



**BOARD OF ALDERMEN REGULAR MEETING
IN BOARD OF ALDERMEN CHAMBERS
10405 ST. CHARLES ROCK ROAD
ST. ANN, MISSOURI 63074
December 5, 2016 @ 7:00PM**

REGULAR MEETING AGENDA

- 1. Call to Order – Pledge of Allegiance**
- 2. Roll Call**
- 3. Communications/Public Comment**
 - a. Approval of Minutes**
 - 1. November 7, 2016 Regular Meeting**
 - b. Public Hearing**
 - 1. 2017 Combined Funds Budget**
 - c. Public Comment – Agenda Items**
- 4. Introduction of Bills & Resolutions**
 - a. BILL 3120 – AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH W.M. FINANCIAL CONSULTANTS FOR INDEPENDENT FINANCIAL ADVISORY SERVICES FOR THE SERIES 2017 GENERAL OBLIGATION BONDS.**
 - b. BILL 3121 – AN ORDINANCE ADOPTING AND ENACTING A NEW CHAPTER 215, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF ST. ANN, COUNTY OF ST. LOUIS, STATE OF MISSOURI; AND PROVIDING FOR THE REPEAL OF EXISTING CODE CHAPTER 215; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**
 - c. BILL 3122 - AN ORDINANCE APPOINTING WILLIAM G. BUCHHOLZ II AS PROVISIONAL JUDGE OF THE MUNICIPAL COURT OF THE CITY OF ST. ANN AND ESTABLISHING HIS COMPENSATION.**
 - d. BILL 3123 - AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH TOPE INC. FOR SEWER LATERAL INVESTIGATION & REPAIR SERVICES.**
 - e. BILL 3124 - AN ORDINANCE OF THE CITY OF ST. ANN, MISSOURI, APPROVING THE BUDGET AND AUTHORIZING BUDGETED EXPENDITURES FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2017.**
- 5. Approval of Monthly Reports & Warrant**
- 6. Public Comment – Non-Agenda Items**
- 7. Adjournment**

PLEASE NOTE: Not all of the above items may necessarily be acted on and individual items may be acted on out of order. In accordance with RSMo. Section 610.021, the Board of Aldermen may vote to go into Executive Session during this meeting to discuss matters of litigation, legal actions, and communications from the City Attorney, personnel matters, employee information and real estate discussions. In order to accommodate all persons wishing to attend this meeting, the Board of Aldermen may vote to adjourn this meeting and continue it at the St. Ann Community Center, #1 Community Center, Dr. St. Ann, MO 63074.

Posted: 12-2-2016 @ 5:00pm



Board of Aldermen Agenda Memorandum No. 3a

TO: The Michael Corcoran and Board of Aldermen

DATE: December 5, 2016

RE: Communications/Public Comment

We have the minutes and the 2017 Budget.

Respectfully Submitted,

Matthew K. Conley
City Administrator/City Clerk

**BOARD OF ALDERMEN REGULAR MEETING
BOARD OF ALDERMEN CHAMBERS
10405 ST. CHARLES ROCK ROAD
ST. ANN, MISSOURI**

Approved: _____

November 7, 2016

The 145nd Regular Meeting of the Board of Aldermen of the City of St. Ann, Missouri, was held at St. Ann City Hall on Monday, November 7, 2016 at 7:00 p.m.

Alderman Croney led the Board and Audience in the Pledge of Allegiance.

Those in attendance were, Mayor Corcoran, Aldermen:

Roll Call:

Asinger	Aye	Murphy	Aye
Poelker	Aye	Croney	Aye
Dirck	Aye	Crabtree	Absent/ <i>Excused</i>
Sparks	Aye	Triplett	Aye

Also Present:

City Attorney: Steve Garrett
City Administrator/City Clerk: Matt Conley
Chief of Police: Chief Jimenez
Director of Public Services: Shawn Seymour
Director of Parks & Recreation: Tim Younker
Deputy City Clerk/Deputy Collector: Christina Rogers

COMMUNICATIONS/PUBLIC COMMENT

APPROVAL OF MINUTES

Motion was made by Alderman Asinger, seconded by Alderman Sparks to approve the minutes of the August 29, 2016 Committee meeting. All in favor.

Motion was made by Alderman Murphy, seconded by Alderman Asinger to approve the minutes of the September 6, 2016 Regular meeting. All in favor.

Motion was made by Alderman Sparks, seconded by Alderman Asinger to approve the minutes of the October 3, 2016 Regular meeting. All in favor.

PUBLIC COMMENT – AGENDA ITEMS

Hearing none.

INTRODUCTION OF BILLS & RESOLUTIONS

Mayor Corcoran read Bill No. 3118 for the first time.

FIRST READING OF BILL NO. 3118 – AN ORDINANCE AUTHORIZING THE CITY TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT AND DIRECTING THE CITY ADMINISTRATOR TO ENTER INTO ALL NECESSARY AGREEMENTS.

Mayor Corcoran read Bill No. 3118 for the second time.

SECOND READING OF BILL NO. 3118 – AN ORDINANCE AUTHORIZING THE CITY TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT AND DIRECTING THE CITY ADMINISTRATOR TO ENTER INTO ALL NECESSARY AGREEMENTS.

Alderman Sparks made motion, seconded by Alderman Triplett to approve Bill No. 3118.

Mayor Corcoran explained this is a new program that is clean energy, low interest loans, most municipalities in the area are also looking into this program. Mayor Corcoran indicated this is a nice assistance for our residents and home owners. Mayor Corcoran stated the program includes projects such as: solar panels, remodeling, weatherization of the home and many other projects. Mayor Corcoran voiced he is excited about St. Ann being one of the first municipalities to pass an ordinance.

Alderman Poelker asked the Mayor to clarify why this program is so good and how it works.

Mayor Corcoran communicated there are so many options, they find the contractors and the residents would pick from the list. The best part is the low interest rates.

Alderman Poelker commented it works like a home loan. Mayor Corcoran responded to the affirmative.

Roll Call for passage:

Asinger	Aye	Murphy	Aye
Poelker	Aye	Croney	Aye
Dirck	Aye	Crabtree	Absent/ <i>Excused</i>
Sparks	Aye	Triplett	Aye

7-Aye 0-No 1-Absent

Bill No. 3118 becomes Ordinance No. 3028.

Mayor Corcoran stated when we receive more information, we will place the information on the city website.

Mayor Corcoran read Bill No. 3119 for the first time.

FIRST READING OF BILL NO. 3119 – AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH THE CITY OF FERGUSON FOR PRISONER PROCESSING SERVICES, THE CITY OF WELLSTON FOR COURT ADMINISTRATIVE SERVICES AND THE CITY OF MOLINE ACRES FOR POLICE DISPATCHING/COURT ADMINISTRATIVE SERVICES.

Mayor Corcoran read Bill No. 3119 for the second time.

SECOND READING OF BILL NO. 3119 – AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH THE CITY OF FERGUSON FOR PRISONER PROCESSING SERVICES, THE CITY OF WELLSTON FOR COURT ADMINISTRATIVE SERVICES AND THE CITY OF MOLINE ACRES FOR POLICE DISPATCHING/COURT ADMINISTRATIVE SERVICES.

Mayor Corcoran communicated these cities have to approve through their City Council and is still in the process and mentioned this is the way of the future consolidating city services and this will bring in additional revenue to our city.

Alderman Sparks asked if we would have enough dispatchers. Chief Jimenez replied, if we end up taking dispatching services for Ferguson, at that point we will definitely have to hire 3-4 more dispatchers. Chief Jimenez indicated the amount of money they will be required to pay will more than make up for and cover those costs. Mr. Conley responded, Ferguson has not made a decision yet on the dispatching.

Chief Jimenez stated as of right now we are fine, it is just a little more work, the amount of money we will be bringing in to help our budget and helping these other cities survive. It is crucial for us to survive because we would be next.

Mayor Corcoran questioned if we would be required to get additional equipment. Chief Jimenez responded, we have four stations at this time, two full time and three on and off and believes we are fine right now.

Alderman Murphy made motion, seconded by Alderman Asinger to approve Bill No. 3119.

Roll Call for passage:

Asinger	Aye	Murphy	Aye
Poelker	Aye	Croney	Aye
Dirck	Aye	Crabtree	Absent/ <i>Excused</i>
Sparks	Aye	Triplett	Aye

7-Aye 0-No 1-Absent

Bill No. 3119 becomes Ordinance No. 3029.

APPROVAL OF MONTHLY REPORTS & WARRANT LIST

Alderman Asinger made motion to approve the monthly reports and warrant lists, seconded by Alderman Sparks. All in favor.

PUBLIC COMMENT – NON-AGENDA ITEMS

Cindy Basham – 10967 St. Francis Ln.

Ms. Basham communicated she is here again for the sign for spay/neuter clinic that was never put on St. Charles Rock Road to advertise the clinic.

Discussion ensued that included: Vatterott did not get back with the city; Gundaker, said no to putting the sign on their property; last spring 2 signs were put up; location of sign; policy needs to implemented; clinic was cancelled due to low registrations; sign was not put up a week ahead of time; SAPA told sign would be up, no communication from the city; scanner, waiting on bids; city will purchase a scanner in 2017 budget; scanner that SAPA currently has is not a universal scanner; SAPA purchased microchips and the company threw in a scanner; scanner will be purchased in the first month of 2017.

Tim Walsh – 10413 St. Henry

Mr. Walsh stated this was a follow-up to the previous speaker, rather put the burden of trying to find a location for this sign in the City of St. Ann, maybe it is time St. Ann Animal Pet Adoption takes it upon themselves to talk to the property owners and secure a location for themselves and then when they find it, come back to the Board and say, here is the location and we have

permission, a written letter and then it can be set up. It takes the burden off of the city and back on St. Ann Animal Pet Adoption.

Mayor Corcoran voiced he believes Ms. Basham talked to someone in the Vatterott office, they did not get back with Mr. Seymour. Mayor Corcoran believes it was a miscommunication. Mayor Corcoran stated, Mr. Seymour is needing direction from the Board of Aldermen on how to handle the policy on the sign in the future.

Jeanette Brooks – 3117 Pearl Harbor

Ms. Brooks voiced she had talked to the Chief about a year ago concerning her neighbor who calls animal control on her animal falsely.

Ms. Brooks commented she is having a problem with her neighbor who watches everything in the neighborhood. Animal Control was called to come out to her home, who was very sympathetic to the situation. Ms. Brooks communicated she does allow her animal to run into her neighbor's yard because she is allowed in that neighbor's yard. Ms. Brooks has spoken with a lot of her neighbors after the letter last week.

Ms. Brooks has filed a police report for harassment and false declaration.

Chief Jimenez stated he will look into this situation.

ADJOURNMENT

Motion made by Alderman Asinger, seconded by Alderman Croney to adjourn meeting. All in favor.

Meeting adjourned at 7:20 p.m.

Mr. Conley asked if any of the Board members wish to stick around to look at Holiday Banners, Mr. Seymour has a few samples to choose from.

ATTEST:

/S/ MICHAEL G. CORCORAN
Mayor

/S/ MATT CONLEY
City Clerk

APPROVED this 5th day of December, 2016.



Board of Aldermen Agenda Memorandum No. 4a

TO: The Honorable Michael Corcoran and Board of Aldermen

DATE: December 5, 2016

RE: Introduction of Bills & Resolutions

They are attached. I have attached the Draft Budget with Budget Message and Charts.

Respectfully Submitted,

A handwritten signature in black ink that reads "Matt Conley".

Matthew K. Conley
City Administrator/City Clerk

First reading: _____

Second reading: _____

Introduced by _____

BILL NO. 3120

ORDINANCE NO. _____

AN ORDINANCE AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH W.M. FINANCIAL CONSULTANTS FOR INDEPENDENT FINANCIAL ADVISORY SERVICES FOR THE SERIES 2017 GENERAL OBLIGATION BONDS.

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

Section 1. The City Administrator is authorized to accept the proposal attached hereto as Exhibit "A".

Passed by the Board of Aldermen for the City of St. Ann, Missouri, this _____ day of _____, 2016.

Presiding Officer

Attest:

City Clerk

Signed this _____ day of _____, 2016.

Michael G. Corcoran
Mayor, City of St. Ann

Attest:

City Clerk

FINANCIAL ADVISORY AGREEMENT

This Financial Advisory Agreement (the "Agreement"), dated as of _____, 2016, is between WM Financial Strategies and the City of St. Ann, Missouri (the "City").

The City agrees to hire WM Financial Strategies and WM Financial Strategies agrees to act as financial advisor to the City to provide services relating to the issuance of General Obligation Bonds (the "Bonds") on the terms set forth below:

- 1. SCOPE OF PROJECT.** Subject to voter approval, the City is planning the sale of the Bonds in an amount not exceeding \$7,500,000 General Obligation Bonds to finance park improvements and to refund a portion of the outstanding Certificates of Participation, Series 2013 (collectively the "Project"),
- 2. SCOPE OF SERVICES.** The City hires WM Financial Strategies to provide the services set forth in the attached Exhibit. All services described in the Exhibit are hereby incorporated by reference.
- 3. AGREEMENT TO PROVIDE INFORMATION.** The City agrees to provide WM Financial Strategies with information required to provide the services set forth herein, including financial statements, budgets, and other relevant documents.
- 4. ADVISORY FEES.** WM Financial Strategies shall receive a fee equal to \$15,000 payable and contingent upon the closing of the sale of the Bonds, provided that in the event the Bonds are subdivided into multiple issuance, such fee shall be applied to each bond issue.
- 5. OUT-OF-POCKET EXPENSES.** The fee above includes out-of-pocket expenses for in-house reproductions, postage and courier services.
- 6. BILLING STATEMENT.** The City will receive an invoice upon the closing of the Bonds which shall be due and paid promptly following the closing but within 30 days of such closing.
- 7. PROPERTY OWNERSHIP.** All reports, studies and data obtained or compiled as part of this Agreement shall be the property of the City. All such reports, studies and data shall be delivered promptly to the City as completed. The City may additionally request receipt of partially completed reports, studies and data in order to assess the status of completion of services.
- 8. PAST DUE BALANCES.** Any balance that is thirty days past due shall be subject to a finance charge computed at the rate of .5% per month, which is an annual percentage rate of 6%.
- 9. MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both parties.
- 10. TERMINATION.** This Agreement shall terminate following the sale of the Bonds or December 31, 2018 in the event the City fails to obtain voter approval to issue such Bonds.

City of St. Ann, Missouri

WM Financial Strategies

BY: _____

BY: _____

TITLE: _____

TITLE: _____

**EXHIBIT
SERVICES**

- **Capital Planning**

WM Financial Strategies will assist the City in developing the financing plan that will be used in connection with the bond referendum including recommendations with respect to the timing of the Bond sale, the size of the issue, and maturity schedules.

- **Referendum**

WM Financial Strategies will assist the City in developing materials used to educate citizens regarding the election including computations relating to the estimated residential cost.

- **Financing Plan**

WM Financial Strategies will develop a financing plan that will include recommendations with respect to the timing of the Bond sale, a maturity schedule, redemption features, the amount by maturity of Series 2013 Certificates that should be refunded and other terms required to market the Bonds.

- **Document Preparation**

WM Financial Strategies will assist the City and Bond Counsel in the development of the authorizing ordinance and other Bond documents.

- **Official Statement Preparation**

WM Financial Strategies will prepare the Preliminary and Final Official Statement (collectively the “Official Statement”) to be used in conjunction with the sale of the Bonds. In preparing the Official Statement WM Financial Strategies will collect, research, develop and compile data for use therein and shall attempt to remove as much of the responsibility of third party data collection as possible from the City’s staff; however, the City will be responsible for the accuracy of the Official Statement.

- **Paying Agent/Escrow Agent Selection**

WM Financial Strategies shall assist the City in selecting a bank to serve as the Paying Agent and Escrow Agent.

- **Bond Marketing**

WM Financial Strategies shall develop a marketing plan for the sale of Bonds including advising whether to sell the Bonds based on competitive bidding or competitive proposals. For a negotiated sale, WM Financial Strategies shall prepare a request for proposals, appraise the proposals received, recommend the firm to be selected and finalize the terms of the sale to reflect the City’s best interest.

- **Rating**

WM Financial Strategies shall use its best efforts in obtaining the highest possible rating for the issue. The process to be utilized for this purpose will include making a credit review of the City, advising the City of the findings, rehearsing possible rating questions, making an analysis of areas which can be expected to be raised by the rating agency, preparing supplemental reports and schedules for the rating agency, and preparing for a possible visit to the rating agency, if desirable.

- **Market Analysis**

In order to appropriately advise the City on the establishment of a desirable sale date and to keep the City abreast of the cost of the financing plan under development, WM Financial Strategies shall monitor the following:

- The general condition and trends in the economy.
- The condition of capital markets including the imposition of any unusual restraints on monetary supply by the Federal Reserve System.
- The status of recently sold municipal issues.
- The supply of issues coming to market.

- **Acquisition of Escrow Securities**

In connection with the refunding of Series 2013 Certificates, WM Financial Strategies shall determine the type of securities to be acquired and deposited in the escrow account and arrange for their acquisition. For refunding transactions, the securities generally consist of State and Local Government Securities which are acquired directly from the United States Treasury and were designed for tax-exempt issuers. WM Financial Strategies is an authorized agent for ordering the securities through SLG Safe, the Bureau of Public Debt's required internet system. No commissions or other fees will be charged for the acquisition of securities.

- **Mathematical Computations**

WM Financial Strategies will prepare maturity schedules and other schedules showing mathematical results including the source and disbursement of funds, yield calculations, tax levy calculations and escrow account calculations. These schedules will be prepared using the computer systems and proprietary software maintained by WM Financial Strategies. The schedules will be updated from time to time to reflect changes in market conditions.

- **CPA Verification**

WM Financial Strategies will prepare a request for proposal for selection of a Certified Public Account to perform verification of mathematical computations as required for advance refunding transactions.

- **Attendance at Meetings**

WM Financial Strategies shall attend meetings to explain the progress of the transaction and the various documents to be adopted by the City.

- **Closing Services**

WM Financial Strategies will provide services required to effectuate the Bond closing, including assisting with the establishment of the Bonds accounts, transfer of funds at the time of the Bond closing, and obtaining CUSIP identification numbers.

REQUIRED DISCLOSURES

Effective June 23, 2016, the Municipal Securities Rulemaking Board requires disclosures relating to (a) conflicts of interest, (b) disciplinary events filed with the Securities and Exchange Commission, and (c) fee arrangements. These disclosures are set forth below:

- (a) WM Financial Strategies has no known conflicts of interest relating to the Project.
- (b) Joy A. Howard has not been the subject of any disciplinary event.
- (c) This Financial Advisory Agreement includes a fee is payable upon the closing of the Bonds. The Municipal Securities Rulemaking Board has identified fees contingent on the closing of a transaction as a potential conflict of interest since it could encourage proceeding with a transaction that may not be feasible; however, WM Financial Strategies has a fiduciary duty to serve in your best interest which should mitigate the potential conflict of interest.

AN ORDINANCE ADOPTING AND ENACTING A NEW CHAPTER 215, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF ST. ANN, COUNTY OF ST. LOUIS, STATE OF MISSOURI; AND PROVIDING FOR THE REPEAL OF EXISTING CODE CHAPTER 215; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE

Be it ordained by the Board of Aldermen of the City of St. Ann, County of St. Louis, State of Missouri, as follows:

Section 1. Findings.

In the 2014 Legislative Session, the Missouri State Legislature enacted Senate Bill 491 and House Bill 1371 which resulted in numerous revisions to Title 38 (Crimes and Punishment) of the State Statutes, effective as of January 1, 2017. Therefore, Chapter 215, Offenses, of the Code of Ordinances of the City of St. Ann, County of St. Louis, State of Missouri, requires substantial revision and reoption to effect compliance with the Revised Statutes of Missouri.

