provided by law, as will produce income and revenues sufficient to provide funds to pay the costs of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on the Bonds as they become due and to provide for the establishment of reasonable reserves therefor.

**Section 3.** The form of Notice of Special Election showing said question, a copy of which is attached hereto and made a part hereof, is hereby approved.

**Section 4.** The City Clerk is hereby authorized and directed to notify the County Clerk of DeKalb County, Missouri, and the County Clerk of Clinton County, Missouri, of the passage of this Ordinance no later than 5:00 P.M. on Tuesday, January 26, 2010, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

**Section 5.** The City expects to make expenditures on and after the date of passage of this Ordinance in connection with the Project, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the Project is \$1,300,000.

**Section 6.** The City hereby engages the firm of Gilmore & Bell, P.C., Kansas City, Missouri, as bond counsel with respect to the Bonds.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 20th day of January, 2010.

(SEAL)

\_\_\_\_\_  
Scott McKay, Mayor

ATTEST:

\_\_\_\_\_  
Christie Smith, City Clerk

**NOTICE OF SPECIAL ELECTION**

**THE CITY OF OSBORN, MISSOURI**

Notice is hereby given to the qualified voters of the City of Osborn, Missouri, that the Board of Aldermen of the City has called a special election to be held in the City concurrently with the general municipal election on Tuesday, April 6, 2010, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

---

**OFFICIAL BALLOT  
SPECIAL ELECTION  
THE CITY OF OSBORN, MISSOURI**

**TUESDAY, APRIL 6, 2010**

**QUESTION**

**Shall the City of Osborn, Missouri, issue its combined waterworks and sewerage system revenue bonds in the amount of \$1,300,000 for the purpose of extending and improving the combined waterworks and sewerage system, the cost of operation and maintenance of said combined waterworks and sewerage system and the principal of and interest on said revenue bonds to be payable solely from the revenues derived by the City from the operation of its combined waterworks and sewerage system, including all future improvements and extensions thereto?**

**YES**   
**NO**

**INSTRUCTIONS TO VOTERS:** If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

---

The election will be held at the following polling place:

**POLLING PLACE**

Osborn United Methodist Church  
451 Clinton Avenue  
Osborn, Missouri

DONE BY THE ORDER OF THE CLERK OF THE BOARD OF ALDERMAN, THIS 20<sup>th</sup> DAY OF JANUARY, 2010.

This is to certify that the foregoing notice is a true copy of the certification of Election Notice filed in this office on Friday the 22<sup>nd</sup> day of January, 2010 by the Clerk of the City of Osborn, Missouri:

\_\_\_\_\_  
Christie Smith, City Clerk of Osborn, Missouri

\_\_\_\_\_  
Mary Berry, Clerk of DeKalb County, Missouri

**AN ORDINANCE AUTHORIZING THE EXECUTION OF DEEDS  
REGARDING SIGOURNEY STREET**

---

---

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN,  
MISSOURI, AS FOLLOWS:**

**The City by and through its Mayor is hereby authorized to execute a quit claim deed to Lonnie and Colleen Taylor, Jr. for a piece of ground along Sigourney Street in exchange for the sum of \$ 250.00. In return Lonnie and Colleen Taylor, Jr. have agreed to execute a quit claim deed to the City regarding an additional portion of Sigourney Street. All as per deeds to be executed.**

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 20th day of January, 2010.

(SEAL)

\_\_\_\_\_  
Scott McKay, Mayor

ATTEST:

\_\_\_\_\_  
Christie Smith, City Clerk

**AN ORDINANCE AUTHORIZING THE EXECUTION OF DEEDS  
REGARDING SIGOURNEY STREET**

---

---

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN,  
MISSOURI, AS FOLLOWS:**

**The City by and through its Mayor is hereby authorized to execute a quit claim deed to Lonnie and Colleen Taylor, Jr. for a piece of ground along Sigourney Street in exchange for the sum of \$ 250.00. In return Lonnie and Colleen Taylor, Jr. have agreed to execute a quit claim deed to the City regarding an additional portion of Sigourney Street. All as per deeds to be executed.**

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 20th day of January, 2010.

