

BILL NO. 2022-58

ORDINANCE NO. _____

INTRODUCED BY _____

AN ORDINANCE TO AMEND HERMANN MUNICIPAL CODE SECTION 420.010 TO INCLUDE ADDITIONAL AND AMENDED DEFINITIONS AND CODE SECTION 420.090 TO INCLUDE ADDITIONAL USES TO BE PERMITTED IN THE “AG” AGRICULTURAL DISTRICT.

WHEREAS, the definitions of terms used in the zoning code are provided in Hermann Municipal Code (“Code”) Section 420.010; and

WHEREAS, The City desires to add definitions for Brewery, Distillery and Winery; and

WHEREAS, The City desires to amend the definition of Microdistillery; and

WHEREAS, Subsection A of Code Section 420.090 indicates the permitted uses in the “Ag” Agricultural District; and

WHEREAS, the Hermann Planning and Zoning Commission has recommended that Breweries, Microbreweries, Distilleries, Micro-distilleries and Wineries shall be added as permitted uses in the Agricultural District; and

WHEREAS, the Board of Aldermen has determined that such amendments to the zoning code serve a legitimate public purpose and is in the best interests of the citizens of the City of Hermann, Missouri.

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

SECTION ONE: Subsection A, *Permitted Uses*, of Code Section 420.090 “Ag” Agricultural District shall be amended to add Breweries, Microbreweries, Distilleries, Micro-distilleries and Wineries as permitted uses.

SECTION TWO: Hermann Municipal Code Section 420.010, Definitions and Interpretation, shall be amended to add the following definitions:

BREWERY – A business whose primary activity is the brewing and selling of beer, with an annual production of more than 10,000 barrels, and which engages in such other uses as may be incidental thereto.

DISTILLERY – A business whose primary activity is to produce beverage-grade spirit alcohol, with an annual production of more than 100,000 proof gallons per year. A “proof gallon” is one (1) liquid gallon of spirits that is fifty percent (50%) alcohol at sixty degrees Fahrenheit (60° F.) A Distillery may also engage in such other uses as may be incidental to the production of beverage-grade spirit alcohol.

WINERY – An agricultural processing facility that produces wine from fruit or fruit juices through fermentation which engages in such other uses as may be incidental thereto.

SECTION THREE: The definition of Microdistillery in Code Section 420.010 is amended to read as follows:

MICRODISTILLERY: A business whose primary activity is to produce beverage grade spirit alcohol, with an annual production of up to one hundred thousand (100,000) proof gallons per year, and any other uses incident thereto. A “proof gallon” is one (1) liquid gallon of spirits that is fifty percent (50%) alcohol at sixty (60) degrees Fahrenheit.

SECTION FOUR: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and adoption.

SECTION SIX: The publisher of the City of Hermann ordinances shall be permitted to re-designate the section or sub-section number of this revised code section to fit within an appropriate portion of the Hermann City Code, within the discretion of the publisher.

First Reading: November 28, 2022

Second Reading: _____

VOTE:

Name	First Reading			Second Reading		
	Aye	Nay	Abs	Aye	Nay	Abs
Alderman Ash Geers						
Alderman Derek LeRoy						
Alderman Jim Schirmer						
Alderman Susan Lenger						

Mayor and Clerk signatures on next page

Passed and approved this ___ day of _____, 2022.

BRUCE COX, Mayor

PATRICIA HEANEY, City Clerk