Section 2. Adoption of Revised Chapter and Repeal of Existing Provisions; Effective Date.

- A. The entirety of Chapter 215, Offenses, attached hereto, is hereby adopted and enacted as Chapter 215 of the Code of Ordinances of the City of St. Ann; and such Chapter shall repeal and replace existing Code Chapter 215 as of the effective date provided in Subsection (C) hereof.
- B. The repeal of existing Chapter 215 set forth in Subsection (A) above shall not affect the following:
 - (1) Any ordinance adopted subsequent to April 4, 2016, which reflects the date of the last legislation reviewed for the most recent Code update (Supp #26, 4/16).
 - (2) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.
- C. All provisions of this ordinance and revised Chapter 215, Offenses, adopted hereby shall be in full force and effect on January 1, 2017.

Section 3. Severability.

It is hereby declared to be the intention of the Board of Aldermen that the Sections, paragraphs, sentences, clauses and phrases of this ordinance and Chapter 215, Offenses, hereby adopted are severable, and if any phrase, clause, sentence, paragraph or Section of this ordinance or Chapter 215 hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of this ordinance or Chapter 215 hereby adopted.

Passed by the Board of Aldermen of the City of St. Ann, Missouri, this ____ day of _____, 2016.

Presiding Officer

Attest:

City Clerk

Signed this ____ day of _____, 2016.

Michael G. Corcoran
Mayor, City of St. Ann

Attest:

City Clerk

Chapter 215

OFFENSES

ARTICLE I General Provisions

- Section 215.010. Definitions.
- Section 215.020. Attempt.
- Section 215.030. Conspiracy.
- Section 215.040. through Section 215.110. (Reserved)

ARTICLE II Offenses Against the Person

- Section 215.120. Assault.
- Section 215.130. Domestic Assault.
- Section 215.140. (Reserved)
- Section 215.150. Harassment.
- Section 215.160. Stalking — Definitions.
- Section 215.165. Stalking, First Degree.
- Section 215.170. Kidnapping.
- Section 215.180. Endangering the Welfare of a Child.
- Section 215.190. Leaving a Child Unattended in a Motor Vehicle — Definitions.
- Section 215.200. Abandonment of Child.
- Section 215.210. Unlawful Transactions With a Child.
- Section 215.220. through Section 215.290. (Reserved)

ARTICLE III Offenses Concerning Administration of Justice

- Section 215.300. Concealing an Offense.
- Section 215.310. Hindering Prosecution.

- Section 215.320. Refusal To Identify as a Witness.
- Section 215.330. Disturbing a Judicial Proceeding.
- Section 215.340. Tampering With a Witness or Victim.
- Section 215.350. Tampering With Physical Evidence.
- Section 215.355. Tampering With a Public Record.
- Section 215.360. Improper Communication.
- Section 215.370. False Impersonation.
- Section 215.380. False Reports.
- Section 215.385. False Declarations.
- Section 215.390. Resisting or Interfering With Arrest, Detention or Stop.
- Section 215.400. Escape or Attempted Escape From Custody.
- Section 215.410. Interference With Legal Process.
- Section 215.420. False Bomb Report.
- Section 215.430. Simulating Legal Process.
- Section 215.440. Interference With the Performance of Duties of City Officials and Employees.
- Section 215.450. Refusing To Make an Employee Available for Service of Process.
- Section 215.460. through Section 215.510. (Reserved)

ST. ANN CITY CODE

ARTICLE IV

Offenses Concerning Public Safety

- Section 215.520. Abandonment of Airtight or Semi-Airtight Containers.
- Section 215.530. Littering.
- Section 215.540. Littering Via Carcasses.
- Section 215.550. Tampering With a Water Supply.
- Section 215.560. Abandoning Motor Vehicle, Vessel or Trailer.
- Section 215.570. through Section 215.650. (Reserved)

ARTICLE V

Offenses Concerning Public Peace

- Section 215.660. Definitions.
- Section 215.670. Peace Disturbance.
- Section 215.680. Private Peace Disturbance.
- Section 215.690. Unlawful Assembly.
- Section 215.700. Rioting.
- Section 215.710. Refusal To Disperse.
- Section 215.720. Noise Regulations.
- Section 215.725. Obstruction of Business — Remaining on Closed Parking Lots.
- Section 215.730. Disrupting a House of Worship.
- Section 215.740. Unlawful Funeral Protests Prohibited — Definitions.
- Section 215.750. through Section 215.820. (Reserved)

ARTICLE VI

Offenses Concerning Weapons and Firearms

- Section 215.830. Definitions.
- Section 215.840. Weapons — Carrying Concealed — Other Unlawful Use.
- Section 215.850. Possession, Manufacture, Transport, Repair, Sale of Certain Weapons.
- Section 215.860. Defacing Firearm.
- Section 215.870. Purchase in Another State by Missouri Residents, Permitted When.
- Section 215.880. Purchase in Missouri by Non-Resident, Permitted When.
- Section 215.890. Unlawful Transfer of Weapons.
- Section 215.900. Carrying Concealed Firearms Prohibited — Penalty for Violation.
- Section 215.910. Open Display of Firearm Permitted, When.
- Section 215.920. Discharging Air Gun, Etc.
- Section 215.930. Firearms in City Buildings.
- Section 215.940. through Section 215.1010. (Reserved)

ARTICLE VII

Offenses Concerning Property

- Section 215.1020. Definitions.
- Section 215.1030. Tampering.
- Section 215.1040. Property Damage.
- Section 215.1050. Claim of Right.

OFFENSES

- Section 215.1060. Trespass in the First Degree.**
- Section 215.1070. Trespass in the Second Degree.**
- Section 215.1080. Trespass of a School Bus.**
- Section 215.1090. Reckless Burning or Exploding.**
- Section 215.1100. Negligent Burning or Exploding.**
- Section 215.1110. Stealing.**
- Section 215.1120. Theft of Motor Fuel.**
- Section 215.1130. (Reserved)**
- Section 215.1140. Financial Exploitation of an Elderly Person or Person With a Disability — Certain Defense Prohibited.**
- Section 215.1150. Fraudulent Use of a Credit or Debit Device.**
- Section 215.1160. Deceptive Business Practice.**
- Section 215.1170. Alteration or Removal of Item Numbers With Intent To Deprive Lawful Owner.**
- Section 215.1180. Stealing Leased or Rented Personal Property — Enforcement Procedure — Penalty — Venue.**
- Section 215.1190. Passing Bad Checks.**
- Section 215.1200. Shoplifting — Detention of Suspect by Merchant — Liability Presumption.**
- Section 215.1210. Copper Wire or Cable, Catalytic Converters, Collectors and Dealers To Keep Register, Information Required — Penalty — Exempt Transactions.**
- Section 215.1220. Metal Beer Keg, Prohibition on Purchase or Possession by Scrap Metal Dealer — Violation, Penalty.**
- Section 215.1230. Metal Belonging to Various Entities — Scrap Yard Not To Purchase — Violation, Penalty.**
- Section 215.1240. Scrap Metal Dealers — Payments in Excess of \$500.00 To Be Made by Check — Exceptions.**
- Section 215.1250. Exterior Collection Units, Donation Boxes and Similar Devices.**
- Section 215.1260. Forgery.**
- Section 215.1270. through Section 215.1340. (Reserved)**

ARTICLE VIII Offenses Concerning Prostitution

- Section 215.1350. Article Definitions.**
- Section 215.1360. Prostitution.**
- Section 215.1370. Patronizing Prostitution.**
- Section 215.1380. (Reserved)**
- Section 215.1390. Prostitution Houses Deemed Public Nuisances.**
- Section 215.1400. through Section 215.1490. (Reserved)**

ARTICLE IX Sexual Offenses

- Section 215.1500. Article Definitions.**
- Section 215.1510. Sexual Misconduct.**
- Section 215.1520. Sexual Abuse.**

ST. ANN CITY CODE

Section 215.1530. Certain Offenders Not To Physically Be Present or Loiter Within 500 Feet of a Child Care Facility — Violation — Penalty.

Section 215.1540. Certain Offenders Not To Be Present Within 500 Feet of School Property, Exception — Permission Required for Parents or Guardians Who Are Offenders, Procedure.

Section 215.1550. Halloween, Restrictions on Conduct — Violations.

Section 215.1560. Urinating or Defecating in Public.

Section 215.1570. Public Indecency/Indecent Exposure.

Section 215.1580. through Section 215.1660. (Reserved)

ARTICLE X

Offenses Concerning Pornography

Section 215.1670. Definitions.

Section 215.1680. Promoting Pornography for Minors or Obscenity.

Section 215.1690. Furnishing Pornographic Materials to Minors.

Section 215.1700. through Section 215.1790. (Reserved)

ARTICLE XI

Offenses Concerning Drugs and Alcohol

Section 215.1800. Possession of Marijuana or Synthetic Cannabinoid.

Section 215.1810. Possession of a Controlled Substance.

Section 215.1820. Limitations on the Retail Sale of Methamphetamine Precursor Drugs.

Section 215.1830. Unlawful Possession of Drug Paraphernalia.

Section 215.1840. Inhalation or Inducing Others To Inhale Solvent Fumes to Cause Certain Reactions, Prohibited — Exceptions.

Section 215.1850. Inducing, or Possession With Intent To Induce, Symptoms by Use of Solvents and Other Substances, Prohibited.

Section 215.1860. Possession or Purchase of Solvents To Aid Others in Violations, Prohibited — Violations of Sections 210.1840 to 210.1850 — Penalty.

Section 215.1870. Possession or Consumption of Alcoholic Beverages in a Motor Vehicle or in a Business Parking Lot.

Section 215.1880. through Section 215.1960. (Reserved)

ARTICLE XII

Offenses Concerning Minors

Section 215.1970. Curfew for Minors.

Section 215.1980. Failure To Supervise Minors at Gatherings Where Alcoholic Beverages or Controlled Substances Are in the Possession of,

OFFENSES

- Consumed by, or
Delivered to, Minors.
- Section 215.1990. Sale to or Possession by
Persons Under the Age
of Eighteen of
Hand-Held Laser
Pointers.
- Section 215.2000. through Section
215.2090. (Reserved)

ARTICLE XIII

Offenses Concerning Tobacco,
Alternative Nicotine Products or Vapor
Products

- Section 215.2100. Definitions.
- Section 215.2105. No Tobacco Sales to
Minors — Alternative
Nicotine Products,
Vapor Products and
Nicotine Liquid
Containers — Sale to
Minors Prohibited.
- Section 215.2110. Unlawful To Sell or
Distribute Tobacco
Products, Alternative
Nicotine Products or
Vapor Products to
Minors — Vending
Machine Requirements.
- Section 215.2120. Minors Prohibited
From Purchase or
Possession of Tobacco
Products, Alternative
Nicotine Products or
Vapor Products —
Misrepresentation of
Age.
- Section 215.2130. Retail Sales Tax
License Required for

- Sale of Tobacco
Products, Alternative
Nicotine Products or
Vapor Products.
- Section 215.2140. Required Sign Stating
Violation of State Law
To Sell Tobacco
Products, Alternative
Nicotine Products or
Vapor Products to
Minors Under Age 18
— Display of Sign
Required, Where.
- Section 215.2150. Restrictions on Sales of
Individual Packs of
Cigarettes.
- Section 215.2160. Proof of Age Required,
When Defense to Action
for Violation Is
Reasonable Reliance on
Proof — Liability.
- Section 215.2170. through Section
215.2200. (Reserved)

ARTICLE XIV

Miscellaneous Offenses

- Section 215.2210. Erection or
Maintenance of Barbed
Wire or Electrically
Charged Fences.
- Section 215.2220. Storage of Cord Wood
and Building Materials.
- Section 215.2230. Abandoned, Discarded,
Etc., Property.
- Section 215.2240. Sale or Use of
Fireworks.
- Section 215.2250. Open Burning.

ARTICLE I
General Provisions

Section 215.010. Definitions.

In this Chapter, unless the context requires a different definition, the following shall apply:

ACCESS — To instruct, communicate with, store data in, retrieve or extract data from, or otherwise make any use of any resources of, a computer, computer system, or computer network.

AFFIRMATIVE DEFENSE —

1. The defense referred to is not submitted to the trier of fact unless supported by evidence; and
2. If the defense is submitted to the trier of fact the defendant has the burden of persuasion that the defense is more probably true than not.

BURDEN OF INJECTING THE ISSUE —

1. The issue referred to is not submitted to the trier of fact unless supported by evidence; and
2. If the issue is submitted to the trier of fact any reasonable doubt on the issue requires a finding for the defendant on that issue.

COMMERCIAL FILM AND PHOTOGRAPHIC PRINT PROCESSOR — Any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency.

COMPUTER — The box that houses the central processing unit (CPU), along with any internal storage devices, such as internal hard drives, and internal communication devices, such as internal modems capable of sending or receiving electronic mail or fax cards, along with any other hardware stored or housed internally. Thus, "computer" refers to hardware, software and data contained in the main unit. Printers, external modems attached by cable to the main unit, monitors, and other external attachments will be referred to collectively as "peripherals" and discussed individually when appropriate. When the computer and all peripherals are referred to as a package, the term "computer system" is used. "Information" refers to all the information on a computer system, including both software applications and data.

COMPUTER EQUIPMENT — Computers, terminals, data storage devices, and all other computer hardware associated with a computer system or network.

COMPUTER HARDWARE — All equipment which can collect, analyze, create, display, convert, store, conceal or transmit electronic, magnetic, optical or similar computer impulses or data. "Hardware" includes, but is not limited to, any data processing devices, such as central processing units, memory typewriters and self-contained laptop or notebook computers; internal and peripheral storage devices, transistor-like binary devices and other

memory storage devices, such as floppy disks, removable disks, compact disks, digital video disks, magnetic tape, hard drive, optical disks and digital memory; local area networks, such as two (2) or more computers connected together to a central computer server via cable or modem; peripheral input or output devices, such as keyboards, printers, scanners, plotters, video display monitors and optical readers; and related communication devices, such as modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices and electronic tone-generating devices; as well as any devices, mechanisms or parts that can be used to restrict access to computer hardware, such as physical keys and locks.

COMPUTER NETWORK — Two (2) or more interconnected computers or computer systems.

COMPUTER PROGRAM — A set of instructions, statements, or related data that directs or is intended to direct a computer to perform certain functions.

COMPUTER SOFTWARE — Digital information which can be interpreted by a computer and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. The term commonly includes programs to run operating systems and applications, such as word processing, graphic, or spreadsheet programs, utilities, compilers, interpreters and communications programs.

COMPUTER SYSTEM — A set of related, connected or unconnected, computer equipment, data, or software.

COMPUTER-RELATED DOCUMENTATION — Written, recorded, printed or electronically stored material which explains or illustrates how to configure or use computer hardware, software or other related items.

CONFINEMENT —

1. A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court and remains in confinement until:
 - a. A court orders the person's release; or
 - b. The person is released on bail, bond or recognizance, personal or otherwise; or
 - c. A public servant having the legal power and duty to confine the person authorizes his/her release without guard and without condition that he/she return to confinement.
2. A person is not in confinement if:
 - a. The person is on probation or parole, temporary or otherwise; or
 - b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement.

CONSENT — Consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

1. It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
2. It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
3. It is induced by force, duress or deception.

CONTROLLED SUBSTANCE — A drug, substance, or immediate precursor in Schedules I through V as defined in Chapter 195, RSMo.

CRIMINAL NEGLIGENCE — Failure to be aware of a substantial and unjustifiable risk that circumstances exist or a result will follow, and such failure constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

CUSTODY — A person is in custody when he/she has been arrested but has not been delivered to a place of confinement.

DAMAGE — When used in relation to a computer system or network, means any alteration, deletion, or destruction of any part of the computer system or network.

DANGEROUS FELONY — The felonies of arson in the first degree, assault in the first degree, attempted rape in the first degree if physical injury results, attempted forcible rape if physical injury results, attempted sodomy in the first degree if physical injury results, attempted forcible sodomy if physical injury results, rape in the first degree, forcible rape, sodomy in the first degree, forcible sodomy, assault in the second degree if the victim of such assault is a special victim as defined in Subdivision (14) of Section 565.002, RSMo., kidnapping in the first degree, kidnapping, murder in the second degree, assault of a Law Enforcement Officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve (12) years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve (12) years of age at the time of the commission of the act giving rise to the offense, child molestation in the first or second degree, abuse of a child if the child dies as a result of injuries sustained from conduct chargeable under Section 568.060, RSMo., child kidnapping, parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty (120) days under Section 565.153, RSMo., and an "intoxication-related traffic offense" or "intoxication-related boating offense" if the person is found to be an "habitual offender" or "habitual boating offender" as such terms are defined in Section 577.001, RSMo.

DANGEROUS INSTRUMENT — Any instrument, article or substance which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.

DATA — A representation of information, facts, knowledge, concepts, or instructions prepared in a formalized or other manner and intended for use in a computer or computer network. Data may be in any form including, but not limited to, printouts, microfiche, magnetic storage media, punched cards and as may be stored in the memory of a computer.

DEADLY WEAPON — Any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged; or a switchblade knife, dagger, billy club, blackjack or metal knuckles.

DIGITAL CAMERA — A camera that records images in a format which enables the images to be downloaded into a computer.

DISABILITY — A mental, physical, or developmental impairment that substantially limits one (1) or more major life activities or the ability to provide adequately for one's care or protection, whether the impairment is congenital or acquired by accident, injury or disease, where such impairment is verified by medical findings.

ELDERLY PERSON — A person sixty (60) years of age or older.

FELONY — An offense so designated or an offense for which persons found guilty thereof may be sentenced to death or imprisonment for a term of more than one (1) year.

FORCIBLE COMPULSION — Either:

1. Physical force that overcomes reasonable resistance; or
2. A threat, express or implied, that places a person in reasonable fear of death, serious physical injury, or kidnapping of such person or another person.

INCAPACITATED — A temporary or permanent physical or mental condition in which a person is unconscious, unable to appraise the nature of his/her conduct, or unable to communicate unwillingness to an act.

INFRACTION — A violation defined by this Code or by any other Statute of this state if it is so designated or if no sentence other than a fine, or fine and forfeiture or other civil penalty, is authorized upon conviction.

INHABITABLE STRUCTURE —

1. A vehicle, vessel or structure:
 - a. Where any person lives or carries on business or other calling; or
 - b. Where people assemble for purposes of business, government, education, religion, entertainment, or public transportation; or
 - c. Which is used for overnight accommodation of persons.
2. Any such vehicle, vessel, or structure is inhabitable regardless of whether a person is actually present.
3. If a building or structure is divided into separately occupied units, any unit not occupied by the actor is an inhabitable structure of another.

KNOWINGLY —

1. When used with respect to conduct or attendant circumstances, means a person is aware of the nature of his or her conduct or that those circumstances exist; or
2. When used with respect to a result of conduct, means a person is aware that his or her conduct is practically certain to cause that result.

LAW ENFORCEMENT OFFICER — Any public servant having both the power and duty to make arrests for violations of the laws of this State, and Federal Law Enforcement Officers authorized to carry firearms and to make arrests for violations of the laws of the United States.

MISDEMEANOR — An offense so designated or an offense for which persons found guilty thereof may be sentenced to imprisonment for a term of which the maximum is one (1) year or less.

OF ANOTHER — Property that any entity, including but not limited to any natural person, corporation, limited liability company, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest therein, except that property shall not be deemed property of another who has only a security interest therein, even if legal title is in the creditor pursuant to a conditional sales contract or other security arrangement.

OFFENSE — Any felony, ordinance violation, misdemeanor or infraction.

PHYSICAL INJURY — Slight impairment of any function of the body or temporary loss of use of any part of the body.