(SEAL)

\_\_\_\_\_  
Scott McKay, Mayor

ATTEST:

\_\_\_\_\_  
Christie Smith, City Clerk

---

**AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI CONCERNING ACCEPTANCE AND COMPLIANCE WITH VARIOUS REQUIREMENTS TO OBTAIN FINANCIAL ASSISTANCE FROM THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT.**

---

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:**

**SECTION 1. Definitions**

- A. The City of Osborn will also be referenced as “applicant”, “recipient”, “participant”, and “grantee” throughout this document.
- B. United States of America, acting through the United States Department of Agriculture, Rural Development, will also be referenced as USDA Rural Development and “RD” throughout this document.

**SECTION 2. Certifications**

The following listed forms with instructions are attached hereto and fully incorporated as if set forth herein:

- A. Standard Form 424B (7-97), Assurances – Non-Construction Programs.  
Standard Form 424D (7-97), Assurances – Construction Programs.
- B. Form RD 400-1 (5/00), Equal Opportunity Agreement.
- C. Form USDA RD 400-4 (3-97), Assurance Agreement.
- D. Form AD-1047 (1/92), Certification Regarding Debarment, Suspension and Other Responsibility Matters – Primary Covered Transactions.
- E. Form AD – 1049 (5-90), Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I – For Grantees Other Than Individuals.  
This form is applicable only when a USDA grant is being made.

- F. Form USDA-RD 1910-11 (9/02), Applicant Certification Federal Collection Policies for Consumer or Commercial Debts. This form is applicable only when a USDA loan is being made.
- G. FmHA Instruction 1940-Q, Exhibit A-1 (8-21-91), Certification for Contracts, Grants and Loans.

**SECTION 3. Miscellaneous Provisions.**

- A. If any section, subsection or part of this resolution, whether large or small, and whether set forth or incorporated herein by reference, is for any reason held invalid, the invalidity thereof shall not affect the validity of any of the other provisions of this resolution, whether large or small, and whether set forth or incorporated herein by reference.
- B. If any section, subsection or other part of this resolution is found to be in conflict with an actual form set forth or referred to herein, the version of the form which is in effect on the date of this instrument will be applicable.
- C. The signature of the Mayor and the attestation by the City Clerk to this Ordinance shall act as the signature and attestation to each and every one of the requirements and forms set forth and incorporated by reference in the Sections and subsections of this Ordinance as fully as if signed and attested to on individual documents or forms for each.

This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 12th day of May, 2010. The vote was: Yeas \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

---

**AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI CONCERNING ACCEPTANCE AND COMPLIANCE WITH VARIOUS REQUIREMENTS TO OBTAIN FINANCIAL ASSISTANCE FROM THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT.**

---

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:**

**SECTION 1. Definitions**

- A. The City of Osborn will also be referenced as “applicant”, “recipient”, “participant”, and “grantee” throughout this document.
- B. United States of America, acting through the United States Department of Agriculture, Rural Development, will also be referenced as USDA Rural Development and “RD” throughout this document.

**SECTION 2. Certifications**

The following listed forms with instructions are attached hereto and fully incorporated as if set forth herein:

- A. Standard Form 424B (7-97), Assurances – Non-Construction Programs.  
Standard Form 424D (7-97), Assurances – Construction Programs.
- B. Form RD 400-1 (5/00), Equal Opportunity Agreement.
- C. Form USDA RD 400-4 (3-97), Assurance Agreement.
- D. Form AD-1047 (1/92), Certification Regarding Debarment, Suspension and Other Responsibility Matters – Primary Covered Transactions.
- E. Form AD – 1049 (5-90), Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I – For Grantees Other Than Individuals.  
This form is applicable only when a USDA grant is being made.

**BILL NO: 2010-06**

**ORDINANCE NO: 2010-06**

- F. Form USDA-RD 1910-11 (9/02), Applicant Certification Federal Collection Policies for Consumer or Commercial Debts. This form is applicable only when a USDA loan is being made.
- G. FmHA Instruction 1940-Q, Exhibit A-1 (8-21-91), Certification for Contracts, Grants and Loans.

**SECTION 3. Miscellaneous Provisions.**

- A. If any section, subsection or part of this resolution, whether large or small, and whether set forth or incorporated herein by reference, is for any reason held invalid, the invalidity thereof shall not affect the validity of any of the other provisions of this resolution, whether large or small, and whether set forth or incorporated herein by reference.
- B. If any section, subsection or other part of this resolution is found to be in conflict with an actual form set forth or referred to herein, the version of the form which is in effect on the date of this instrument will be applicable.
- C. The signature of the Mayor and the attestation by the City Clerk to this Ordinance shall act as the signature and attestation to each and every one of the requirements and forms set forth and incorporated by reference in the Sections and subsections of this Ordinance as fully as if signed and attested to on individual documents or forms for each.

This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 12th day of

May, 2010. The vote was: Yeas \_\_\_\_\_ Nays \_\_\_\_\_ Absent \_\_\_\_\_

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

---

**AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI DEFINING WEEDS AS WELL AS REQUIRING OWNERS AND OCCUPANTS OF LAND IN THE CITY OF OSBORN TO KEEP WEEDS TO A HEIGHT OF NOT OVER EIGHTEEN INCHES.**

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Whereas various property owners and occupants of land within the City of Osborn, Missouri, have permitted weeds on their property to grow without cutting them; and whereas, this Board of Aldermen is mindful of the fact that such rank growths of weeds and brush constitute a health menace and detriment to the residents of Osborn, as well as to other persons coming into the City; now therefore,

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:**

**SECTION 1. Definitions**

A. Weeds are defined as “Weeds, Brush, Vines, and Volunteer Trees.

**SECTION 2.** No owner of any lot or parcel of land or part thereof within the City of Osborn, Missouri nor any tenant or occupant of any such lot or parcel of land, shall permit weeds, brush, vines, or volunteer trees to grow on same to a height of more than eighteen inches. Except property that is used for agricultural pursuit, such as hay ground, shall be mowed twice a year. Land that is used for pasture shall also be mowed at least once per year, or chemically sprayed to control broadleaf weeds.

**SECTION 3.** Established timber area would be exempt from this ordinance.

**SECTION 4.** Owners or occupants of properties that border on any creek that run through the town of Osborn shall cut the grass up to a reasonable distance of the creek bank. The owner will not be responsible for clearing weeds on the bank of any creek or in any creek itself.

**SECTION 5.** Commercial property shall be free of weeds, brush, vines, and volunteer trees over eighteen (18) inches high. Any exceptions require Board approval.

**BILL NO: 2010-11**

**ORDINANCE NO: 2010-11**

**SECTION 6.** If any owner or occupant of any land or ground in the City of Osborn violates any of the above sections, the City of Osborn may, through its agents, servants, or employees, notify such owner or owners or occupant or occupants, wither orally or by letter or by posting a notice on the premises involved, saying in substance to cut the weeds on this property in accordance with Ordinance No. 2010-11, which notice shall be signed by the Mayor, and if the owner or occupant fails or refuses to cut said weeds within fourteen (14) days, including weekends, after being so notified or within fourteen (14) days, including weekends, after such notice is placed upon the premises, then said owner, owners, occupant or occupants of the land involved shall be guilty of a city misdemeanor and upon conviction thereof shall be fined:

- 1<sup>st</sup> Offense: \$ 250.00
- 2<sup>nd</sup> Offense: \$ 500.00
- 3<sup>rd</sup> Offense: Must appear in Court

All fines are in addition to Court Costs.

The City of Osborn after giving the aforesaid notice, and after non-compliance therewith, may through its agents, servants, or employees cause said weeds to be cut down, and shall certify the cost of cutting the same to the City Collector, who shall cause a special tax bill therefore against the property involved to be prepared and to be collected with other taxes assessed against the said property; and the city tax bill from the date of its issuance shall be a lien on the city property until paid and shall be prima facie evidence of the recitals therein and if its validity, and no more clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Such tax bills if not paid when the regular city tax on real estate is due shall bear interest at the rate of eight per cent per annum.

**SECTION 7.** Ordinance 2010-11 replaces Ordinance 1979-182 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby revoked and repealed.

Read three times, passed and adopted by the Board of Aldermen of the City of Osborn, Missouri, this 11<sup>th</sup> day of August, 2010.

ATTEST:

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Scott McKay, Mayor

---

Christie Smith, City Clerk

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-11 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-11 has not been altered, amended or repealed as of this 11th day of August, 2010.