PLACE OF CONFINEMENT — Any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held.

POSSESS or **POSSESSED** — Having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his/her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one (1) person alone has possession of an object, possession is sole. If two (2) or more persons share possession of an object, possession is joint.

PROPERTY — Anything of value, whether real or personal, tangible or intangible, in possession or in action.

PUBLIC SERVANT — Any person employed in any way by a government of this State who is compensated by the government by reason of such person's employment, any person appointed to a position with any government of this State, or any person elected to a position with any government of this State. It includes, but is not limited to, legislators, jurors, members of the judiciary and Law Enforcement Officers. It does not include witnesses.

PURPOSELY — When used with respect to a person's conduct or to a result thereof, means when it is his/her conscious object to engage in that conduct or to cause that result.

RECKLESSLY — Consciously disregarding a substantial and unjustifiable risk that circumstances exist or that a result will follow, and such disregard constitutes a gross deviation from the standard of care which a reasonable person would exercise in the situation.

SERIOUS EMOTIONAL INJURY — An injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty.

SERIOUS PHYSICAL INJURY — Physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

SERVICES — When used in relation to a computer system or network, means use of a computer, computer system, or computer network and includes, but is not limited to, computer time, data processing, and storage or retrieval functions.

SEXUAL ORIENTATION — Male or female heterosexuality, homosexuality or bisexuality by inclination, practice, identity or expression, or having a self-image or identity not traditionally associated with one's gender.

SPECIAL VICTIM — Any of the following:

1. A Law Enforcement Officer assaulted in the performance of his or her official duties or as a direct result of such official duties;
2. Emergency personnel, any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician, assaulted in the performance of his or her official duties or as a direct result of such official duties;
3. A probation and parole officer assaulted in the performance of his/her official duties or as a direct result of such official duties;
4. An elderly person;
5. A person with a disability;
6. A vulnerable person;
7. Any jailer or corrections officer of the State or one (1) of its political subdivisions assaulted in the performance of his/her official duties or as a direct result of such official duties;
8. A highway worker in a construction or work zone as the terms "highway worker," "construction zone" and "work zone" are defined under Section 304.580, RSMo.;
9. Any utility worker, meaning any employee of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned, while in the performance of his/her job duties, including any person employed under a contract;

10. Any cable worker, meaning any employee of a cable operator, as such term is defined in Section 67.2677, RSMo., including any person employed under contract, while in the performance of his/her job duties; and
11. Any employee of a mass transit system, including any employee of public bus or light rail companies, while in the performance of his/her job duties.

VEHICLE — A self-propelled mechanical device designed to carry a person or persons, excluding vessels or aircraft.

VESSEL — Any boat or craft propelled by a motor or by machinery, whether or not such motor or machinery is a principal source of propulsion used or capable of being used as a means of transportation on water, or any boat or craft more than twelve (12) feet in length which is powered by sail alone or by a combination of sail and machinery, and used or capable of being used as a means of transportation on water, but not any boat or craft having, as the only means of propulsion, a paddle or oars.

VOLUNTARY ACT —

1. A bodily movement performed while conscious as a result of effort or determination. Possession is a voluntary act if the possessor knowingly procures or receives the thing possessed, or having acquired control of it was aware of his/her control for a sufficient time to have enabled him or her to dispose of it or terminate his/her control; or
2. An omission to perform an act of which the actor is physically capable. A person is not guilty of an offense based solely upon an omission to perform an act unless the law defining the offense expressly so provides, or a duty to perform the omitted act is otherwise imposed by law.

VULNERABLE PERSON — Any person in the custody, care, or control of the Department of Mental Health who is receiving services from an operated, funded, licensed, or certified program. (RSMo. §§556.061, 565.002[14], 2014 effective 1-1-2017)

Section 215.020. Attempt.

- A. Guilt for an offense may be based upon an attempt to commit an offense if, with the purpose of committing the offense, a person performs any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.
- B. It is no defense to a prosecution under this Section that the offense attempted was, under the actual attendant circumstances, factually or legally impossible of commission, if such offense could have been committed had the attendant circumstances been as the actor believed them to be. (RSMo. §562.012, 2014 effective 1-1-2017)

Section 215.030. Conspiracy.¹

- A. Guilt for an offense may be based upon a conspiracy to commit an offense when a person, with the purpose of promoting or facilitating the commission of an offense, agrees with another person or persons that they or one or more of them will engage in conduct which constitutes such offense.
- B. It is no defense to a prosecution for conspiring to commit an offense that a person, who knows that a person with whom he or she conspires to commit an offense has conspired with another person or persons to commit the same offense, does not know the identity of such other person or persons.
- C. If a person conspires to commit a number of offenses, he or she can be found guilty of only one offense so long as such multiple offenses are the object of the same agreement.
- D. No person may be convicted of an offense based upon a conspiracy to commit an offense unless an overt act in pursuance of such conspiracy is alleged and proved to have been done by him or her or by a person with whom he or she conspired.
- E. *Exceptions.*
 - 1. No person shall be convicted of an offense based upon a conspiracy to commit an offense if, after conspiring to commit the offense, he/she prevented the accomplishment of the objectives of the conspiracy under circumstances manifesting a renunciation of his/her criminal purpose.
 - 2. The defendant shall have the burden of injecting the issue of renunciation of criminal purpose under Subsection (E)(1).
- F. For the purpose of time limitations on prosecutions:
 - 1. A conspiracy to commit an offense is a continuing course of conduct which terminates when the offense or offenses which are its object are committed or the agreement that they be committed is abandoned by the defendant and by those with whom he or she conspired;
 - 2. If an individual abandons the agreement, the conspiracy is terminated as to him/her only if he/she advises those with whom he/she has conspired of his/her abandonment or he/she informs the law enforcement authorities of the existence of the conspiracy and of his/her participation in it.
- G. A person shall not be charged, convicted or sentenced on the basis of the same course of conduct of both the actual commission of an offense and a conspiracy to commit that offense. (RSMo. §562.014, 2014 effective 1-1-2017)

Section 215.040. through Section 215.110. (Reserved)

1. **Note:** Under certain circumstances this offense can be a felony under state law.

ARTICLE II
Offenses Against the Person

Section 215.120. Assault. ²

- A. A person commits the offense of assault if:
1. The person attempts to cause or recklessly causes physical injury, physical pain or illness to another person;
 2. With criminal negligence the person causes physical injury to another person by means of a firearm;
 3. The person purposely places another person in apprehension of immediate physical injury;
 4. The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;
 5. The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or
 6. The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative. (RSMo. §565.056, 2014 effective 1-1-2017)

Section 215.130. Domestic Assault. ³

- A. A person commits the offense of domestic assault if the act involves a domestic victim, as the term "domestic victim" is defined under Section 565.002, RSMo., and:
1. The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;
 2. With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
 3. The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
 4. The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
 5. The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or

2. **Editor's Note:** As to assault of certain other persons, see the definition of "special victim" as set out in Section 215.010 of this Chapter.

3. **Note:** Under certain circumstances this offense can be a felony under state law.

6. The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation. (RSMo. §565.076, 2014 effective 1-1-2017)

Section 215.140. (Reserved) ⁴

Section 215.150. Harassment.

A person commits the offense of harassment if he/she, without good cause, engages in any act with the purpose to cause emotional distress to another person. (RSMo. §565.091, 2014 effective 1-1-2017)

Section 215.160. Stalking — Definitions. ⁵

- A. *Definitions.* As used in this Section:

DISTURBS — Shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

- B. A person commits the offense of stalking if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.
- C. This Section shall not apply to activities of Federal, State, County, or Municipal Law Enforcement Officers conducting investigations of any violation of Federal, State, County, or Municipal Law.
- D. Any Law Enforcement Officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this Section. (RSMo. §565.227, 2014 effective 1-1-2017)

Section 215.165. Stalking, First Degree.

- A. As used in this Section and Section 565.227, RSMo., the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

4. **Editor's Note:** This Section previously pertained to assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer. However, the authorizing statute, former RSMo. §565.083, was repealed without replacement by SB 491 in the 2014 Legislative Session, effective 1-1-2017. See Section 215.120, Assault, as it relates to a "special victim."

5. **Note:** Under certain circumstances this offense can be a felony under state law.

- B. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:
1. Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in Section 276.606, RSMo., kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in Section 276.606, RSMo., kept at such person's residence or on such person's property; or
 2. At least one (1) of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
 3. At least one (1) of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
 4. At any time during the course of conduct, the other person is seventeen (17) years of age or younger and the person disturbing the other person is twenty-one (21) years of age or older; or
 5. He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim.
- C. Any Law Enforcement Officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this Section.
- D. This Section shall not apply to activities of Federal, State, County, or Municipal Law Enforcement Officers conducting investigations of any violation of Federal, State, County, or Municipal Law. (RSMo. §565.225)

Section 215.170. Kidnapping. ⁶

A person commits the offense of kidnapping if he or she knowingly restrains another unlawfully and without consent so as to interfere substantially with his or her liberty. (RSMo. §565.130, 2014 effective 1-1-2017)

Section 215.180. Endangering the Welfare of a Child. ⁷

- A. A person commits the offense of endangering the welfare of a child if he/she:
1. With criminal negligence acts in a manner that creates a substantial risk to the life, body or health of a child less than seventeen (17) years old; or

⁶ Note: Under certain circumstances this offense can be a felony under state law.

⁷ Note: Under certain circumstances this offense can be a felony under state law.

2. Knowingly encourages, aids or causes a child less than seventeen (17) years of age to engage in any conduct which causes or tends to cause the child to come within the provisions of Paragraph (d) of Subdivision (2) of Subsection (1) or Subdivision (3) of Subsection (1) of Section 211.031, RSMo.; or
 3. Being a parent, guardian or other person legally charged with the care or custody of a child less than seventeen (17) years of age, recklessly fails or refuses to exercise reasonable diligence in the care or control of such child to prevent him/her from coming within the provisions of Paragraph (c) of Subdivision (1) of Subsection (1) or Paragraph (d) of Subdivision (2) of Subsection (1) or Subdivision (3) of Subsection (1) of Section 211.031, RSMo.; or
 4. Knowingly encourages, aids or causes a child less than seventeen (17) years of age to enter into any room, building or other structure which is a public nuisance as defined in Section 579.105, RSMo.
- B. Nothing in this Section shall be construed to mean the welfare of a child is endangered for the sole reason that he/she is being provided non-medical remedial treatment recognized and permitted under the laws of this State. (RSMo. §568.050, 2005, 2006, 2014 effective 1-1-2017)

Section 215.190. Leaving a Child Unattended in a Motor Vehicle — Definitions. ⁸

- A. *Definitions.* As used in this Section, the following terms mean:

COLLISION — The act of a motor vehicle coming into contact with an object or a person.

INJURES — To cause physical harm to the body of a person.

MOTOR VEHICLE — Any automobile, truck, truck-tractor, or any motor bus or motor-propelled vehicle not exclusively operated or driven on fixed rails or tracks.

UNATTENDED — Not accompanied by an individual fourteen (14) years of age or older.

- B. A person commits the offense of leaving a child unattended in a motor vehicle if such person knowingly leaves a child less than eleven (11) years of age unattended in a motor vehicle and such child injures another person by causing a motor vehicle collision or by causing the motor vehicle to injure a pedestrian.
- C. The offense of leaving a child unattended in a motor vehicle is an ordinance violation. (RSMo. §577.300, 2014 effective 1-1-2017)

8. Note: Under certain circumstances this offense can be a felony under state law.

Section 215.200. Abandonment of Child. ⁹**[R.O. 1998 §215.080; CC 1988 §15-176; Ord. No. 889 §42(1), 1-2-1979]**

A person commits the offense of abandonment of a child if, as a parent, guardian or other person legally charged with the care or custody of a child less than eight (8) years old, he/she leaves the child in any place with purpose wholly to abandon it, under circumstances which may result in serious physical injury, illness or death.

Section 215.210. Unlawful Transactions With a Child.

A. A person commits the offense of unlawful transactions with a child if he or she:

1. Being a pawnbroker, junk dealer, dealer in secondhand goods, or any employee of such person, with criminal negligence buys or receives any personal property other than agricultural products from an unemancipated minor, unless the child's custodial parent or guardian has consented in writing to the transaction; or
2. Knowingly permits a minor child to enter or remain in a place where illegal activity in controlled substances, as defined in Chapter 579, RSMo., is maintained or conducted; or
3. With criminal negligence sells blasting caps, bulk gunpowder, or explosives to a child under the age of seventeen (17), or fireworks as defined in Section 320.110, RSMo., to a child under the age of fourteen (14), unless the child's custodial parent or guardian has consented in writing to the transaction. Criminal negligence as to the age of the child is not an element of this crime. (RSMo. §568.070)

Section 215.220. through Section 215.290. (Reserved)

ARTICLE III
Offenses Concerning Administration of Justice

Section 215.300. Concealing an Offense. ¹⁰

A. A person commits the offense of concealing an offense if he or she:

1. Confers or agrees to confer any pecuniary benefit or other consideration to any person in consideration of that person's concealing of any offense, refraining from initiating or aiding in the prosecution of an offense, or withholding any evidence thereof; or
2. Accepts or agrees to accept any pecuniary benefit or other consideration in consideration of his/her concealing any offense, refraining from initiating or aiding

9. Cross Reference: Minors generally, §215.730 et seq.

10. Note: Under certain circumstances this offense can be a felony under state law.

in the prosecution of an offense, or withholding any evidence thereof. (RSMo. §575.020, 2014 effective 1-1-2017)

Section 215.310. Hindering Prosecution. ¹¹

- A. A person commits the offense of hindering prosecution if, for the purpose of preventing the apprehension, prosecution, conviction or punishment of another person for conduct constituting an offense, he or she:
1. Harbors or conceals such person; or
 2. Warns such person of impending discovery or apprehension, except this does not apply to a warning given in connection with an effort to bring another into compliance with the law; or
 3. Provides such person with money, transportation, weapon, disguise or other means to aid him/her in avoiding discovery or apprehension; or
 4. Prevents or obstructs, by means of force, deception or intimidation, anyone from performing an act that might aid in the discovery or apprehension of such person. (RSMo. §575.030, 2014 effective 1-1-2017)

Section 215.320. Refusal To Identify as a Witness.

A person commits the offense of refusal to identify as a witness if, knowing he or she has witnessed any portion of an offense, or of any other incident resulting in physical injury or substantial property damage, he or she refuses to report or gives a false report of his or her name and present address to a Law Enforcement Officer engaged in the performance of his or her duties. (RSMo. §575.190, 2014 effective 1-1-2017)

Section 215.330. Disturbing a Judicial Proceeding.

A person commits the offense of disturbing a judicial proceeding if, with the purpose to intimidate a judge, attorney, juror, party or witness and thereby influence a judicial proceeding, he or she disrupts or disturbs a judicial proceeding by participating in an assembly and calling aloud, shouting, or holding or displaying a placard or sign containing written or printed matter, concerning the conduct of the judicial proceeding, or the character of a judge, attorney, juror, party or witness engaged in such proceeding, or calling for or demanding any specified action or determination by such judge, attorney, juror, party, or witness in connection with such proceeding. (RSMo. §575.250, 2014 effective 1-1-2017)

Section 215.340. Tampering With a Witness or Victim. ¹²

- A. A person commits the offense of tampering with a witness or victim if:

11. Note: Under certain circumstances this offense can be a felony under state law.

12. Note: Under certain circumstances this offense can be a felony under state law.

1. With the purpose to induce a witness or a prospective witness to disobey a subpoena or other legal process, absent himself or herself, avoid subpoena or other legal process, withhold evidence, information, or documents, or testify falsely, he or she:
 - a. Threatens or causes harm to any person or property; or
 - b. Uses force, threats or deception; or
 - c. Offers, confers or agrees to confer any benefit, direct or indirect, upon such witness; or
 - d. Conveys any of the foregoing to another in furtherance of a conspiracy; or
2. He or she purposely prevents or dissuades or attempts to prevent or dissuade any person who has been a victim of any crime or a person who is acting on behalf of any such victim from:
 - a. Making any report of such victimization to any peace officer, State, Local or Federal Law Enforcement Officer, prosecuting agency, or judge;
 - b. Causing a complaint, indictment or information to be sought and prosecuted or assisting in the prosecution thereof;
 - c. Arresting or causing or seeking the arrest of any person in connection with such victimization. (RSMo. §575.270, 2005, 2014 effective 1-1-2017)

Section 215.350. Tampering With Physical Evidence. ¹³

- A. A person commits the offense of tampering with physical evidence if he/she:
1. Alters, destroys, suppresses or conceals any record, document or thing with the purpose to impair its verity, legibility or availability in any official proceeding or investigation; or
 2. Makes, presents or uses any record, document or thing knowing it to be false with the purpose to mislead a public servant who is or may be engaged in any official proceeding or investigation. (RSMo. §575.100)

Section 215.355. Tampering With a Public Record.

[R.O. 1998 §215.150; CC 1988 §15-306; Ord. No. 889 §47(11), 1-2-1979]

- A. A person commits the offense of tampering with a public record if with the purpose to impair the verity, legibility or availability of a public record:

13. Note: Under certain circumstances this offense can be a felony under state law.

1. He/she knowingly makes a false entry in or falsely alters any public record; or
2. Knowing he/she lacks authority to do so, he/she destroys, suppresses or conceals any public record.

Section 215.360. Improper Communication.

A person commits the offense of improper communication if he/she communicates, directly or indirectly, with any juror, special master, referee or arbitrator in a judicial proceeding, other than as part of the proceedings in a case, for the purpose of influencing the official action of such person. (RSMo. §575.290, 2014 effective 1-1-2017)

Section 215.370. False Impersonation.

- A. A person commits the offense of false impersonation if such person:
1. Falsely represents himself/herself to be a public servant with the purpose to induce another to submit to his/her pretended official authority or to rely upon his/her pretended official acts, and
 - a. Performs an act in that pretended capacity; or
 - b. Causes another to act in reliance upon his/her pretended official authority.
 2. Falsely represents himself/herself to be a person licensed to practice or engage in any profession for which a license is required by the laws of this State with purpose to induce another to rely upon such representation, and
 - a. Performs an act in that pretended capacity; or
 - b. Causes another to act in reliance upon such representation; or
 3. Upon being arrested, falsely represents himself/herself, to a Law Enforcement Officer, with the first and last name, date of birth or social security number, or a substantial number of identifying factors or characteristics as that of another person that results in the filing of a report or record of arrest or conviction for an infraction or offense that contains the first and last name, date of birth and social security number, or a substantial number of identifying factors or characteristics to that of such other person as to cause such other person to be identified as the actual person arrested or convicted.
- B. If a violation of Subsection (A)(3) hereof is discovered prior to any conviction of the person actually arrested for an underlying charge, then the prosecuting attorney bringing any action on the underlying charge shall notify the court thereof, and the court shall order the false-identifying factors ascribed to the person actually arrested as are contained in the arrest and court records amended to correctly and accurately identify the defendant and shall expunge the incorrect and inaccurate identifying factors from the arrest and court records.

- C. Any person who is the victim of a false impersonation and whose identity has been falsely reported in arrest or conviction records may move for expungement and correction of said records under the procedures set forth in Section 610.123, RSMo. Upon a showing that a substantial number of identifying factors of the victim was falsely ascribed to the person actually arrested or convicted, the court shall order the false-identifying factors ascribed to the person actually arrested as are contained in the arrest and court records amended to correctly and accurately identify the defendant and shall expunge the incorrect and inaccurate factors from the arrest and court records. (RSMo. §575.120, 2004, 2014 effective 1-1-2017)

Section 215.380. False Reports.