---

Christie Smith, City Clerk

(Seal)

---

**AN ORDINANCE OF THE BOARD OF ALDERMAN OF THE CITY OF OSBORN, MISSOURI DEFINING WEEDS AS WELL AS REQUIRING OWNERS AND OCCUPANTS OF LAND IN THE CITY OF OSBORN TO KEEP WEEDS TO A HEIGHT OF NOT OVER EIGHTEEN INCHES.**

---

Whereas various property owners and occupants of land within the City of Osborn, Missouri, have permitted weeds on their property to grow without cutting them; and whereas, this Board of Aldermen is mindful of the fact that such rank growths of weeds and brush constitute a health menace and detriment to the residents of Osborn, as well as to other persons coming into the City; now therefore,

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSBORN, MISSOURI, AS FOLLOWS:**

**SECTION 1. Definitions**

- A. Weeds are defined as “Weeds, Brush, Vines, and Volunteer Trees.

**SECTION 2.** No owner of any lot or parcel of land or part thereof within the City of Osborn, Missouri nor any tenant or occupant of any such lot or parcel of land, shall permit weeds, brush, vines, or volunteer trees to grow on same to a height of more than eighteen inches. Except property that is used for agricultural pursuit, such as hay ground, shall be mowed twice a year. Land that is used for pasture shall also be mowed at least once per year, or chemically sprayed to control broadleaf weeds.

**SECTION 3.** Established timber area would be exempt from this ordinance.

**SECTION 4.** Owners or occupants of properties that border on any creek that run through the town of Osborn shall cut the grass up to a reasonable distance of the creek bank. The owner will not be responsible for clearing weeds on the bank of any creek or in any creek itself.

**SECTION 5.** Commercial property shall be free of weeds, brush, vines, and volunteer trees over eighteen (18) inches high. Any exceptions require Board approval.

**BILL NO: 2010-11**

**ORDINANCE NO: 2010-11**

**SECTION 6.** If any owner or occupant of any land or ground in the City of Osborn violates any of the above sections, the City of Osborn may, through its agents, servants, or employees, notify such owner or owners or occupant or occupants, wither orally or by letter or by posting a notice on the premises involved, saying in substance to cut the weeds on this property in accordance with Ordinance No. 2010-11, which notice shall be signed by the Mayor, and if the owner or occupant fails or refuses to cut said weeds within fourteen (14) days, including weekends, after being so notified or within fourteen (14) days, including weekends, after such notice is placed upon the premises, then said owner, owners, occupant or occupants of the land involved shall be guilty of a city misdemeanor and upon conviction thereof shall be fined:

- 1<sup>st</sup> Offense: \$ 250.00
- 2<sup>nd</sup> Offense: \$ 500.00
- 3<sup>rd</sup> Offense: Must appear in Court

All fines are in addition to Court Costs.

The City of Osborn after giving the aforesaid notice, and after non-compliance therewith, may through its agents, servants, or employees cause said weeds to be cut down, and shall certify the cost of cutting the same to the City Collector, who shall cause a special tax bill therefore against the property involved to be prepared and to be collected with other taxes assessed against the said property; and the city tax bill from the date of its issuance shall be a lien on the city property until paid and shall be prima facie evidence of the recitals therein and if its validity, and no more clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Such tax bills if not paid when the regular city tax on real estate is due shall bear interest at the rate of eight per cent per annum.

**SECTION 7.** Ordinance 2010-11 replaces Ordinance 1979-182 and all other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby revoked and repealed.

Read three times, passed and adopted by the Board of Aldermen of the City of Osborn, Missouri, this 11<sup>th</sup> day of August, 2010.

ATTEST:

\_\_\_\_\_  
Scott McKay, Mayor

\_\_\_\_\_  
Christie Smith, City Clerk

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-11 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-11 has not been altered, amended or repealed as of this 11th day of August, 2010.

---

Christie Smith, City Clerk

(Seal)

---

**AN ORDINANCE AMENDING ARTICLE IV SECTION 3 OF ORDINANCE 198 – SEWERAGE SYSTEM; OF THE CODE OF ORDINANCES OF THE CITY OF OSBORN, MISSOURI BY ESTABLISHING WASTEWATER RATES TO BE CHARGED BY THE CITY OF OSBORN, TO RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WASTEWATER CUSTOMERS.**

---

**WHERE AS**, the City operates and maintains wastewater treatment works for the provision of a municipal wastewater system; and

**WHERE AS**, the City must pay the operation and maintenance expenses associated with said wastewater treatment system and must charge the users of such treatment works accordingly; and

**WHERE AS**, the board of Alderman have determined and declared it to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges for all users of the City’s sewer system; and

**WHERE AS**, the proceeds derived from such charges will be used for the purpose of operating and maintaining said sewer system;

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

**SECTION 1. Sewer rates established.**

(a.) The following rates and charges for the use and services of the sewerage system of the City based on the amount of water billed, are hereby, established for meter readings taken at the regular scheduled time during the month of April 2010 until otherwise voted by the Board of Aldermen of the City of Osborn. The City will review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of Operation and Maintenance. The City of Osborn shall have and receive, each month, as compensation for sewer services as follows:

MONTHLY SEWER RATE SCHEDULE  
RESIDENTAL, COMMERCIAL, AND INDUSTRIAL  
Beginning April 2010

| <u>VOLUME OF WATER USED</u> | <u>RATES TO BE CHARGED</u> |
|-----------------------------|----------------------------|
| 0 to 1,000 gallons          | \$ 10.34                   |
| 1,001 to 2,000 gallons      | \$ 3.83 per 1,000 gallons  |
| 2,001 to 5,000 gallons      | \$ 3.83 per 1,000 gallons  |
| 5,001 to 10,000 gallons     | \$ 3.83 per 1,000 gallons  |
| 10,001 to 20,000 gallons    | \$ 3.83 per 1,000 gallons  |
| 20,001 to 100,000 gallons   | \$ 3.83 per 1,000 gallons  |
| 100,001 and over gallons    | \$ 3.83 per 1,000 gallons  |

**SECTION 2. Charge for sewerage service only; or where water is not metered.**

Whenever any charge for a sewerage service is made to any lot, parcel of land, or premises which is not supplied with water, or where there is no water meter, the monthly charge shall be \$ 25.93 for all residential customers as determined by the City.

**SECTION 3.** Ordinance 2008-02, adopted on June 11, 2008, is hereby repealed.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5.** The forgoing changes are the only modifications or amendments of Ordinance 198, intended by this action of the board of Aldermen and in all other respects Ordinance 198 shall remain in full force and effect as enacted and heretofore amended.

**SECTION 6.** This Ordinance shall be in full force and effect from and after the date of passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 31<sup>st</sup> day of March, 2010.

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

---

**AN ORDINANCE AMENDING ARTICLE IV SECTION 3 OF ORDINANCE 198 – SEWERAGE SYSTEM; OF THE CODE OF ORDINANCES OF THE CITY OF OSBORN, MISSOURI BY ESTABLISHING WASTEWATER RATES TO BE CHARGED BY THE CITY OF OSBORN, TO RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WASTEWATER CUSTOMERS.**

---

**WHERE AS**, the City operates and maintains wastewater treatment works for the provision of a municipal wastewater system; and

**WHERE AS**, the City must pay the operation and maintenance expenses associated with said wastewater treatment system and must charge the users of such treatment works accordingly; and

**WHERE AS**, the board of Alderman have determined and declared it to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges for all users of the City's sewer system; and

**WHERE AS**, the proceeds derived from such charges will be used for the purpose of operating and maintaining said sewer system;

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

**SECTION 1. Sewer rates established.**

(a.) The following rates and charges for the use and services of the sewerage system of the City based on the amount of water billed, are hereby, established for meter readings taken at the regular scheduled time during the month of April 2010 until otherwise voted by the Board of Aldermen of the City of Osborn. The City will review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of Operation and Maintenance. The City of Osborn shall have and receive, each month, as compensation for sewer services as follows:

MONTHLY SEWER RATE SCHEDULE  
RESIDENTAL, COMMERCIAL, AND INDUSTRIAL  
Beginning April 2010

| <u>VOLUME OF WATER USED</u> | <u>RATES TO BE CHARGED</u> |
|-----------------------------|----------------------------|
| 0 to 1,000 gallons          | \$ 10.34                   |
| 1,001 to 2,000 gallons      | \$ 3.83 per 1,000 gallons  |
| 2,001 to 5,000 gallons      | \$ 3.83 per 1,000 gallons  |
| 5,001 to 10,000 gallons     | \$ 3.83 per 1,000 gallons  |
| 10,001 to 20,000 gallons    | \$ 3.83 per 1,000 gallons  |
| 20,001 to 100,000 gallons   | \$ 3.83 per 1,000 gallons  |
| 100,001 and over gallons    | \$ 3.83 per 1,000 gallons  |

**SECTION 2. Charge for sewerage service only; or where water is not metered.**

Whenever any charge for a sewerage service is made to any lot, parcel of land, or premises which is not supplied with water, or where there is no water meter, the monthly charge shall be \$ 25.93 for all residential customers as determined by the City.

**SECTION 3.** Ordinance 2008-02, adopted on June 11, 2008, is hereby repealed.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 5.** The forgoing changes are the only modifications or amendments of Ordinance 198, intended by this action of the board of Aldermen and in all other respects Ordinance 198 shall remain in full force and effect as enacted and heretofore amended.

**SECTION 6.** This Ordinance shall be in full force and effect from and after the date of passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 31<sup>st</sup> day of March, 2010.

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-12 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-12 has not been altered, amended or repealed as of this 11th day of August, 2010.

---

Christie Smith, City Clerk

(Seal)

**CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-12 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-12 has not been altered, amended or repealed as of this 11th day of August, 2010.

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Christie Smith, City Clerk

(Seal)

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**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE WW1970-2 WATER SYSTEM RATES; OF THE CODE OF ORDINANCES OF THE CITY OF OSBORN, MISSOURI BY ESTABLISHING WATER RATES TO BE CHARGED BY THE CITY OF OSBORN, TO RESIDENTIAL , COMMERCIAL, AND INDUSTRIAL WATER CUSTOMERS.**

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**WHERE AS**, the City operates and maintains waterworks for the provision of a municipal water system; and

**WHERE AS**, the City must pay the operation and maintenance expenses associated with said waterworks system and must charge the users of such water accordingly; and

**WHERE AS**, the board of Alderman have determined and declared it to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges for all users of the City's water system; and

**WHERE AS**, the proceeds derived from such charges will be used for the purpose of operating and maintaining said water system;

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

**SECTION 1. Water rates established.**

The following rates and charges for the use and services of the waterworks system of the City based on the amount of water billed, are hereby, established for meter readings taken at the regular scheduled time during the month of April 2010 until otherwise voted by the Board of Aldermen of the City of Osborn. The City will review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of Operation and Maintenance. The City of Osborn shall have and receive, each month, as compensation for water services as follows:

MONTHLY WATER RATE SCHEDULE  
RESIDENTAL, COMMERCIAL, AND INDUSTRIAL  
Beginning April 2010

| <u>VOLUME OF WATER USED</u> | <u>RATES TO BE CHARGED</u> |
|-----------------------------|----------------------------|
| 0 to 1,000 gallons          | \$ 15.59                   |
| 1,001 to 2,000 gallons      | \$ 6.94 per 1,000 gallons  |
| 2,001 to 5,000 gallons      | \$ 6.94 per 1,000 gallons  |
| 5,001 to 10,000 gallons     | \$ 6.94 per 1,000 gallons  |
| 10,001 to 20,000 gallons    | \$ 6.94 per 1,000 gallons  |
| 20,001 to 100,000 gallons   | \$ 6.94 per 1,000 gallons  |
| 100,001 and over gallons    | \$ 6.94 per 1,000 gallons  |

**SECTION 2.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3.** The forgoing changes are the only modifications or amendments of Ordinance WW1970-2, intended by this action of the board of Aldermen and in all other respects Ordinance WW1970-2, shall remain in full force and effect as enacted and heretofore amended.

**SECTION 4.** This Ordinance shall be in full force and effect from and after the date of passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 31<sup>st</sup> day of March, 2010.