- A. A person commits the offense of making a false report if he/she knowingly:
1. Gives false information to any person for the purpose of implicating another person in an offense; or
 2. Makes a false report to a Law Enforcement Officer that an offense has occurred or is about to occur; or
 3. Makes a false report or causes a false report to be made to a Law Enforcement Officer, security officer, Fire Department or other organization, official or volunteer which deals with emergencies involving danger to life or property that a fire or other incident calling for an emergency response has occurred or is about to occur.
- B. It is a defense to a prosecution under Subsection (A) of this Section that the person retracted the false statement or report before the Law Enforcement Officer or any other person took substantial action in reliance thereon.
- C. The defendant shall have the burden of injecting the issue of retraction under Subsection (B) of this Section. (RSMo. §575.080, 2014 effective 1-1-2017)

Section 215.385. False Declarations.

- A. A person commits the offense of making a false declaration if, with the purpose to mislead a public servant in the performance of his or her duty, such person:
1. Submits any written false statement, which he or she does not believe to be true:
 - a. In an application for any pecuniary benefit or other consideration; or
 - b. On a form bearing notice, authorized by law, that false statements made therein are punishable; or
 2. Submits or invites reliance on:
 - a. Any writing which he or she knows to be forged, altered or otherwise lacking in authenticity; or

- b. Any sample, specimen, map, boundary mark, or other object which he or she knows to be false.
- B. The falsity of the statement or the item under Subsection (A) of this Section must be as to a fact which is material to the purposes for which the statement is made or the item submitted; and the provisions of Subsections 2 and 3 of Section 575.040, RSMo., shall apply to prosecutions under Subsection (A) of this Section.
- C. It is a defense to a prosecution under Subsection (A) of this Section that the person retracted the false statement or item but this defense shall not apply if the retraction was made after:
 1. The falsity of the statement or item was exposed; or
 2. The public servant took substantial action in reliance on the statement or item.
- D. The defendant shall have the burden of injecting the issue of retraction under Subsection (C) of this Section.
- E. For the purpose of this Section, "written" shall include filings submitted in an electronic or other format or medium approved or prescribed by the Secretary of State. (RSMo. §575.060)

Section 215.390. Resisting or Interfering With Arrest, Detention or Stop. ¹⁴

- A. A person commits the offense of resisting or interfering with arrest, detention, or stop if he or she knows or reasonably should know that a Law Enforcement Officer is making an arrest or attempting to lawfully detain or stop an individual or vehicle, and for the purpose of preventing the Officer from effecting the arrest, stop or detention, he or she:
 1. Resists the arrest, stop or detention of such person by using or threatening the use of violence or physical force or by fleeing from such officer; or
 2. Interferes with the arrest, stop or detention of another person by using or threatening the use of violence, physical force or physical interference.
- B. This Section applies to:
 1. Arrests, stops or detentions with or without warrants;
 2. Arrests, stops or detentions for any offense, infraction or ordinance violation; and
 3. Arrests for warrants issued by a court or a probation and parole officer.
- C. A person is presumed to be fleeing a vehicle stop if he or she continues to operate a motor vehicle after he or she has seen or should have seen clearly visible emergency lights or has heard or should have heard an audible signal emanating from the law enforcement vehicle pursuing him or her.

14. Note: Under certain circumstances this offense can be a felony under state law.

- D. It is no defense to a prosecution under Subsection (A) of this Section that the Law Enforcement Officer was acting unlawfully in making the arrest. However, nothing in this Section shall be construed to bar civil suits for unlawful arrest. (RSMo. §575.150, 2009, 2014 effective 1-1-2017)

Section 215.400. Escape or Attempted Escape From Custody. ¹⁵

A person commits the offense of escape from custody or attempted escape from custody if, while being held in custody after arrest for any offense, he/she escapes or attempts to escape from custody. (RSMo. §575.200, 2014 effective 1-1-2017)

Section 215.410. Interference With Legal Process.

- A. A person commits the offense of interference with legal process if, knowing another person is authorized by law to serve process, he or she interferes with or obstructs such person for the purpose of preventing such person from effecting the service of any process.
- B. "Process" includes any writ, summons, subpoena, warrant other than an arrest warrant, or other process or order of a court. (RSMo. §575.160, 2014 effective 1-1-2017)

Section 215.420. False Bomb Report.

[R.O. 1998 §215.230; CC 1988 §15-304; Ord. No. 889 §47(9), 1-2-1979]

A person commits the offense of making a false bomb report if he/she knowingly makes a false report or causes a false report to be made to any person that a bomb or other explosive has been placed in any public or private place or vehicle.

Section 215.430. Simulating Legal Process.

- A. A person commits the offense of simulating legal process if, with purpose to mislead the recipient and cause him or her to take action in reliance thereon, he or she delivers or causes to be delivered:
1. A request for the payment of money on behalf of any creditor that in form and substance simulates any legal process issued by any court of this State; or
 2. Any purported summons, subpoena or other legal process knowing that the process was not issued or authorized by any court.
- B. This Section shall not apply to a subpoena properly issued by a notary public. (RSMo. §575.130)

15. Note: Under certain circumstances this offense can be a felony under state law.

Section 215.440. Interference With the Performance of Duties of City Officials and Employees.**[R.O. 1998 §215.255; Ord. No. 2125 §1, 3-6-2000]**

- A. No person shall in any manner obstruct, hinder, resist or otherwise interfere with any City Official or employee or Police Officer in the discharge of the duties of such officer, employee or Police Officer.
- B. Any person found guilty of violating this provision shall be subject to a fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) and court costs.

Section 215.450. Refusing To Make an Employee Available for Service of Process.

An employer, or agent who is in charge of a business establishment, commits the offense of refusing to make an employee available for service of process if he or she knowingly refuses to assist any officer authorized by law to serve process who calls at such business establishment during the working hours of an employee for the purpose of serving process on such employee, by failing or refusing to make such employee available for service of process. (RSMo. §575.170)

Section 215.460. through Section 215.510. (Reserved)

ARTICLE IV
Offenses Concerning Public Safety

Section 215.520. Abandonment of Airtight or Semi-Airtight Containers.

- A. A person commits the offense of abandonment of an airtight or semi-airtight container if he or she knowingly abandons, discards, or permits to remain on premises under his or her control, in a place accessible to children, any abandoned or discarded icebox, refrigerator, or other airtight or semi-airtight container which has a capacity of one and one-half (1 1/2) cubic feet or more and an opening of fifty (50) square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined therein.
- B. Subsection (A) of this Section does not apply to an icebox, refrigerator or other airtight or semi-airtight container located in that part of a building occupied by a dealer, warehouse operator or repair person.
- C. The defendant shall have the burden of injecting the issue under Subsection (B) of this Section.
- D. The offense of abandonment of an airtight or semi-airtight container is an ordinance violation. (RSMo. §577.100, 2014 effective 1-1-2017)

Section 215.530. Littering.

A person commits the offense of littering if he or she places, deposits, or causes to be placed or deposited, any glass, glass bottles, wire, nails, tacks, hedge, cans, garbage, trash, refuse, or rubbish of any kind, nature or description on the right-of-way of any public road or State highway or on or in any of the waters in this City or on the banks of any stream, or on any land or water owned, operated or leased by the State, any board, department, agency or commission thereof or on any land or water owned, operated or leased by the Federal Government or the City, or on any private real property owned by another without the owner's consent. (RSMo. §577.070, 2014 effective 1-1-2017)

Section 215.540. Littering Via Carcasses.

- A. A person commits the offense of unlawful disposition of a dead animal if he or she knowingly places or causes to be placed the carcass or offal of any dead animal:
1. Into any well, spring, brook, branch, creek, pond, or lake; or
 2. On any public road or highway, river, stream, or watercourse or upon premises not his or her own for the purpose of annoying another or others. (RSMo. §577.076, 2014 effective 1-1-2017)

Section 215.550. Tampering With a Water Supply.

- A. A person commits the offense of tampering with a water supply if he or she purposely:
1. Poisons, defiles or in any way corrupts the water of a well, spring, brook or reservoir used for domestic or municipal purposes; or
 2. Diverts, dams up and holds back from its natural course and flow any spring, brook or other water supply for domestic or municipal purposes, after said water supply shall have once been taken for use by any person or persons, corporation, town or city for his/her, their or its use.
- B. The offense of tampering with a water supply is an ordinance violation. (RSMo. §577.150, 2014 effective 1-1-2017)

Section 215.560. Abandoning Motor Vehicle, Vessel or Trailer.

- A. A person commits the offense of abandoning a vehicle, vessel, or trailer if he or she knowingly abandons any vehicle, vessel, or trailer on:
1. The right-of-way of any public road or State highway;
 2. On or in any of the waters in this State;
 3. On the banks of any stream;
 4. On any land or water owned, operated or leased by the State, any board, department, agency or commission thereof, or any political subdivision thereof;

5. On any land or water owned, operated or leased by the Federal government; or
 6. On any private real property owned by another without his or her consent.
- B. For purposes of this Section, the last owner of record of a vehicle, vessel, or trailer found abandoned and not shown to be transferred pursuant to Sections 301.196 and 301.197, RSMo., shall be deemed prima facie evidence of ownership of such vehicle, vessel, or trailer at the time it was abandoned and the person who abandoned the vehicle, vessel, or trailer or caused or procured its abandonment. The registered owner of the abandoned vehicle, vessel, or trailer shall not be subject to the penalties provided by this Section if the vehicle, vessel, or trailer was in the care, custody, or control of another person at the time of the violation. In such instance, the owner shall submit such evidence in an affidavit permitted by the court setting forth the name, address, and other pertinent information of the person who leased, rented, or otherwise had care, custody, or control of the vehicle, vessel, or trailer at the time of the alleged violation. The affidavit submitted pursuant to this Subsection shall be admissible in a court proceeding adjudicating the alleged violation and shall raise a rebuttable presumption that the person identified in the affidavit was in actual control of the vehicle, vessel, or trailer. In such case, the court has the authority to terminate the prosecution of the summons issued to the owner and issue a summons to the person identified in the affidavit as the operator. If the vehicle, vessel, or trailer is alleged to have been stolen, the owner of the vehicle, vessel, or trailer shall submit proof that a police report was filed in a timely manner indicating that the vehicle or vessel was stolen at the time of the alleged violation.
- C. The offense of abandoning a vehicle, vessel, or trailer is an ordinance violation.
- D. Any person convicted pursuant to this Section shall be civilly liable for all reasonable towing, storage, and administrative costs associated with the abandonment of the vehicle, vessel, or trailer. Any reasonable towing, storage, and administrative costs in excess of the value of the abandoned vehicle, vessel, or trailer that exist at the time the property is transferred pursuant to Section 304.156, RSMo., shall remain the liability of the person convicted pursuant to this Section so long as the towing company, as defined in Chapter 304, RSMo., provided the title owner and lienholders, as ascertained by the Department of Revenue records, a notice within the time frame and in the form as described in Subsection 1 of Section 304.156, RSMo. (RSMo. §577.080)

Section 215.570. through Section 215.650. (Reserved)

ARTICLE V
Offenses Concerning Public Peace

Section 215.660. Definitions.

As used in this Article, the following terms mean:

PRIVATE PROPERTY — Any place which at the time of the offense is not open to the public. It includes property which is owned publicly or privately.

PROPERTY OF ANOTHER — Any property in which the person does not have a possessory interest.

PUBLIC PLACE — Any place which at the time of the offense is open to the public. It includes property which is owned publicly or privately. (RSMo. §574.005, 2014 effective 1-1-2017)

Section 215.670. Peace Disturbance.

- A. A person commits the offense of peace disturbance if he or she:
1. Unreasonably and knowingly disturbs or alarms another person or persons by:
 - a. Loud noise; or
 - b. Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or
 - c. Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or
 - d. Fighting; or
 - e. Creating a noxious and offensive odor.
 2. Is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:
 - a. Vehicular or pedestrian traffic; or
 - b. The free ingress or egress to or from a public or private place. (RSMo. §574.010, 2014 effective 1-1-2017)

Section 215.680. Private Peace Disturbance.

- A. A person commits the offense of private peace disturbance if he/she is on private property and unreasonably and purposely causes alarm to another person or persons on the same premises by:
1. Threatening to commit an offense against any person; or
 2. Fighting.
- B. For purposes of this Section, if a building or structure is divided into separately occupied units, such units are separate premises. (RSMo. §574.020, 2014 effective 1-1-2017)

Section 215.690. Unlawful Assembly.

A person commits the offense of unlawful assembly if he/she knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this State or of the United States with force or violence. (RSMo. §574.040, 2014 effective 1-1-2017)

Section 215.700. Rioting.

A person commits the offense of rioting if he/she knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this State or of the United States with force or violence and thereafter, while still so assembled, does violate any of said laws with force or violence. (RSMo. §574.050, 2014 effective 1-1-2017)

Section 215.710. Refusal To Disperse.

A person commits the offense of refusal to disperse if, being present at the scene of an unlawful assembly or at the scene of a riot, he/she knowingly fails or refuses to obey the lawful command of a Law Enforcement Officer to depart from the scene of such unlawful assembly or riot. (RSMo. §574.060, 2014 effective 1-1-2017)

Section 215.720. Noise Regulations.¹⁶

[R.O. 1998 §215.400; CC 1988 §15-278; Ord. No. 1421 §1, 8-7-1989; Ord. No. 1962 §1, 7-7-1997]

- A. No person shall engage in any activity which generates loud noises within the City.
- B. For the purpose of this Section, the following acts, among others, are deemed to be noises in violation of the provisions hereof:
 - 1. The outdoor use of power tools before 7:00 A.M. or after 9:00 P.M.
 - 2. The operation of lawn care equipment before 7:00 A.M. or after 9:00 P.M.
 - 3. The cleaning or sweeping of any parking lot before 6:00 A.M. or after 9:00 P.M. on any day.
 - 4. The use, operation, or permitting to be used or operated of any radio, stereo, phonograph, musical instrument, compact disc player or other machines or device for producing or reproducing of sound in such a manner as to be audible at a distance of forty (40) feet from the building, dwelling unit or vehicle in which it is contained, provided that nothing herein shall be construed to prohibit an otherwise lawfully held public concert or public performance.
- C. Any person violating any of the provisions of this Section shall, upon conviction, be subject to the penalties provided for violation of City ordinances.

16. Cross References: Noisemaking animals creating a nuisance, §210.210(B)(4); muffler cutouts causing excessive and unnecessary noises, §380.140.

Section 215.725. Obstruction of Business — Remaining on Closed Parking Lots.**[R.O. 1998 §215.410; CC 1988 §15-279; Ord. No. 1466 §1, 5-7-1990]**

- A. For purposes of this Section, the following terms shall have the following meanings:

BUSINESS — A place, where service or items are offered for sale or orders taken, which has parking facilities for vehicles. It shall be comprised of the entire premises, including parking lots and areas for ingress and egress.

COMMERCIAL ESTABLISHMENT — Any building and the grounds used therewith or any tract of land where services are offered to the public for a consideration or things are sold or are offered for sale or orders are taken for the sale thereof to the public.

TRANSACTING BUSINESS — Engaging in a transaction with the proprietor, agents, or employees of the business, which transaction is normally incidental to the business for which the public is invited and for which the premises are licensed.

- B. It shall be unlawful for persons to intentionally congregate upon the grounds or within the buildings of a commercial establishment, or upon public ways immediately adjacent thereto so as to block the aisles, doorways or other passageways into, out of or through the grounds or buildings of such commercial establishment. No persons shall congregate in crowds of three (3) or more outside vehicles on business premises when such persons are not transacting business on the premises. If any persons shall be congregated so as to block the aisles, doorways or other passageways into, out of or through such grounds or buildings and they shall be ordered by the manager or other person in charge of such commercial establishment to leave and they shall fail or refuse to do so, it shall be prima facie proof of their intent to unlawfully congregate under the provisions of this Section.
- C. No person, except the owner, tenant or other person in possession, or their invitees, shall be upon any public or private parking lot, nor upon any parking lot provided for the customers, business invitees or employees of any commercial or industrial establishment at any time any such public or private parking lot shall be closed to use by the public or any such commercial or industrial lot shall be closed to use by customers, business invitees and employees. Any such person found upon any such lot or facility at any time that signs have been previously erected giving notice that the lot is closed to use shall be presumptively upon the lot in violation of this Section, which presumption shall be rebuttable.

Section 215.730. Disrupting a House of Worship.¹⁷

- A. For purposes of this Section, "house of worship" means any church, synagogue, mosque, other building or structure, or public or private place used for religious worship, religious instruction, or other religious purpose.
- B. A person commits the offense of disrupting a house of worship if such person:

17. Note: Under certain circumstances this offense can be a felony under state law.

1. Intentionally and unreasonably disturbs, interrupts, or disquiets any house of worship by using profane discourse, rude or indecent behavior, or making noise either within the house of worship or so near it as to disturb the order and solemnity of the worship services; or
2. Intentionally injures, intimidates, or interferes with or attempts to injure, intimidate, or interfere with any person lawfully exercising the right of religious freedom in or outside of a house of worship or seeking access to a house of worship, whether by force, threat, or physical obstruction. (RSMo. §574.035, 2012, 2014 effective 1-1-2017)

Section 215.740. Unlawful Funeral Protests Prohibited — Definitions.

- A. A person commits the offense of unlawful funeral protest if he or she pickets or engages in other protest activities within three hundred (300) feet of any residence, cemetery, funeral home, church, synagogue or other establishment during or within one (1) hour before or one (1) hour after the conducting of any actual funeral or burial service at that place.
- B. *Definitions.* As used in this Section, the following terms mean:

FUNERAL and BURIAL SERVICE — The ceremonies and memorial services held in conjunction with the burial or cremation of the dead, but this Section does not apply to processions while they are in transit beyond any three-hundred-foot zone that is established under Subsection (A) above.

OTHER PROTEST ACTIVITIES — Any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service.
- C. The offense of unlawful funeral protest shall be an ordinance violation. (RSMo. §574.160, 2014)

Section 215.750. through Section 215.820. (Reserved)

ARTICLE VI
Offenses Concerning Weapons and Firearms

Section 215.830. Definitions.

The following words, when used in this Article, shall have the meanings set out herein:

ANTIQUÉ, CURIO OR RELIC FIREARM — Any firearm so defined by the National Gun Control Act, 18 U.S.C. Title 26, §5845, and the United States Treasury/Bureau of Alcohol, Tobacco and Firearms, 27 CFR 178.11:

1. "Antique firearm" is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before

1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

2. Curio or relic firearm is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least fifty (50) years old, associated with a historical event, renown personage or major war.

BLACKJACK — Any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use.

BLASTING AGENT — Any material or mixture, consisting of fuel and oxidizer that is intended for blasting, but not otherwise defined as an explosive under this Section, provided that the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined.

CONCEALABLE FIREARM — Any firearm with a barrel less than sixteen (16) inches in length, measured from the face of the bolt or standing breech.

DEFACE — To alter or destroy the manufacturer's or importer's serial number or any other distinguishing number or identification mark.

DETONATOR — Any device containing a detonating charge that is used for initiating detonation in an explosive, including but not limited to, electric blasting caps of instantaneous and delay types, non-electric blasting caps for use with safety fuse or shock tube and detonating cord delay connectors.

EXPLOSIVE WEAPON — Any explosive, incendiary, or poison gas bomb or similar device designed or adapted for the purpose of inflicting death, serious physical injury or substantial property damage; or any device designed or adapted for delivering or shooting such a weapon. For the purposes of this Article, the term "explosive" shall mean any chemical compound mixture or device, the primary or common purpose of which is to function by explosion, including but not limited to, dynamite and other high explosives, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or blasting agents.

FIREARM — Any weapon that is designed or adapted to expel a projectile by the action of an explosive.

FIREARM SILENCER — Any instrument, attachment or appliance that is designed or adapted to muffle the noise made by the firing of any firearm.