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

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**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE WW1970-2 WATER SYSTEM RATES; OF THE CODE OF ORDINANCES OF THE CITY OF OSBORN, MISSOURI BY ESTABLISHING WATER RATES TO BE CHARGED BY THE CITY OF OSBORN, TO RESIDENTIAL , COMMERCIAL, AND INDUSTRIAL WATER CUSTOMERS.**

---

**WHERE AS**, the City operates and maintains waterworks for the provision of a municipal water system; and

**WHERE AS**, the City must pay the operation and maintenance expenses associated with said waterworks system and must charge the users of such water accordingly; and

**WHERE AS**, the board of Alderman have determined and declared it to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges for all users of the City's water system; and

**WHERE AS**, the proceeds derived from such charges will be used for the purpose of operating and maintaining said water system;

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

**SECTION 1. Water rates established.**

The following rates and charges for the use and services of the waterworks system of the City based on the amount of water billed, are hereby, established for meter readings taken at the regular scheduled time during the month of April 2010 until otherwise voted by the Board of Aldermen of the City of Osborn. The City will review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of Operation and Maintenance. The City of Osborn shall have and receive, each month, as compensation for water services as follows:

MONTHLY WATER RATE SCHEDULE  
RESIDENTAL, COMMERCIAL, AND INDUSTRIAL  
Beginning April 2010

| <u>VOLUME OF WATER USED</u> | <u>RATES TO BE CHARGED</u> |
|-----------------------------|----------------------------|
| 0 to 1,000 gallons          | \$ 15.59                   |
| 1,001 to 2,000 gallons      | \$ 6.94 per 1,000 gallons  |
| 2,001 to 5,000 gallons      | \$ 6.94 per 1,000 gallons  |
| 5,001 to 10,000 gallons     | \$ 6.94 per 1,000 gallons  |
| 10,001 to 20,000 gallons    | \$ 6.94 per 1,000 gallons  |
| 20,001 to 100,000 gallons   | \$ 6.94 per 1,000 gallons  |
| 100,001 and over gallons    | \$ 6.94 per 1,000 gallons  |

**SECTION 2.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3.** The forgoing changes are the only modifications or amendments of Ordinance WW1970-2, intended by this action of the board of Aldermen and in all other respects Ordinance WW1970-2, shall remain in full force and effect as enacted and heretofore amended.

**SECTION 4.** This Ordinance shall be in full force and effect from and after the date of passage and approval.

**PASSED** by the Board of Aldermen and **APPROVED** by the Mayor this 31<sup>st</sup> day of March, 2010.

\_\_\_\_\_  
Scott McKay, Mayor

Attest: \_\_\_\_\_  
Christie Smith, City Clerk

**BILL NO. 2010-09**

**ORDINANCE 2010-09**

**AN ORDINANCE AMENDING ORDINANCE 1988-WW1970-3, WATER /  
SEWER DEPOSIT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
OSBORN, OF OSBORN, MISSOURI, AS FOLLOWS:**

Ordinance 1988-WW-1970-3, an Ordinance amending Section 2 of Ordinance WW1970-2, establishing the basic rates of the water works of Osborn, Missouri, is hereby amended to require a deposit of \$ 25.00 (twenty-five dollars) per customer for connection of water / sewer service if said customer is the record owner of the property to be served by the City of Osborn Water / Sewer Service, and the sum of \$100.00 if said customer is a tenant, renter, or lessee of the premises to be serviced by the City of Osborn Water / Sewer Service.

The following additional section is added:

1. In the event that water / sewer service is disconnected in accordance with Ordinance 1970-1, and upon application for re-connection, an additional \$ 25.00 (twenty-five dollar) non-refundable reconnection fee plus the delinquent water bill has to be paid before water / sewer service will be reconnected.
2. In the event that water / sewer service is disconnected in accordance with Ordinance 1970-1, two or more times in the same calendar year, for each offense a non-refundable reconnection fee of \$ 100.00 (one hundred dollars) plus the delinquent water / sewer bill has to be paid before service will be reconnected.

**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 14th day of July, 2010.

ATTEST:

\_\_\_\_\_  
Scott McKay, Mayor

\_\_\_\_\_  
Christie Smith, City Clerk

(Seal)

### **CERTIFICATE**

I, the undersigned, Christie Smith, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-09 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-09 has not been altered, amended or repealed as of this 14th day of July, 2010.

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Christie Smith, City Clerk

(Seal)

**BILL NO. 2010-15**

**ORDINANCE 2010-15**

**AN ORDINANCE AMENDING ORDINANCE 2010-09, WATER / SEWER  
DEPOSIT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
OSBORN, OF OSBORN, MISSOURI, AS FOLLOWS:**

Ordinance 2010-09, an Ordinance amending 1988-WW-1970-3, establishing a requirement to have a \$25.00 deposit for owners and a \$100.00 deposit for renters for the water works of Osborn, Missouri, is hereby amended to require a lease agreement if said customer is a tenant, renter, or lessee of the premises to be serviced by the City of Osborn Water / Sewer Service.

The following additional section is added:

1. In the event that a tenant, renter, or lessee of the premises requests water/sewer service the persons will provide a \$100.00 deposit in accordance with Ordinance 2010-09, and a lease agreement. Service will not be turned on until the proper documentation is provided.

**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 15th day of December, 2010.

ATTEST:

\_\_\_\_\_  
Scott McKay, Mayor

\_\_\_\_\_  
Jody Barlow, City Clerk

(Seal)

**CERTIFICATE**

I, the undersigned, Jody Barlow, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-15 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-15 has not been altered, amended or repealed as of this 15th day of December, 2010.

---

Jody Barlow, City Clerk

(Seal)

**BILL NO. 2010-12**

**ORDINANCE 2010-12**

**AN ORDINANCE AMENDING ORDINANCE 2010-09, WATER / SEWER  
DEPOSIT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
OSBORN, OF OSBORN, MISSOURI, AS FOLLOWS:**

Ordinance 2010-09, an Ordinance amending 1988-WW-1970-3, establishing a requirement to have a \$25.00 deposit for owners and a \$100.00 deposit for renters for the water works of Osborn, Missouri, is hereby amended to require a lease agreement if said customer is a tenant, renter, or lessee of the premises to be serviced by the City of Osborn Water / Sewer Service.

The following additional section is added:

1. In the event that a tenant, renter, or lessee of the premises requests water/sewer service the persons will provide a \$100.00 deposit in accordance with Ordinance 2010-09, and a lease agreement. Service will not be turned on until the proper documentation is provided.

**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 15th day of December, 2010.

ATTEST:

\_\_\_\_\_  
Scott McKay, Mayor

\_\_\_\_\_  
Jody Barlow, City Clerk

(Seal)

## **CERTIFICATE**

I, the undersigned, Jody Barlow, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-12 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-12 has not been altered, amended or repealed as of this 15th day of December, 2010.

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Jody Barlow, City Clerk

(Seal)

**BILL NO. 2010-15**

**ORDINANCE 2010-15**

**AN ORDINANCE AMENDING ORDINANCE 2010-09, WATER / SEWER  
DEPOSIT**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF  
OSBORN, OF OSBORN, MISSOURI, AS FOLLOWS:**

Ordinance 2010-09, an Ordinance amending 1988-WW-1970-3, establishing a requirement to have a \$25.00 deposit for owners and a \$100.00 deposit for renters for the water works of Osborn, Missouri, is hereby amended to require a lease agreement if said customer is a tenant, renter, or lessee of the premises to be serviced by the City of Osborn Water / Sewer Service.

The following additional section is added:

1. In the event that a tenant, renter, or lessee of the premises requests water/sewer service the persons will provide a \$100.00 deposit in accordance with Ordinance 2010-09, and a lease agreement. Service will not be turned on until the proper documentation is provided.

**PASSED** by the Board of Aldermen of the City of Osborn, Missouri, this 15th day of December, 2010.

ATTEST:

\_\_\_\_\_  
Scott McKay, Mayor

\_\_\_\_\_  
Jody Barlow, City Clerk

(Seal)

**CERTIFICATE**

I, the undersigned, Jody Barlow, Clerk of the City of Osborn of DeKalb County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2010-15 of said City of Osborn as the same appears of record in my office, and is as it was passed and approved by the Board of Aldermen of said City of Osborn. Ordinance No. 2010-15 has not been altered, amended or repealed as of this 15th day of December, 2010.

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Jody Barlow, City Clerk

(Seal)