GAS GUN — Any gas ejection device, weapon, cartridge, container or contrivance, other than a gas bomb, that is designed or adapted for the purpose of ejecting any poison gas that will cause death or serious physical injury, but not any device that ejects a repellent or temporary incapacitating substance.

INTOXICATED — Substantially impaired mental or physical capacity resulting from introduction of any substance into the body.

KNIFE — Any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this

Article, "knife" does not include any ordinary pocketknife with no blade more than four (4) inches in length.

KNUCKLES — Any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles.

MACHINE GUN — Any firearm that is capable of firing more than one (1) shot automatically, without manual reloading, by a single function of the trigger.

PROJECTILE WEAPON — Any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

RIFLE — Any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore by a single function of the trigger.

SHORT BARREL — A barrel length of less than sixteen (16) inches for a rifle and eighteen (18) inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall rifle or shotgun length of less than twenty-six (26) inches.

SHOTGUN — Any firearm designed or adapted to be fired from the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile through a smooth bore barrel by a single function of the trigger.

SPRING GUN — Any fused, timed or non-manually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death.

SWITCHBLADE KNIFE — Any knife which has a blade that folds or closes into the handle or sheath, and

1. That opens automatically by pressure applied to a button or other device located on the handle; or
2. That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force. (RSMo. §571.010, 2008)

Section 215.840. Weapons — Carrying Concealed — Other Unlawful Use.¹⁸

- A. A person commits the offense of unlawful use of weapons, except as otherwise provided by Sections 571.101 to 571.121, RSMo., if he/she knowingly:
 1. Carries concealed upon or about his/her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use into any area where firearms are restricted under Section 571.107, RSMo.; or

¹⁸ Note: Under certain circumstances this offense can be a felony under state law.

2. Sets a spring gun; or
 3. Discharges or shoots a firearm within the City limits;¹⁹ or
 4. Exhibits, in the presence of one (1) or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
 5. Has a firearm or projectile weapon readily capable of lethal use on his/her person, while he/she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self defense; or
 6. Openly carries a firearm or any other weapon readily capable of lethal use within the City limits; or
 7. Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.
 8. Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of Section 579.015, RSMo.
- B. Subsections (A)(1) and (7) of this Section shall not apply to the persons described in this Subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this Subsection. Subsections (A)(3) and (4) of this Section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this Subsection:
1. All State, County and Municipal Peace Officers who have completed the training required by the Police Officer Standards and Training Commission pursuant to Sections 590.030 to 590.050, RSMo., and who possess the duty and power of arrest for violation of the general criminal laws of the State or for violation of ordinances of Counties or Municipalities of the State, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired Peace Officers, as defined in Subsection (11) of Section 571.030, RSMo., and who carry the identification defined in Subsection (12) of Section 571.030, RSMo., or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
 2. Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;
 3. Members of the Armed Forces or National Guard while performing their official duty;

19. State Law Reference: §252.243.3, RSMo., limits the discharge of firearms in certain areas known as "Hunting Heritage Protection Areas," which are defined therein.

4. Those persons vested by Article V, Section 1, of the Constitution of Missouri with the judicial power of the State and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the Federal judiciary;
 5. Any person whose bona fide duty is to execute process, civil or criminal;
 6. Any Federal Probation Officer or Federal Flight Deck Officer as defined under the Federal Flight Deck Officer Program, 49 U.S.C. §44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;
 7. Any State Probation or Parole Officer, including supervisors and members of the Board of Probation and Parole;
 8. Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the Department of Public Safety under Section 590.750, RSMo.;
 9. Any coroner, deputy coroner, medical examiner or assistant medical examiner;
 10. Any municipal or county prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant circuit attorney, municipal, associate or circuit judge; or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under Subsection (2) of Section 571.111, RSMo.;
 11. Any member of a Fire Department or Fire Protection District who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or valid concealed carry permit under Section 571.111, RSMo., when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; and
 12. Upon the written approval of the Governing Body of a Fire Department or Fire Protection District, any paid Fire Department or Fire Protection District member who is employed on a full-time basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.
- C. Subsections (A)(1), (5) and (7) of this Section do not apply when the actor is transporting such weapons in a non-functioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subsection (A)(1) of this Section does not apply to any person nineteen (19) years of age or older or eighteen (18) years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his/her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this State. Subsection (A)(7) of

this Section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

- D. Subsections (A)(1) and (7) of this Section shall not apply to any person who has a valid concealed carry permit issued pursuant to Sections 571.101 to 571.121, RSMo., a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another State or political subdivision of another State.
- E. Subsections (A)(3), (4), (5) and (7) of this Section shall not apply to persons who are engaged in a lawful act of defense pursuant to Section 563.031, RSMo.
- F. Nothing in this Section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board. (RSMo. §571.030, 2010, 2011, 2012, 2013, 2014; SB 656 -2016, vetoed and overridden 9-2016)

Section 215.850. Possession, Manufacture, Transport, Repair, Sale of Certain Weapons.

²⁰

- A. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:
 - 1. An explosive weapon;
 - 2. An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;
 - 3. A gas gun;
 - 4. A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm;
 - 5. Knuckles; or
 - 6. Any of the following in violation of Federal law:
 - a. A machine gun;
 - b. A short-barreled rifle or shotgun;
 - c. A firearm silencer; or
 - d. A switchblade knife.

20. Note: Under certain circumstances this offense can be a felony under state law.

- B. A person does not commit an offense pursuant to this Section if his/her conduct involved any of the items in Subsections (A)(1) through (5), the item was possessed in conformity with any applicable Federal law, and the conduct:
1. Was incident to the performance of official duty by the Armed Forces, National Guard, a governmental law enforcement agency or a penal institution; or
 2. Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in Subparagraph (1) of this Subsection; or
 3. Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or
 4. Was incident to displaying the weapon in a public museum or exhibition; or
 5. Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance. (RSMo. §571.020, 2008, 2011, 2012)

Section 215.860. Defacing Firearm.

A person commits the offense of defacing a firearm if he/she knowingly defaces any firearm. (RSMo. §571.045.1)

Section 215.870. Purchase in Another State by Missouri Residents, Permitted When.

Residents of the State of Missouri may purchase firearms in any State, provided that such residents conform to the applicable provisions of the Federal Gun Control Act of 1968, 18 U.S.C. §921 et seq., and regulations thereunder, and provided further that such residents conform to the provisions of law applicable to such purchase in the State of Missouri and in the State in which the purchase is made. (RSMo. §571.085, 2011)

Section 215.880. Purchase in Missouri by Non-Resident, Permitted When.

Residents of any State may purchase firearms in the State of Missouri, provided that such residents conform to the applicable provisions of the Federal Gun Control Act of 1968, 18 U.S.C. §921 et seq., and regulations thereunder, and provided further that such residents conform to the provisions of law applicable to such purchase in the State of Missouri and in the State in which such persons reside. (RSMo. §571.087, 2011)

Section 215.890. Unlawful Transfer of Weapons.²¹

- A. A person commits the offense of unlawful transfer of weapons if he/she:
1. Knowingly sells, leases, loans, gives away or delivers a blackjack to a person less than eighteen (18) years old without the consent of the child's custodial parent or guardian or recklessly, as defined in Section 562.016, RSMo., sells, leases, loans,

21. Note: Under certain circumstances this offense can be a felony under state law.

gives away or delivers any firearm to a person less than eighteen (18) years old without the consent of the child's custodial parent or guardian; provided that this does not prohibit the delivery of such weapons to any Peace Officer or member of the Armed Forces or National Guard while performing his/her official duty; or

2. Recklessly, as defined in Section 562.016, RSMo., sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to a person who is intoxicated. (RSMo. §571.060.1[2 — 3])

Section 215.900. Carrying Concealed Firearms Prohibited — Penalty for Violation.

A. It shall be a violation of this Section, punishable as hereinafter provided, for any person to carry any concealed firearm into:

1. Any Police, Sheriff or Highway Patrol office or station without the consent of the Chief Law Enforcement Officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
2. Within twenty-five (25) feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
3. The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
4. Any courthouse solely occupied by the Circuit, Appellate or Supreme Court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This Subsection shall also include, but not be limited to, any juvenile, family, drug or other court offices, any room or office wherein any of the courts or offices listed in this Subsection are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by Supreme Court Rule pursuant to Subdivision (6) of Subsection (1) of Section 571.107, RSMo. Nothing in this Subsection shall preclude those persons listed in Subsection (B)(1) of Section 215.840 while within their jurisdiction and on duty, those persons listed in Subsections (B)(2), (4) and (10) of Section 215.840, or such other persons who serve in a law enforcement capacity for a court as may be specified by Supreme Court Rule pursuant to Subdivision (6) of Subsection (1) of Section 571.107, RSMo., from carrying a concealed firearm within any of the areas described in this Subsection. Possession of a firearm in a vehicle on the premises of any of the areas listed in this Subsection shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

5. Any meeting of the St. Ann Board of Aldermen, except that nothing in this Subsection shall preclude a member of the Board of Aldermen holding a valid concealed carry permit or endorsement from carrying a concealed firearm at a meeting of the Board of Aldermen of which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
6. Any building owned, leased or controlled by the City of St. Ann identified by signs posted at the entrance to the building. This Subsection shall not apply to any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by the City of St. Ann. Persons violating this Subsection may be denied entrance to the building, ordered to leave the building and, if employees of the City, be subjected to disciplinary measures for violation;
7. Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this Subsection shall not apply to the licensee of said establishment. The provisions of this Subsection shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty (50) persons and that receives at least fifty-one percent (51%) of its gross annual income from the dining facilities by the sale of food. This Subsection does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this Subsection authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;
8. Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a violation so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
9. Any place where the carrying of a firearm is prohibited by Federal law;
10. Any higher education institution or elementary or secondary school facility without the consent of the Governing Body of the higher education institution or a school official or the district school board, unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
11. Any portion of a building used as a child care facility without the consent of the manager. Nothing in this Subsection shall prevent the operator of a child care

facility in a family home from owning or possessing a firearm or a concealed carry permit or endorsement;

12. Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the Gaming Commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
 13. Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
 14. Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
 15. Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one (1) or more signs displayed in a conspicuous place of a minimum size of eleven (11) inches by fourteen (14) inches with the writing thereon in letters of not less than one (1) inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity or person may prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;
 16. Any sports arena or stadium with a seating capacity of five thousand (5,000) or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
 17. Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.
- B. Any person violating any of the provisions of Subsection (A) of this Section shall be punished as follows:

1. If the violator holds a concealed carry permit or endorsement issued pursuant to State law, the violator may be subject to denial to the premises or removal from the premises. If such person refuses to leave the premises and a Peace Officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars (\$100.00) for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars (\$200.00). If a third citation for a similar violation is issued within one (1) year of the first citation, such person shall be fined an amount not to exceed five hundred dollars (\$500.00). Upon conviction of charges arising from a citation issued pursuant to this Section, the court shall notify the Sheriff of the County which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the Sheriff of the County which issued the certificate of qualification for a concealed carry permit or endorsement and the Department of Revenue.
 2. If the violator does not hold a current valid concealed carry permit or endorsement issued pursuant to State law, upon conviction of a charge of violating this Section the defendant shall be punished as provided in Section 100.090 of this Code of Ordinances.
 3. Employees of the City of St. Ann may, in addition to any other punishment hereby, be subject to disciplinary action.
- C. It shall be a violation of this Section, punishable by a citation for an amount not to exceed thirty-five dollars (\$35.00), for any person issued a concealed carry permit or endorsement pursuant to State law to fail to carry the concealed carry permit or endorsement at all times the person is carrying a concealed firearm, or to fail to display the concealed carry permit or endorsement upon the request of any Peace Officer. (RSMo. §571.107, 2009, 2013, 2014)

Section 215.910. Open Display of Firearm Permitted, When.

Any person who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense. (RSMo. §571.037, 2012, 2013)

Section 215.920. Discharging Air Gun, Etc.

Any person within the limits of this City who shall discharge any BB gun which expels a projectile by means of a spring, air or any other means, paintball gun or air gun or shall shoot any pebble, bullet, slug, arrow or other hard substance by means of a sling, crossbow, rubber band or bow or any other means shall be deemed guilty of an ordinance violation.

Section 215.930. Firearms in City Buildings.**[R.O. 1998 §215.355; Ord. No. 2305 §1, 10-6-2003]**

- A. No person who has been issued a concealed carry endorsement by the Missouri Director of Revenue under Sections 571.101 to 571.121, RSMo., or who has been issued a valid permit or endorsement to carry concealed firearms issued by another State or political subdivision of another State shall by authority of that endorsement or permit be allowed to carry a concealed firearm or to openly carry a firearm in any building or portion of a building owned, leased or controlled by the City.
- B. Signs shall be posted at each entrance of a building entirely owned, leased or controlled by the City stating that carrying of firearms is prohibited. Where the City owns, leases or controls only a portion of a building, signs shall be posted at each entrance to that portion of the building stating that carrying of firearms is prohibited.
- C. This Section shall not apply to buildings used for public housing by private persons, highways or rest areas, firing ranges or private dwelling owned, leased or controlled by the City.
- D. Any person violating this Section may be denied entrance to the building or ordered to leave the building. Any City employee violating this Section may be disciplined. No other penalty shall be imposed for a violation of this Section.
- E. No person who has been issued a certificate of qualification which allows the person to carry a concealed firearm before the Director of Revenue begins issuing concealed carry endorsements in July, 2004, shall, by authority of that certificate, be allowed to carry a concealed firearm or to openly carry a firearm in any building or portion of a building owned, leased or controlled by the City.

Section 215.940. through Section 215.1010. (Reserved)

ARTICLE VII
Offenses Concerning Property

Section 215.1020. Definitions.

As used in this Article, the following terms mean:

ENTER UNLAWFULLY or REMAIN UNLAWFULLY — A person enters or remains in or upon premises when he or she is not licensed or privileged to do so. A person who, regardless of his or her purpose, enters or remains in or upon premises which are at the time open to the public does so with license and privilege unless he or she defies a lawful order not to enter or remain, personally communicated to him or her by the owner of such premises or by other authorized person. A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of the building which is not open to the public.

TO TAMPER — To interfere with something improperly, to meddle with it, displace it, make unwarranted alterations in its existing condition, or to deprive, temporarily, the owner or possessor of that thing.

UTILITY — An enterprise which provides gas, electric, steam, water, sewage disposal, or communication, video, internet, or voice over internet protocol services, and any common carrier. It may be either publicly or privately owned or operated. (RSMo. §569.010, 2014 effective 1-1-2017)

Section 215.1030. Tampering. ²²

A. A person commits the offense of tampering if he/she:

1. Tamper with property of another for the purpose of causing substantial inconvenience to that person or to another; or
2. Unlawfully rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle; or
3. Tamper or makes connection with property of a utility; or
4. Tamper with, or causes to be tampered with, any meter or other property of an electric, gas, steam or water utility, the effect of which tampering is either:
 - a. To prevent the proper measuring of electric, gas, steam or water service; or
 - b. To permit the diversion of any electric, gas, steam or water service.

B. In any prosecution under Subsection (A)(4), proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, steam or water service with one (1) or more of the effects described in Subsection (A)(4), shall be sufficient to support an inference which the trial court may submit to the trier of fact from which the trier of fact may conclude that there has been a violation of such Subsection by the person or persons who use or receive the direct benefit of the electric, gas, steam or water service. (RSMo. §569.090, 2005, 2014 effective 1-1-2017)

Section 215.1040. Property Damage. ²³

A. A person commits the offense of property damage if he/she:

1. Knowingly damages property of another; or
2. Damages property for the purpose of defrauding an insurer. (RSMo. §569.120, 2014 effective 1-1-2017)

22. Note: Under certain circumstances this offense can be a felony under state law.

23. Note: Under certain circumstances this offense can be a felony under state law.

Section 215.1050. Claim of Right.

- A. A person does not commit an offense by damaging, tampering with, operating, riding in or upon or making connection with property of another if he/she does so under a claim of right and has reasonable grounds to believe he/she has such a right.
- B. The defendant shall have the burden of injecting the issue of claim of right.
- C. No person who, as a tenant, willfully or wantonly destroys, defaces, damages, impairs or removes any part of a leased structure or dwelling unit, or the facilities, equipment or appurtenances thereof, may inject the issue of claim of right. (RSMo. §569.130, 2014)

Section 215.1060. Trespass in the First Degree.

- A. A person commits the offense of trespass in the first degree if he/she knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon real property.
- B. A person does not commit the offense of trespass by entering or remaining upon real property unless the real property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which notice against trespass is given by:
 - 1. Actual communication to the actor; or
 - 2. Posting in a manner reasonably likely to come to the attention of intruders. (RSMo. §569.140, 2014 effective 1-1-2017)

Section 215.1070. Trespass in the Second Degree.

- A. A person commits trespass in the second degree if he/she enters unlawfully upon real property of another. This is an offense of absolute liability.
- B. Trespass in the second degree is an infraction. (RSMo. §569.150, 2014 effective 1-1-2017)

Section 215.1080. Trespass of a School Bus.

- A. A person commits the offense of trespass of a school bus if he or she knowingly and unlawfully enters any part of or unlawfully operates any school bus.
- B. For the purposes of this Section, the terms "unlawfully enters" and "unlawfully operates" refer to any entry or operation of a school bus which is not:
 - 1. Approved of and established in a school district's written policy on access to school buses; or
 - 2. Authorized by specific written approval of the school board.

- C. In order to preserve the public order, any district which adopts the policies described in Subsection (B) of this Section shall establish and enforce a student behavior policy for students on school buses. (RSMo. §569.155, 2014 effective 1-1-2017)

Section 215.1090. Reckless Burning or Exploding.

A person commits the offense of reckless burning or exploding if he/she recklessly starts a fire or causes an explosion and thereby damages or destroys the property of another. (RSMo. §569.060, 2014 effective 1-1-2017)

Section 215.1100. Negligent Burning or Exploding.

- A. A person commits the offense of negligent burning or exploding if he/she with criminal negligence causes damage to property or to the woodlands, cropland, grassland, prairie, or marsh of another by:
1. Starting a fire or causing an explosion; or
 2. Allowing a fire burning on lands in his or her possession or control onto the property of another. (RSMo. §569.065, 2014 effective 1-1-2017)

Section 215.1110. Stealing. ²⁴

- A. A person commits the offense of stealing if he or she:
1. Appropriates property or services of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion;
 2. Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the purpose to deprive him or her thereof, either without his or her consent or by means of deceit or coercion; or
 3. For the purpose of depriving the owner of a lawful interest therein, receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen. (RSMo. §570.030, 2005, 2014 effective 1-1-2017)

Section 215.1120. Theft of Motor Fuel.

- A. No person shall drive a motor vehicle so as to cause it to leave the premises of an establishment at which motor fuel offered for retail sale was dispensed into the fuel tank of such motor vehicle unless payment or authorized charge for motor fuel dispensed has been made.
- B. A person found guilty or pleading guilty to stealing pursuant to Section 215.1110 for the theft of motor fuel as described in Subsection (A) shall have his/her driver's license suspended by the court beginning on the date of the court's order of conviction. The

24. Note: Under certain circumstances this offense can be a felony under state law.

person shall submit all of his/her operator's and chauffeur's licenses to the court upon conviction and the court shall forward all such driver's licenses and the order of suspension of driving privileges to the Department of Revenue for administration of such order. (RSMo. §302.286)

Section 215.1130. (Reserved) ²⁵

Section 215.1140. Financial Exploitation of an Elderly Person or Person With a Disability — Certain Defense Prohibited. ²⁶

- A. A person commits the offense of financial exploitation of an elderly person or a person with a disability if such person knowingly obtains control over the property of the elderly person or person with a disability with the intent to permanently deprive the person of the use, benefit or possession of his or her property thereby benefitting the offender or detrimentally affecting the elderly person or person with a disability by:
1. Deceit;
 2. Coercion;
 3. Creating or confirming another person's impression which is false and which the offender does not believe to be true;
 4. Failing to correct a false impression which the offender previously has created or confirmed;
 5. Preventing another person from acquiring information pertinent to the disposition of the property involved;
 6. Selling or otherwise transferring or encumbering property, failing to disclose a lien, adverse claim or other legal impediment to the enjoyment of the property, whether such impediment is or is not valid, or is or is not a matter of official record;
 7. Promising performance which the offender does not intend to perform or knows will not be performed. Failure to perform standing alone is not sufficient evidence to prove that the offender did not intend to perform; or
 8. Undue influence, which means the use of influence by someone who exercises authority over an elderly person or person with a disability in order to take unfair advantage of that person's vulnerable state of mind, neediness, pain, or agony. "Undue influence" includes, but is not limited to, the improper or fraudulent use of a power of attorney, guardianship, conservatorship, or other fiduciary authority.

25. Editor's Note: This Section previously pertained to receiving stolen property. However, the authorizing statute, former RSMo. §570.080, was repealed without replacement by SB 491 in the 2014 Legislative Session, effective 1-1-2017.

26. Note: Under certain circumstances this offense can be a felony under state law.

- B. Nothing in this Section shall be construed to limit the remedies available to the victim pursuant to any State law relating to domestic violence.
- C. Nothing in this Section shall be construed to impose criminal liability on a person who has made a good-faith effort to assist the elderly person or person with a disability in the management of his or her property, but through no fault of his or her own has been unable to provide such assistance.
- D. Nothing in this Section shall limit the ability to engage in bona fide estate planning, to transfer property and to otherwise seek to reduce estate and inheritance taxes; provided that such actions do not adversely impact the standard of living to which the elderly person or person with a disability has become accustomed at the time of such actions.
- E. It shall not be a defense to financial exploitation of an elderly person or person with a disability that the accused reasonably believed that the victim was not an elderly person or person with a disability.
- F. *Medicaid Funds.* It shall be unlawful in violation of this Section for any person receiving or in the possession of funds of a Medicaid-eligible elderly person or person with a disability residing in a facility licensed under Chapter 198, RSMo., to fail to remit to the facility in which the Medicaid-eligible person resides all money owing the facility resident from any source, including, but not limited to, social security, railroad retirement, or payments from any other source disclosed as resident income contained in the records of the Department of Social Services, Family Support Division, or its successor. The Department of Social Services, Family Support Division, or its successor is authorized to release information from its records containing the resident's income or assets to any prosecuting or circuit attorney in the State of Missouri for purposes of investigating or prosecuting any suspected violation of this Section.
- G. The offense of financial exploitation of an elderly person or person with a disability is an ordinance violation. (RSMo. §570.145, 2005, 2012, 2014 effective 1-1-2017)

Section 215.1150. Fraudulent Use of a Credit or Debit Device. ²⁷

- A. A person commits the offense of fraudulent use of a credit device or debit device if he or she uses a credit device or debit device for the purpose of obtaining services or property, knowing that:
 - 1. The device is stolen, fictitious or forged; or
 - 2. The device has been revoked or canceled; or
 - 3. For any other reason his or her use of the device is unauthorized; or
- B. A person commits the offense of fraudulent use of a credit device or debit device if he or she uses a credit device or debit device for the purpose of paying property taxes and knowingly cancels such charges or payment without just cause. It shall be prima facie evidence of a violation of this Section if a person cancels such charges or payment after

27. Note: Under certain circumstances this offense can be a felony under state law.

obtaining a property tax receipt to obtain license tags from the Missouri Department of Revenue. (RSMo. §570.130, 2014 effective 1-1-2017)

Section 215.1160. Deceptive Business Practice.

- A. A person commits the offense of deceptive business practice if in the course of engaging in a business, occupation or profession, he or she recklessly:
1. Uses or possesses for use a false weight or measure, or any other device for falsely determining or recording any quality or quantity;
 2. Sells, offers, displays for sale, or delivers less than the represented quantity of any commodity or service;
 3. Takes or attempts to take more than the represented quantity of any commodity or service when as buyer he or she furnishes the weight or measure;
 4. Sells, offers, or exposes for sale adulterated or mislabeled commodities;
 5. Makes a false or misleading written statement for the purpose of obtaining property or credit;
 6. Promotes the sale of property or services by a false or misleading statement in any advertisement; or
 7. Advertises in any manner the sale of property or services with the purpose not to sell or provide the property or services:
 - a. At the price which he or she offered them;
 - b. In a quantity sufficient to meet the reasonably expected public demand, unless the quantity is specifically stated in the advertisement; or
 - c. At all. (RSMo. §570.140, 2014 effective 1-1-2017)

Section 215.1170. Alteration or Removal of Item Numbers With Intent To Deprive Lawful Owner. ²⁸

- A. A person commits the offense of alteration or removal of item numbers if he/she with the purpose of depriving the owner of a lawful interest therein:
1. Destroys, removes, covers, conceals, alters, defaces or causes to be destroyed, removed, covered, concealed, altered or defaced the manufacturer's original serial number or other distinguishing owner-applied number or mark on any item which bears a serial number attached by the manufacturer or distinguishing number or mark applied by the owner of the item for any reason whatsoever;

28. Note: Under certain circumstances this offense can be a felony under state law.

2. Sells, offers for sale, pawns or uses as security for a loan any item on which the manufacturer's original serial number or other distinguishing owner-applied number or mark has been destroyed, removed, covered, concealed, altered or defaced; or
3. Buys, receives as security for a loan or in pawn, or in any manner receives or has in his/her possession any item on which the manufacturer's original serial number or other distinguishing owner-applied number or mark has been destroyed, removed, covered, concealed, altered or defaced. (RSMo. §570.085, 2014 effective 1-1-2017)

Section 215.1180. Stealing Leased or Rented Personal Property — Enforcement Procedure — Penalty — Venue. ²⁹

- A. A person commits the offense of stealing leased or rented property if, with the intent to deprive the owner thereof, such person:
 1. Purposefully fails to return leased or rented personal property to the place and within the time specified in an agreement in writing providing for the leasing or renting of such personal property;
 2. Conceals or aids or abets the concealment of the property from the owner;
 3. Sells, encumbers, conveys, pawns, loans, abandons or gives away the leased or rented property or any part thereof, without the written consent of the lessor, or without informing the person to whom the property is transferred to, that the property is subject to a lease;
 4. Returns the property to the lessor at the end of the lease term, plus any agreed upon extensions, but does not pay the lease charges agreed upon in the written instrument, with the intent to wrongfully deprive the lessor of the agreed upon charges.
- B. The provisions of this Section shall apply to all forms of leasing and rental agreements including, but not limited to, contracts which provide the consumer options to buy the leased or rented personal property, lease-purchase agreements and rent-to-own contracts. For the purpose of determining if a violation of this Section has occurred, leasing contracts which provide options to buy the merchandise are owned by the owner of the property until such time as the owner endorses the sale and transfer of ownership of the leased property to the lessee.
- C. Evidence that a lessee used a false, fictitious, or not current name, address, or place of employment in obtaining the property or that a lessee fails or refuses to return the property or pay the lease charges to the lessor within seven (7) days after written demand for the return has been sent by certified mail, return receipt requested, to the address the person set forth in the lease agreement, or in the absence of the address, to the person's last known place of residence, shall be evidence of intent to violate the provisions of this

²⁹ Note: Under certain circumstances this offense can be a felony under state law.

Section, except that if a motor vehicle has not been returned within seventy-two (72) hours after the expiration of the lease or rental agreement, such failure to return the motor vehicle shall be prima facie evidence of the intent of the offense of stealing leased or rented property. Where the leased or rented property is a motor vehicle, if the motor vehicle has not been returned within seventy-two (72) hours after the expiration of the lease or rental agreement, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle, and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate State and local computer system listing stolen motor vehicles. Any Law Enforcement Officer which stops such a motor vehicle may seize the motor vehicle and notify the lessor that he/she may recover such motor vehicle after it is photographed and its vehicle identification number is recorded for evidentiary purposes. Where the leased or rented property is not a motor vehicle, if such property has not been returned within the seven-day period prescribed in this Subsection, the owner of the property shall report the failure to return the property to the local law enforcement agency, and such law enforcement agency may within five (5) days notify the person who leased or rented the property that such person is in violation of this Section, and that failure to immediately return the property may subject such person to arrest for the violation.

- D. This Section shall not apply if such personal property is a vehicle and such return is made more difficult or expensive by a defect in such vehicle which renders such vehicle inoperable if the lessee shall notify the lessor of the location of such vehicle and such defect before the expiration of the lease or rental agreement or within ten (10) days after proper notice.
- E. Any person who has leased or rented personal property of another who destroys such property so as to avoid returning it to the owner commits the offense of property damage pursuant to Section 569.100, RSMo., or Section 215.1040 of this Code in addition to being in violation of this Section.
- F. Venue shall lie in the County where the personal property was originally rented or leased. (RSMo. §570.057, 2014 effective 1-1-2017)

Section 215.1190. Passing Bad Checks. ³⁰

- A. A person commits the offense of passing a bad check when he/she:
 - 1. With the purpose to defraud, makes, issues or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money knowing that it will not be paid by the drawee or that there is no such drawee; or
 - 2. Makes, issues or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money, knowing that there are insufficient funds in or on deposit with that account for the payment of such check, sight order or other form of presentment involving the transmission of account information in full and all other checks, sight orders or

³⁰. Note: Under certain circumstances this offense can be a felony under state law.

other forms of presentment involving the transmission of account information upon such funds then outstanding, or that there is no such account or no drawee and fails to pay the check or sight order or other form of presentment involving the transmission of account information within ten (10) days after receiving actual notice in writing that it has not been paid because of insufficient funds or credit with the drawee or because there is no such drawee.

- B. As used in Subsection (A)(2) of this Section, "actual notice in writing" means notice of the non-payment which is actually received by the defendant. Such notice may include the service of summons or warrant upon the defendant for the initiation of the prosecution of the check or checks which are the subject matter of the prosecution if the summons or warrant contains information of the ten-day period during which the instrument may be paid and that payment of the instrument within such ten-day period will result in dismissal of the charges. The requirement of notice shall also be satisfied for written communications which are tendered to the defendant and which the defendant refuses to accept. (RSMo. §570.120, 2005, 2014 effective 1-1-2017)

Section 215.1200. Shoplifting — Detention of Suspect by Merchant — Liability Presumption.

- A. *Definitions.* As used in this Section, the following definitions shall apply:

MERCANTILE ESTABLISHMENT — Any mercantile place of business in, at or from which goods, wares and merchandise are sold, offered for sale or delivered from and sold at retail or wholesale.

MERCHANDISE — All goods, wares and merchandise offered for sale or displayed by a merchant.

MERCHANT — Any corporation, partnership, association or person who is engaged in the business of selling goods, wares and merchandise in a mercantile establishment.

WRONGFUL TAKING — Includes stealing of merchandise or money and any other wrongful appropriation of merchandise or money.

- B. Any merchant, his/her agent or employee, who has reasonable grounds or probable cause to believe that a person has committed or is committing a wrongful taking of merchandise or money from a mercantile establishment, may detain such person in a reasonable manner and for a reasonable length of time for the purpose of investigating whether there has been a wrongful taking of such merchandise or money. Any such reasonable detention shall not constitute an unlawful arrest or detention, nor shall it render the merchant, his/her agent or employee criminally or civilly liable to the person so detained.
- C. Any person willfully concealing unpurchased merchandise of any mercantile establishment, either on the premises or outside the premises of such establishment, shall be presumed to have so concealed such merchandise with the intention of committing a wrongful taking of such merchandise within the meaning of Subsection (A), and the finding of such unpurchased merchandise concealed upon the person or among the

belongings of such person shall be evidence of reasonable grounds and probable cause for the detention in a reasonable manner and for a reasonable length of time of such person by a merchant, his/her agent or employee in order that recovery of such merchandise may be effected, and any such reasonable detention shall not be deemed to be unlawful nor render such merchant, his/her agent or employee criminally or civilly liable. (RSMo. §537.125)

Section 215.1210. Copper Wire or Cable, Catalytic Converters, Collectors and Dealers To Keep Register, Information Required — Penalty — Exempt Transactions.

- A. Every purchaser or collector of, or dealer in, junk, scrap metal or any secondhand property shall keep a register containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this Section is obtained for value. There shall be a separate record for each transaction involving any:
1. Copper, brass or bronze;
 2. Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting or fastener;
 3. Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in Section 350.010, RSMo.; whatever may be the condition or length of such metal; or
 4. Catalytic converter.
- B. The record required by this Section shall contain the following data:
1. A copy of the driver's license or photo identification issued by the State or by the United States Government or agency thereof to the person from whom the material is obtained;
 2. The current address, gender, birth date, and a photograph of the person from whom the material is obtained if not included or are different from the identification required in Subsection (B)(1) of this Subsection;
 3. The date, time and place of the transaction;
 4. The license plate number of the vehicle used by the seller during the transaction;
 5. A full description of the metal, including the weight and purchase price.
- C. The records required under this Section shall be maintained for a minimum of twenty-four (24) months from when such material is obtained and shall be available for inspection by any Law Enforcement Officer.
- D. Anyone convicted of violating this Section shall be guilty of an ordinance violation.
- E. This Section shall not apply to any of the following transactions:
1. Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars (\$50.00), unless the scrap metal is a catalytic converter;

2. Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or
3. Any transaction for which the type of metal subject to Subsection (A) of this Section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications. (RSMo. §407.300, 2008, 2013)

Section 215.1220. Metal Beer Keg, Prohibition on Purchase or Possession by Scrap Metal Dealer — Violation, Penalty.

- A. No scrap metal dealer shall knowingly purchase or possess a metal beer keg, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut or otherwise alter scrap metal except when the purchase is from the brewer or its authorized representative. For purposes of this Section, "keg" shall have the same meaning as in Section 311.082, RSMo.
- B. Anyone who is found guilty of, or pleads guilty to, violating this Section shall be guilty of an ordinance violation punishable only by fine. Nothing in this Section shall be construed to preclude a person violating this Section from also being prosecuted for any applicable criminal offense. (RSMo. §407.301, 2008)

Section 215.1230. Metal Belonging to Various Entities — Scrap Yard Not To Purchase — Violation, Penalty.

- A. No scrap yard shall purchase any metal that can be identified as belonging to a public or private cemetery, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility or utility regulated under Chapters 386 or 393, RSMo., including bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, utility regulated under Chapter 386 or 393, RSMo., or manufacturer of the metal or item described in this Section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, telecommunications provider, cable provider, wireless service or other communications-related provider, electrical cooperative, water utility, municipal utility, utility regulated under Chapter 386 or 393, RSMo., or manufacturer to sell the metal.
- B. Anyone convicted of violating this Section shall be guilty of an ordinance violation. (RSMo. §407.302, 2008, 2013)

Section 215.1240. Scrap Metal Dealers — Payments in Excess of \$500.00 To Be Made by Check — Exceptions.

- A. Any scrap metal dealer paying out an amount that is five hundred dollars (\$500.00) or more shall make such payment by issuing a prenumbered check drawn on a regular bank account in the name of the licensed scrap metal dealer and with such check made payable to the person documented as the seller in accordance with this Section, or by using a system for automated cash or electronic payment distribution which photographs or videotapes the payment recipient and identifies the payment with a distinct transaction in the register maintained in accordance with Chapter 407, RSMo.
- B. Any scrap metal dealer that purchases scrap metal from a seller and pays in the form of cash is required to obtain a copy of the seller's driver's license or non-driver's license if the metal is copper or a catalytic converter. This Section shall not apply to any transaction for which the seller has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business.
- C. Any person in violation of Sections 210.1210 to 210.1240 by selling stolen scrap metal shall be responsible for consequential damages related to obtaining the scrap metal. (RSMo. §407.303, 2008, 2013)

Section 215.1250. Exterior Collection Units, Donation Boxes and Similar Devices.

[R.O. 1998 §215.535; Ord. No. 2700 §1, 3-15-2011]

- A. It shall be unlawful for any person to park, place or suffer the placement of any exterior collection units, donation boxes or similar devices in or upon any street, highway, roadway, designated fire lane or sidewalk in the City of St. Ann.
- B. It shall be unlawful for any person to park, place or suffer the placement of any exterior collection units, donation boxes or similar devices upon any lot or property in the City of St. Ann except lots owned by churches, public or private schools.

Section 215.1260. Forgery.

- A. A person commits the offense of forgery if, with the purpose to defraud, the person:
 - 1. Makes, completes, alters or authenticates any writing so that it purports to have been made by another or at another time or place or in a numbered sequence other than was in fact the case or with different terms or by authority of one who did not give such authority; or
 - 2. Erases, obliterates or destroys any writing; or
 - 3. Makes or alters anything other than a writing, including receipts and universal product codes, so that it purports to have a genuineness, antiquity, rarity, ownership or authorship which it does not possess; or

4. Uses as genuine, or possesses for the purpose of using as genuine, or transfers with the knowledge or belief that it will be used as genuine, any writing or other thing including receipts and universal product codes, which the person knows has been made or altered in the manner described in this Section. (RSMo. §570.090)

Section 215.1270. through Section 215.1340. (Reserved)

**ARTICLE VIII
Offenses Concerning Prostitution**

Section 215.1350. Article Definitions.

As used in this Article, the following terms mean:

DEVIATE SEXUAL INTERCOURSE — Any sexual act involving the genitals of one (1) person and the mouth, hand, tongue, or anus of another person; or any act involving the penetration, however slight, of the penis, the female genitalia, or the anus by a finger, instrument, or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

PERSISTENT PROSTITUTION OFFENDER — A person who has been found guilty of two (2) or more prostitution-related offenses.

PROSTITUTION-RELATED OFFENSE — Any violation of State law for prostitution, patronizing prostitution, or promoting prostitution.

SEXUAL CONDUCT — Sexual intercourse, deviate sexual intercourse, or sexual contact.

SEXUAL CONTACT — Any touching of another person with the genitals or any touching of the genitals or anus of another person or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person or for the purpose of terrorizing the victim.

SEXUAL INTERCOURSE — Any penetration, however slight, of the female genitalia by the penis.

SOMETHING OF VALUE — Any money or property, or any token, object or article exchangeable for money or property. (RSMo. §567.010, 2014 effective 1-1-2017)

Section 215.1360. Prostitution. ³¹

A person commits the offense of prostitution if he or she engages in or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by any person. (RSMo. §567.020, 2014 effective 1-1-2017)

³¹. Note: Under certain circumstances this offense can be a felony under state law.

Section 215.1370. Patronizing Prostitution. ³²

- A. A person commits the offense of patronizing prostitution if he or she:
1. Pursuant to a prior understanding, gives something of value to another person as compensation for having engaged in sexual conduct with any person; or
 2. Gives or agrees to give something of value to another person with the understanding that such person or another person will engage in sexual conduct with any person; or
 3. Solicits or requests another person to engage in sexual conduct with any person in return for something of value.
- B. It shall not be a defense that the person believed that the individual he or she patronized for prostitution was eighteen (18) years of age or older. (RSMo. §567.030, 2004, 2014 effective 1-1-2017)

Section 215.1380. (Reserved) ³³**Section 215.1390. Prostitution Houses Deemed Public Nuisances.**

- A. Any room, building or other structure regularly used for any prostitution activity prohibited by this Article is a public nuisance.
- B. The City Prosecuting Attorney may, in addition to all criminal sanctions, prosecute a suit in equity to enjoin the nuisance. If the court finds that the owner of the room, building or structure knew or had reason to believe that the premises were being used regularly for prostitution activity, the court may order that the premises shall not be occupied or used for such period as the court may determine, not to exceed one (1) year.
- C. All persons, including owners, lessees, officers, agents, inmates or employees, aiding or facilitating such a nuisance may be made defendants in any suit to enjoin the nuisance, and they may be enjoined from engaging in any prostitution activity anywhere within the jurisdiction of the court.
- D. Appeals shall be allowed from the judgment of the court as in other civil actions. (RSMo. §567.080, 2014 effective 1-1-2017)

Section 215.1400. through Section 215.1490. (Reserved)

32. Note: Under certain circumstances this offense can be a felony under state law.

33. Editor's Note: This Section previously noted that in prosecutions of prostitution and patronizing prostitution, the sex (gender) of the parties was no defense. However, the authorizing statute, former RSMo. §567.040, was repealed without replacement by SB 491 in the 2014 Legislative Session, effective 1-1-2017.

ARTICLE IX
Sexual Offenses

Section 215.1500. Article Definitions.

As used in this Article, the following terms shall have the meanings set forth herein:

DEVIATE SEXUAL INTERCOURSE — Any act involving the genitals of one person and the hand, mouth, tongue or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SEXUAL CONDUCT — Sexual intercourse, deviate sexual intercourse or sexual contact.

SEXUAL CONTACT — Any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim.

SEXUAL INTERCOURSE — Any penetration, however slight, of the female genitalia by the penis. (RSMo. §566.010, 2006, 2014 effective 1-1-2017)

Section 215.1510. Sexual Misconduct.

- A. A person commits the offense of sexual misconduct in the first degree if such person:
1. Exposes his/her genitals under circumstances in which he/she knows that his/her conduct is likely to cause affront or alarm;
 2. Has sexual contact in the presence of a third person or persons under circumstances in which he/she knows that such conduct is likely to cause affront or alarm; or
 3. Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person. (RSMo. §566.093, 2004, 2014 effective 1-1-2017)

Section 215.1520. Sexual Abuse. ³⁴

A person commits the offense of sexual abuse in the second degree if he/she purposely subjects another person to sexual contact without that person's consent. (RSMo. §566.101, 2013, 2014 effective 1-1-2017)

Section 215.1530. Certain Offenders Not To Physically Be Present or Loiter Within 500 Feet of a Child Care Facility — Violation — Penalty.

- A. Any person who has been found guilty of:

³⁴ Note: Under certain circumstances this offense can be a felony under state law.

1. Violating any of the provisions of Chapter 566, RSMo., or the provisions of Section 568.020, RSMo., Incest; Section 568.045, RSMo., Endangering The Welfare Of A Child In The First Degree; Section 573.200, RSMo., Use Of A Child In A Sexual Performance; Section 573.205, RSMo., Promoting A Sexual Performance By A Child; Section 573.023, RSMo., Sexual Exploitation Of A Minor; Section 573.025, RSMo., Promoting Child Pornography In The First Degree; Section 573.035, RSMo., Promoting Child Pornography In The Second Degree; Section 573.037, RSMo., Possession Of Child Pornography; or Section 573.040, RSMo., Furnishing Pornographic Material To Minors; or
2. Any offense in any other jurisdiction which, if committed in this State, would be a violation listed in this Section;

shall not knowingly be physically present in or loiter within five hundred (500) feet of or to approach, contact, or communicate with any child under eighteen (18) years of age in any child-care facility building, on the real property comprising any child care facility when persons under the age of eighteen (18) are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building or on the grounds.

- B. For purposes of this Section, "child care facility" shall include any child care facility licensed under Chapter 210, RSMo., or any child care facility that is exempt from State licensure but subject to State regulation under Section 210.252, RSMo., and holds itself out to be a child care facility.
- C. Violation of the provisions of this Section is an ordinance violation. (RSMo. §566.148, 2009, 2014 effective 1-1-2017)

Section 215.1540. Certain Offenders Not To Be Present Within 500 Feet of School Property, Exception — Permission Required for Parents or Guardians Who Are Offenders, Procedure.

- A. Any person who has been found guilty of:
 1. Violating any of the provisions of Chapter 566, RSMo., or the provisions of Section 568.020, RSMo., Incest; Section 568.045, RSMo., Endangering The Welfare Of A Child In The First Degree; Section 573.200, RSMo., Use Of A Child In A Sexual Performance; Section 573.205, RSMo., Promoting A Sexual Performance By A Child; Section 573.023, RSMo., Sexual Exploitation Of A Minor; Section 573.025, RSMo., Promoting Child Pornography; or Section 573.040, RSMo., Furnishing Pornographic Material To Minors; or
 2. Any offense in any other jurisdiction which, if committed in this State, would be a violation listed in this Section;

shall not be present in or loiter within five hundred (500) feet of any school building, on real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school-related activity when persons under the age of eighteen (18) are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building and has met the conditions set forth in Subsection (B) of this Section.

- B. No parent, legal guardian or custodian who has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the offenses listed in Subsection (A) of this Section shall be present in any school building, on real property comprising any school, or in any conveyance owned, leased or contracted by a school to transport students to or from school or a school-related activity when persons under the age of eighteen (18) are present in the building, on the grounds, or in the conveyance, unless the parent, legal guardian, or custodian has permission to be present from the Superintendent or School Board or in the case of a private school from the Principal. In the case of a public school, if permission is granted, the Superintendent or School Board President must inform the Principal of the school where the sex offender will be present. Permission may be granted by the Superintendent, School Board, or in the case of a private school from the Principal for more than one (1) event at a time, such as a series of events, however, the parent, legal guardian or custodian must obtain permission for any other event he/she wishes to attend for which he/she has not yet had permission granted.
- C. Regardless of the person's knowledge of his or her proximity to school property or a school-related activity, violation of the provisions of this Section is an ordinance violation. (RSMo. §566.149, 2006, 2008, 2009, 2014 effective 1-1-2017)

Section 215.1550. Halloween, Restrictions on Conduct — Violations.

- A. Any person required to register as a sexual offender under Sections 589.400 to 589.425, RSMo., shall be required on October 31st of each year to:
1. Avoid all Halloween-related contact with children;
 2. Remain inside his or her residence between the hours of 5:00 P.M. and 10:30 P.M. unless required to be elsewhere for just cause including, but not limited to, employment or medical emergencies;
 3. Post a sign at his or her residence stating "No candy or treats at this residence"; and
 4. Leave all outside residential lighting off during the evening hours after 5:00 P.M.
- B. Any person required to register as a sexual offender under Sections 589.400 to 589.425, RSMo., who violates the provisions of Subsection (A) of this Section shall be guilty of an ordinance violation. (RSMo. §589.426, 2008)

Section 215.1560. Urinating or Defecating in Public.**[R.O. 1998 §215.625; Ord. No. 2229 §1, 11-6-2001]**

- A. It shall be unlawful for any person to urinate or defecate in a public place, except in the proper receptacles of public or private comfort stations, restrooms, toilets or similar facilities provided for such acts.
- B. The term "public place" means any location, whether public or private, where conduct may be readily seen from public property, or from the property of others, or from any portion of property open to the public.
- C. Any person violating the provisions of this Section shall, on conviction thereof, be subject to the penalties provided for violation of City ordinances.

Section 215.1570. Public Indecency/Indecent Exposure.**[R.O. 1998 §215.620; Ord. No. 2449 §1, 12-26-2006]**

- A. A person who knowingly or intentionally in a public place, to include, but not be limited to, indoor and outdoor entertainment establishments, restaurants, theaters, bars, bookstores and places of public accommodation where one (1) or more other persons are present:
 1. Engages in sexual intercourse;
 2. Engages in deviate sexual intercourse;
 3. Appears in a state of nudity;
 4. Engages in sexual contact; or
 5. Exposes his/her genitals under circumstances in which he/she knows such conduct is likely to cause affront or alarm;commits the unlawful act of public indecency and is subject to punishment pursuant to this Municipal Code.

Section 215.1580. through Section 215.1660. (Reserved)

ARTICLE X
Offenses Concerning Pornography

Section 215.1670. Definitions.

When used in this Article, the following terms shall have the meanings set out herein:

FURNISH — To issue, sell, give, provide, lend, mail, deliver, transfer, circulate, disseminate, present, exhibit or otherwise provide.

MATERIAL — Anything printed or written, or any picture, drawing, photograph, motion-picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. "Material" includes undeveloped photographs, molds, printing plates, stored computer data, and other latent representational objects.

MINOR — Any person less than eighteen (18) years of age.

NUDITY or STATE OF NUDITY — The showing of the human genitals, pubic area, vulva, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

OBSCENE — Any material or performance if, taken as a whole:

1. Applying contemporary community standards, its predominant appeal is to prurient interest in sex; and
2. The average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and
3. A reasonable person would find the material lacks serious literary, artistic, political or scientific value.

PERFORMANCE — Any play, motion-picture film, videotape, dance or exhibition performed before an audience of one (1) or more.

PORNOGRAPHIC FOR MINORS — Any material or performance if the following apply:

1. The average person, applying contemporary community standards, would find that the material or performance, taken as a whole, has a tendency to cater or appeal to a prurient interest of minors; and
2. The material or performance depicts or describes nudity, sexual conduct, the condition of human genitals when in a state of sexual stimulation or arousal or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors; and
3. The material or performance, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

PROMOTE — To manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit or advertise, or to offer or agree to do the same, by any means including a computer.

SADOMASOCHISTIC ABUSE — Flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

SEXUAL CONDUCT — Actual or simulated, normal or perverted acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act

of apparent sexual stimulation or gratification; or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.

SEXUAL EXCITEMENT — The condition of human male or female genitals when in a state of sexual stimulation or arousal. (RSMo. §573.010, 2014 effective 1-1-2017)

Section 215.1680. Promoting Pornography for Minors or Obscenity. ³⁵

- A. A person commits the offense of promoting pornography for minors or obscenity if, knowing of its content and character, he/she:
1. Promotes or possesses with the purpose to promote any obscene materials for pecuniary gain; or
 2. Produces, presents, directs or participates in any obscene performance for pecuniary gain; or
 3. Promotes or possesses with the purpose to promote any material pornographic for minors for pecuniary gain; or
 4. Produces, presents, directs or participates in any performance pornographic for minors for pecuniary gain; or
 5. Promotes, possesses with the purpose to promote, produces, presents, directs or participates in any performance that is pornographic for minors via computer, electronic transfer, Internet or computer network if the person made the matter available to a specific individual known by the defendant to be a minor. (RSMo. §573.030.1, 2009, 2014 effective 1-1-2017)

Section 215.1690. Furnishing Pornographic Materials to Minors. ³⁶

- A. A person commits the offense of furnishing pornographic material to minors if, knowing of its content and character, he/she:
1. Furnishes any material pornographic for minors knowing that the person to whom it is furnished is a minor or acting in reckless disregard of the likelihood that such person is a minor; or
 2. Produces, presents, directs or participates in any performance pornographic for minors that is furnished to a minor knowing that any person viewing such performance is a minor or acting in reckless disregard of the likelihood that a minor is viewing the performance; or
 3. Furnishes, produces, presents, directs, participates in any performance or otherwise makes available material that is pornographic for minors via computer, electronic

35. Note: Under certain circumstances this offense can be a felony under state law.

36. Note: Under certain circumstances this offense can be a felony under state law.

transfer, Internet or computer network if the person made the matter available to a specific individual known by the defendant to be a minor.

- B. It is not a defense to a prosecution for a violation of this Section that the person being furnished the pornographic material is a Peace Officer masquerading as a minor.
- C. The offense of furnishing pornographic material to minors or attempting to furnish pornographic material to minors is an ordinance violation. (RSMo. §573.040, 2008, 2009, 2014 effective 1-1-2017)

Section 215.1700. through Section 215.1790. (Reserved)

ARTICLE XI
Offenses Concerning Drugs and Alcohol

Section 215.1800. Possession of Marijuana or Synthetic Cannabinoid. ³⁷

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo.³⁸ (RSMo. §579.015, 2014 effective 1-1-2017)

Section 215.1810. Possession of a Controlled Substance. ³⁹

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possesses a controlled substance, except as authorized by Chapter 579, RSMo., or Chapter 195, RSMo.⁴⁰ (RSMo. §579.015, 2014 effective 1-1-2017)

Section 215.1820. Limitations on the Retail Sale of Methamphetamine Precursor Drugs.

- A. The retail sale of methamphetamine precursor drugs shall be limited to:
 - 1. Sales in packages containing not more than a total of three (3) grams of one (1) or more methamphetamine precursor drugs calculated in terms of ephedrine base, pseudoephedrine base and phenylpropanolamine base; and
 - 2. For non-liquid products, sales in blister packs, each blister containing not more than two (2) dosage units, or where the use of blister packs is technically infeasible, sales in unit dose packets or pouches.

37. Note: Under certain circumstances this offense can be a felony under state law.

38. State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

39. Note: Under certain circumstances this offense can be a felony under state law.

40. State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§195.010, 195.017 and 579.015, RSMo.

- B. The penalty for a knowing violation of Subsection (A) of this Section is found in Section 569.060, RSMo. (RSMo. §195.418, 2014 effective 1-1-2017)

Section 215.1830. Unlawful Possession of Drug Paraphernalia. ⁴¹

A person commits the offense of unlawful possession of drug paraphernalia if he or she knowingly uses, or possesses with intent to use, drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body, a controlled substance or an imitation controlled substance in violation of Chapter 579, RSMo., or Chapter 195, RSMo. (RSMo. §579.074, 2014 effective 1-1-2017)

Section 215.1840. Inhalation or Inducing Others To Inhale Solvent Fumes to Cause Certain Reactions, Prohibited — Exceptions.

No person shall intentionally smell or inhale the fumes of any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues or induce any other person to do so for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual or mental processes; except that this Section shall not apply to the inhalation of any anesthesia for medical or dental purposes. (RSMo. §579.097, 2014 effective 1-1-2017)

Section 215.1850. Inducing, or Possession With Intent To Induce, Symptoms by Use of Solvents and Other Substances, Prohibited.

- A. As used in this Section, "alcohol beverage vaporizer" means any device which, by means of heat, a vibrating element, or any method, is capable of producing a breathable mixture containing one (1) or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both.
- B. No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use or abuse of any of the following substances:
1. Solvents, particularly toluol;
 2. Ethyl alcohol;
 3. Amyl nitrite and its iso-analogues;
 4. Butyl nitrite and its iso-analogues;
 5. Cyclohexyl nitrite and its iso-analogues;

41. Note: Under certain circumstances this offense can be a felony under state law.

6. Ethyl nitrite and its iso-analogues;
 7. Pentyl nitrite and its iso-analogues; and
 8. Propyl nitrite and its iso-analogues.
- C. This Section shall not apply to substances that have been approved by the United States Food and Drug Administration as therapeutic drug products or are contained in approved over-the-counter drug products or administered lawfully pursuant to the order of an authorized medical practitioner.
- D. No person shall intentionally possess any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues for the purpose of using it in the manner prohibited by Section 215.1840 and this Section.
- E. No person shall possess or use an alcoholic beverage vaporizer.
- F. Nothing in this Section shall be construed to prohibit the legal consumption of intoxicating liquor. (RSMo. §579.099, 2014 effective 1-1-2017)

Section 215.1860. Possession or Purchase of Solvents To Aid Others in Violations, Prohibited — Violations of Sections 210.1840 to 210.1850 — Penalty. ⁴²

- A. No person shall intentionally possess or buy any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues for the purpose of inducing or aiding any other person to violate the provisions of Sections 210.1840 and 210.1850 hereof.
- B. Any person who violates any provision of Sections 210.1840 through 210.1860 is guilty of an ordinance violation for the first violation. (RSMo. §579.101, 2014 effective 1-1-2017)

Section 215.1870. Possession or Consumption of Alcoholic Beverages in a Motor Vehicle or in a Business Parking Lot.

[R.O. 1998 §215.720; CC 1988 §15-359; Ord. No. 1464 §1, 5-7-1990; Ord. No. 1779 §§1 — 4, 10-3-1994]

- A. For the purpose of this Section, the following terms shall have the following meanings:
- ALCOHOLIC BEVERAGES — "Intoxicating liquor" and "non-intoxicating beer" as those terms are defined in Section 600.010 of the Municipal Code.
- PARKING LOT — Any area provided for the parking of motor vehicles in connection with a multiple dwelling development, a business operation or an industrial operation, including the space designated for ingress to or egress from any such parking area.

42. Note: Under certain circumstances this offense can be a felony under state law.

- B. No person shall possess an open container of an alcoholic beverage or consume an alcoholic beverage on a street, sidewalk or parking lot, as herein defined, whether inside or outside of a motor vehicle, excluding a hired limousine or a hired party bus.
- C. On written application, the Board of Aldermen may permit the drinking of alcoholic beverages on a parking lot in connection with a specific function.
- D. On written application, the Chief of Police may permit the drinking of alcoholic beverages at a block party in connection with a specific function.

Section 215.1880. through Section 215.1960. (Reserved)

ARTICLE XII
Offenses Concerning Minors ⁴³

Section 215.1970. Curfew for Minors. ⁴⁴

[R.O. 1998 §215.730; CC 1988 §15-376; Ord. No. 1256 §§1, 3, 3-16-1987]

- A. It shall be unlawful for any minor under the age of seventeen (17) years to loiter, idle, wander, stroll or play in or upon any public place or place open to the public within the City between the hours of 11:00 P.M. and 6:00 A.M. of the following day, except on Fridays and Saturdays, when the hours shall be from 12:00 Midnight to 6:00 A.M. of the following Saturday or Sunday, as the case may be; provided however, that the provisions of this Section do not apply when a minor is accompanied by his/her parent, guardian or other adult person having the care and custody of the minor or conducting supervised activities for such minor, or when the minor is on an emergency errand or legitimate business or activity directed by his/her parent or guardian or other adult person having the care and custody of the minor.
- B. It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of seventeen (17) to knowingly permit (or to permit under such circumstances as by the exercise of reasonable care such person should have known the whereabouts of such minor) such minor to violate the provisions of this Section.

Section 215.1980. Failure To Supervise Minors at Gatherings Where Alcoholic Beverages or Controlled Substances Are in the Possession of, Consumed by, or Delivered to, Minors.

[R.O. 1998 §215.750; CC 1988 §15-378; Ord. No. 1829 §1, 8-7-1995]

- A. *Purpose And Findings.* The Board of Aldermen of the City of St. Ann has found and determined that unsupervised gatherings where alcoholic beverages or controlled

43. Cross Reference: As to alcohol-related offenses involving minors, §600.060.

44. Cross References: Time fixed for opening and closing of alcoholic beverage establishments, §600.030(C); use of video games, etc., by minors, restricted during certain hours, ch. 625.

substances are in the possession of, consumed by, or delivered to, persons under the age of twenty-one (21) years constitute a potential hazard to the health, safety and welfare of those in attendance at such gatherings and for others. The Board of Aldermen has further found and determined that the supervision of gatherings at which alcoholic beverages or controlled substances are in the possession of consumed by, or delivered to, persons under twenty-one (21) years of age is necessary in order to safeguard the peace, health, safety and general welfare of the public.

B. *Definitions.* The following definitions shall apply to the provisions of this Section:

ALCOHOLIC BEVERAGES — Any beverage consisting of intoxicating liquor, malt liquor or non-intoxicating beer, as those terms are defined in Section 600.010 of Article I of Chapter 600 of this Code.

CONTROLLED SUBSTANCE — Any drug, substance or immediate precursor defined or described as such in Section 195.010, RSMo., as same may be amended.

DELIVERY OF ALCOHOLIC BEVERAGES OR CONTROLLED SUBSTANCES — A gift or exchange of an alcoholic beverage or controlled substance from one person to another.

GATHERING, PARTY or EVENT — An assemblage or a group of persons for a social occasion or for a social activity.

MINOR — Any person under the age of twenty-one (21) years.

PARENT — A natural or adoptive parent, or a guardian, or the adult designee of either of them.

PERSON IN CONTROL OF THE PREMISES — An adult who owns, leases, rents or is otherwise the lawful occupant of any premises, or the adult designee thereof.

PRACTITIONER — Any medical professional or other person, as defined or described in Section 195.010, RSMo., as same may be amended.

C. *Use Of Premises For Consumption Of Alcoholic Beverages Or Controlled Substances.* It shall be unlawful for any person to knowingly or negligently permit, on or in a premises under his/her control, the consumption of alcoholic beverages or controlled substances by a minor; provided that this shall not apply to the following:

1. The delivery of alcoholic beverages to a minor or the consumption of alcoholic beverages by a minor in connection with the performance of any bona fide religious service under the supervision of an adult, with the consent of the person in control of the premises.
2. The delivery of an alcoholic beverage to a minor, by that minor's parent, and under the direct supervision of the parent.
3. The possession or consumption of, or the delivery to a minor, of a controlled substance prescribed for that minor by a practitioner, when such delivery is by that minor's parent or by the person in control of the premises provided that such person has obtained the prior consent of that minor's parent.

- D. *Duty To Supervise.* It shall be unlawful for any person in control of a premises to leave such premises when it is reasonably foreseeable that such premises may be used for a gathering at which alcoholic beverages or controlled substances may be in the possession of or consumed by minors.
- E. *Rental Of A Premises.* It shall be unlawful for any owner, or agent or employee thereof, to rent any premises to a minor or to an adult when it is reasonably foreseeable that such adult will leave such premises and that such premises may be used for a gathering at which alcoholic beverages or controlled substances may be in the possession of or consumed by minors, except as hereinabove provided in Subsection (C).
- F. *Duty To Disperse.* Any person in control of a premises at which alcoholic beverages or controlled substances are in the possession of or are being consumed by minors shall cause all persons in or on said premises who are not lawful residents thereof to disperse not more than fifteen (15) minutes after personally receiving an order to do so, issued by a Police Officer.

Section 215.1990. Sale to or Possession by Persons Under the Age of Eighteen of Hand-Held Laser Pointers.

[R.O. 1998 §215.755; Ord. No. 2089 §1, 9-7-1999]

- A. No person shall sell a hand-held laser pointer to any person under the age of eighteen (18).
- B. No person under the age of eighteen (18) shall possess a hand-held laser pointer; provided that this prohibition shall not apply where the possession by such minor is with the permission and supervision of the parent, guardian or other adult person having the care and custody of such minor.
- C. It is unlawful for any person to focus, point or shine a laser beam directly or indirectly on another person or animal in such a manner as to harass, annoy, or injure said person or animal.

Section 215.2000. through Section 215.2090. (Reserved)

ARTICLE XIII

Offenses Concerning Tobacco, Alternative Nicotine Products or Vapor Products

Section 215.2100. Definitions.

For purposes of this Article, the following definitions shall apply:

ALTERNATIVE NICOTINE PRODUCT — Any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved or ingested by any other means. "Alternative nicotine product" does not include any vapor

product, tobacco product or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.⁴⁵

CENTER OF YOUTH ACTIVITIES — Any playground, school or other facility, when such facility is being used primarily by persons under the age of eighteen (18) for recreational, educational or other purposes.

DISTRIBUTE — A conveyance to the public by sale, barter, gift or sample.

MINOR — A person under the age of eighteen (18).

PROOF OF AGE — A driver's license or other generally accepted means of identification that contains a picture of the individual and appears on its face to be valid.

ROLLING PAPERS — Paper designed, manufactured, marketed or sold for use primarily as a wrapping or enclosure for tobacco which enables a person to roll loose tobacco into a smokeable cigarette.

SAMPLE — A tobacco product, alternative nicotine product or vapor product distributed to members of the general public at no cost or at nominal cost for product promotional purposes.

SAMPLING — The distribution to members of the general public of tobacco product, alternative nicotine product or vapor product samples.

TOBACCO PRODUCTS — Any substance containing tobacco leaf including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco, but does not include alternative nicotine products or vapor products.

VAPOR PRODUCT — Any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device. "Vapor product" does not include any alternative nicotine product or tobacco product.

VENDING MACHINE — Any mechanical, electric or electronic self-service device which, upon insertion of money, tokens or any other form of payment, dispenses tobacco products, alternative nicotine products or vapor products. (RSMo. §407.925, 2014)

Section 215.2105. No Tobacco Sales to Minors — Alternative Nicotine Products, Vapor Products and Nicotine Liquid Containers — Sale to Minors Prohibited.

- A. Any person or entity who sells tobacco products, alternative nicotine products, or vapor products shall deny the sale of such tobacco products to any person who is less than eighteen (18) years of age.

45. Editor's Note: See 21 U.S.C. § 351 et seq.

- B. Any person or entity who sells or distributes tobacco products, alternative nicotine products, or vapor products by mail or through the Internet in this State in violation of Subsection (A) of this Section shall be assessed a fine of two hundred fifty dollars (\$250.00) for the first violation and five hundred dollars (\$500.00) for each subsequent violation.
- C. Alternative nicotine products and vapor products shall only be sold to persons eighteen (18) years of age or older, shall be subject to local and State sales tax, but shall not be otherwise taxed or regulated as tobacco products.
- D. *Nicotine Liquid Containers — Regulations.*
1. Any nicotine liquid container that is sold at retail in this State shall satisfy the child-resistant effectiveness standards set forth in 16 CFR 1700.15(b) as in effect on the effective date of this Section when tested in accordance with the method described in 16 CFR 1700.20 as in effect on the effective date of this Section.
 2. For the purposes of this Subsection, “nicotine liquid container” shall mean a bottle or other container of liquid or other substance containing nicotine if the liquid or substance is sold, marketed, or intended for use in a vapor product. A “nicotine liquid container” shall not include a liquid or other substance containing nicotine in a cartridge that is sold, marketed, or intended for use in a vapor product, provided that such cartridge is prefilled and sealed by the manufacturer and not intended to be opened by the consumer.
 3. Any person who engages in retail sales of liquid nicotine containers in this State in violation of this Subsection shall be assessed a fine of two hundred fifty dollars (\$250.00) for the first violation and five hundred dollars (\$500.00) for each subsequent violation.
 4. The Department of Health and Senior Services may adopt rules necessary to carry out the provisions of this Subsection. Any rule or portion of a rule, as that term is defined in Section 536.010, RSMo., that is created under the authority delegated in that Section shall become effective only if it complies with and is subject to all of the provisions of Chapter 536, RSMo., and, if applicable, Section 536.028, RSMo. This Section and Chapter 536, RSMo., are non-severable, and if any of the powers vested with the General Assembly under Chapter 536, RSMo., to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.
 5. The provisions of this Subsection and any rules adopted hereunder shall be null, void, and of no force and effect upon the effective date of the final regulations issued by the Federal Food and Drug Administration or from any other Federal agency if such regulations mandate child-resistant effectiveness standards for nicotine liquid containers. (RSMo. §407.926, 2015)

Section 215.2110. Unlawful To Sell or Distribute Tobacco Products, Alternative Nicotine Products or Vapor Products to Minors — Vending Machine Requirements.

- A. It shall be unlawful for any person to sell, provide or distribute tobacco products, alternative nicotine products or vapor products to persons under eighteen (18) years of age.
- B. All vending machines that dispense tobacco products, alternative nicotine products or vapor products shall be located within the unobstructed line of sight and under the direct supervision of an adult responsible for preventing persons less than eighteen (18) years of age from purchasing any tobacco product, alternative nicotine product or vapor product from such machine or shall be equipped with a lock-out device to prevent the machines from being operated until the person responsible for monitoring sales from the machines disables the lock. Such locking device shall be of a design that prevents it from being left in an unlocked condition and which will allow only a single sale when activated. A locking device shall not be required on machines that are located in areas where persons less than eighteen (18) years of age are not permitted or prohibited by law. An owner of an establishment whose vending machine is not in compliance with the provisions of this Subsection shall be subject to the penalties contained in Subsection (D) of this Section. A determination of non-compliance may be made by a local law enforcement agency or the Division of Alcohol and Tobacco Control. Nothing in this Section shall apply to a vending machine if located in a factory, private club or other location not generally accessible to the general public.
- C. No person or entity shall sell, provide or distribute any tobacco product, alternative nicotine product or vapor product or rolling papers to any minor or sell any individual cigarettes to any person in this State. This Subsection shall not apply to the distribution by family members on property that is not open to the public.
- D. Any person, including, but not limited to, a sales clerk, owner or operator, who violates Subsection (A), (B) or (C) of this Section or Section 215.2140 of this Article shall be penalized as follows:
1. For the first offense, twenty-five dollars (\$25.00);
 2. For the second offense, one hundred dollars (\$100.00); and
 3. For a third and subsequent offense, two hundred fifty dollars (\$250.00).
- E. Any owner of the establishment where tobacco products, alternative nicotine products or vapor products are available for sale who violates Subsection (C) of this Section shall not be penalized pursuant to this Section if such person documents the following:
1. An in-house or other tobacco compliance employee training program was in place to provide the employee with information on the State and Federal regulations regarding sales of tobacco products, alternative nicotine products or vapor products to minors. Such training program must be attended by all employees who sell tobacco products, alternative nicotine products or vapor products to the general public;

2. A signed statement by the employee stating that the employee has been trained and understands the State laws and Federal regulations regarding the sale of tobacco to minors products, alternative nicotine products or vapor products; and
 3. Such in-house or other tobacco compliance training meets the minimum training criteria, which shall not exceed a total of ninety (90) minutes in length, established by the Division of Alcohol and Tobacco Control.
- F. The exemption in Subsection (E) of this Section shall not apply to any person who is considered the general owner or operator of the outlet where tobacco products, alternative nicotine products or vapor products are available for sale if:
1. Four (4) or more violations per location of Subsection (C) of this Section occur within a one-year period; or
 2. Such person knowingly violates or knowingly allows his/her employees to violate Subsection (C) of this Section.
- G. If a sale is made by an employee of the owner of an establishment in violation of this Article, the employee shall be guilty of an offense established in Subsections (A), (B) and (C) of this Section. If a vending machine is in violation of Section 215.2140, the owner of the establishment shall be guilty of an offense established in Subsections (C) and (D) of this Section. If a sample is distributed by an employee of a company conducting the sampling, such employee shall be guilty of an offense established in Subsections (C) and (D) of this Section.
- H. A person cited for selling, providing or distributing any tobacco product, alternative nicotine product or vapor product to any individual less than eighteen (18) years of age in violation of Subsection (A), (B) or (C) of this Section shall conclusively be presumed to have reasonably relied on proof of age of the purchaser or recipient, and such person shall not be found guilty of such violation if such person raises and proves as an affirmative defense that such individual presented a driver's license or other government-issued photo identification purporting to establish that such individual was eighteen (18) years of age or older.
- I. Any person adversely affected by this Section may file an appeal with the Administrative Hearing Commission which shall be adjudicated pursuant to the procedures established in Chapter 621, RSMo. (RSMo. §407.931, 2014)

Section 215.2120. Minors Prohibited From Purchase or Possession of Tobacco Products, Alternative Nicotine Products or Vapor Products — Misrepresentation of Age.

- A. No person less than eighteen (18) years of age shall purchase, attempt to purchase or possess cigarettes, tobacco products, alternative nicotine products or vapor products unless such person is an employee of a seller of cigarettes, tobacco products, alternative nicotine products or vapor products and is in such possession to effect a sale in the course of employment or an employee of the Division of Alcohol and Tobacco Control for enforcement purposes pursuant to Subsection (5) of Section 407.934, RSMo.

- B. Any person less than eighteen (18) years of age shall not misrepresent his/her age to purchase cigarettes, tobacco products, alternative nicotine products or vapor products.
- C. Any person who violates the provisions of this Section shall be penalized as follows:
1. For the first violation, the person is guilty of an infraction and shall have any cigarettes, tobacco products, alternative nicotine products or vapor products confiscated;
 2. For a second violation and any subsequent violations, the person is guilty of an infraction, shall have any cigarettes, tobacco products, alternative nicotine products or vapor products confiscated and shall complete a tobacco education or smoking cessation program, if available. (RSMo. §407.933, 2014)

Section 215.2130. Retail Sales Tax License Required for Sale of Tobacco Products, Alternative Nicotine Products or Vapor Products.

No person shall sell cigarettes, tobacco products, alternative nicotine products or vapor products unless the person has a retail sales tax license. (RSMo. §407.934.1, 2014)

Section 215.2140. Required Sign Stating Violation of State Law To Sell Tobacco Products, Alternative Nicotine Products or Vapor Products to Minors Under Age 18 — Display of Sign Required, Where.

- A. The owner of an establishment at which tobacco products, alternative nicotine products, vapor products or rolling papers are sold at retail or through vending machines shall cause to be prominently displayed in a conspicuous place at every display from which tobacco products, alternative nicotine products, vapor products are sold and on every vending machine where tobacco products, alternative nicotine products, vapor products are purchased a sign that shall:
1. Contain in red lettering at least one-half (1/2) inch high on a white background the following:

IT IS A VIOLATION OF STATE LAW FOR CIGARETTES, OTHER TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO BE SOLD OR OTHERWISE PROVIDED TO ANY PERSON UNDER THE AGE OF EIGHTEEN OR FOR SUCH PERSON TO PURCHASE, ATTEMPT TO PURCHASE OR POSSESS CIGARETTES, OTHER TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS; and
 2. Include a depiction of a pack of cigarettes at least two (2) inches high defaced by a red diagonal diameter of a surrounding red circle and the words "Under 18." (RSMo. §407.927, 2014)

Section 215.2150. Restrictions on Sales of Individual Packs of Cigarettes.

- A. No person or entity shall sell individual packs of cigarettes or smokeless tobacco products unless such packs satisfy one (1) of the following conditions prior to the time of sale:
1. It is sold through a vending machine; or
 2. It is displayed behind the checkout counter or it is within the unobstructed line of sight of the sales clerk or store attendant from the checkout counter. (RSMo. §407.928)

Section 215.2160. Proof of Age Required, When Defense to Action for Violation Is Reasonable Reliance on Proof — Liability.

- A. A person or entity selling tobacco products, alternative nicotine products or vapor products or rolling papers or distributing tobacco product, alternative nicotine product or vapor product samples shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of eighteen (18).
- B. The operator's or chauffeur's license issued pursuant to the provisions of Section 302.177, RSMo., or the operator's or chauffeur's license issued pursuant to the laws of any State or possession of the United States to residents of those States or possessions, or an identification card as provided for in Section 302.181, RSMo., or the identification card issued by any uniformed service of the United States, or a valid passport shall be presented by the holder thereof upon request of any agent of the Division of Alcohol and Tobacco Control or any owner or employee of an establishment that sells tobacco products, alternative nicotine products or vapor products for the purpose of aiding the registrant, agent or employee to determine whether or not the person is at least eighteen (18) years of age when such person desires to purchase or possess tobacco products, alternative nicotine products or vapor products procured from a registrant. Upon such presentation, the owner or employee of the establishment shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.
- C. Any person who shall, without authorization from the Department of Revenue, reproduce, alter, modify or misrepresent any chauffeur's license, motor vehicle operator's license or identification card shall be deemed guilty of an ordinance violation.
- D. Reasonable reliance on proof of age or on the appearance of the purchaser or recipient shall be a defense to any action for a violation of Subsections (A), (B) and (C) of Section 215.2110 of this Article. No person shall be liable for more than one (1) violation of Subsections (B) and (C) of Section 215.2110 on any single day. (RSMo. §407.929, 2014)

Section 215.2170. through Section 215.2200. (Reserved)

ARTICLE XIV
Miscellaneous Offenses

Section 215.2210. Erection or Maintenance of Barbed Wire or Electrically Charged Fences.

[R.O. 1998 §215.760]

- A. It shall be unlawful for any person to erect or maintain or for any property owner or occupant to allow to be erected or maintained on any property within the City, any fence equipped with or having barbed wire, spikes, or any similar device or any electrical charge sufficient to cause an electric shock.
- B. It shall, however, not be unlawful, under this Section to maintain a barbed wire fence so long as said barbed wire is at least six (6) feet above the ground and at least one (1) foot within the property line of the owner's or occupant's property and so long as said property is located within an industrial or business zoning classification.

Section 215.2220. Storage of Cord Wood and Building Materials.

[R.O. 1998 §215.770; CC 1988 §11-1; Ord. No. 1298 §§1, 2, 10-5-1987]

- A. A maximum of three (3) cords of wood intended for heating purposes may be stored in the rear yard, or that portion of the side yard behind the front building line of the premises for which it is to be used, provided that same is neatly stacked and is stored at least six (6) inches above ground. A cord of wood is defined as a neatly stacked rack of wood with dimensions of four (4) feet of height by eight (8) feet of length by four (4) feet of depth or the same equivalent of one hundred twenty-eight (128) cubic feet. Logs, limbs or tree trunks greater than eight (8) inches in diameter are prohibited from outside storage. **[Ord. No. 2841 §1, 5-6-2013]**
- B. Building materials other than masonry intended to be used on the buildings located on the premises where stored may be stored within the rear yard, provided that same is piled neatly and is stored at least six (6) inches above ground.

Section 215.2230. Abandoned, Discarded, Etc., Property. ⁴⁶

[R.O. 1998 §215.780; CC 1988 §§11-16 — 11-19; Ord. No. 1268 §§1 — 4, 4-6-1987]

- A. *Definitions.* The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

DISCARDED OR DERELICT MACHINE, APPARATUS, EQUIPMENT OR VEHICLE — Any machine, apparatus or equipment which has been dismantled or which is in such state of disrepair that it cannot be used for the purpose for which it was

⁴⁶ Cross References: Motor vehicles and traffic, Title III; abandoning motor vehicles, §215.310; abandoned signs, §525.060; definitions and rules of construction generally, §100.020.

designed and shall further include any vehicle which cannot be driven under its own power.

PERSON — The owner or person in possession or control of the machine, apparatus or vehicle, as well as the owner or occupant of the property on which same is stored.

- B. *Outside Storage Prohibited.* The outside storage on any property within the City of any discarded or derelict machine, apparatus, equipment or vehicle is prohibited.
- C. *Exemptions.* This Section shall not apply to machinery, apparatus, equipment or vehicles as are being repaired or worked upon by the owner or by someone performing the work under contract with the owner, but only during the period in which such repair work is actually being done; provided that, such period shall not exceed thirty (30) days. This exclusion shall not apply to any activities which are prohibited or otherwise restricted under any ordinance of the City.
- D. *Penalty For Violation.* Any person who shall violate any of the provisions of this Section shall, upon conviction thereof, be subject to the penalties as provided in Section 100.090 of this Code.

Section 215.2240. Sale or Use of Fireworks.

[R.O. 1998 §215.790]

- A. No person, firm or corporation shall possess, use, sell, discharge or explode, within the City of St. Ann, fireworks of any kind whatsoever. Nothing contained in this Section shall prohibit the sale, possession and use of blank cartridges for theatrical purposes or signal purposes in athletic contests or sporting events, or by Police or military organizations.
- B. Nothing contained in this Section shall prohibit the use of "common fireworks" and/or "special fireworks," as defined in Section 320.106, RSMo., for public displays given by any organization or amusement park, provided they have first obtained a permit from the City for giving such public display of "common fireworks" and/or "special fireworks."
- C. Permits for the use of "common fireworks" and/or "special fireworks" for public displays shall be issued by the City Clerk, and all applications for permits shall be addressed to the City Clerk. Before issuing the permit, the Police Department shall investigate the application and if it determines that the public safety will not be endangered by such display, such permit shall be issued, but not otherwise. No permit shall be issued where "common fireworks" and/or "special fireworks" are to be exploded or ignited within six hundred (600) feet of any church, hospital or school.

Section 215.2250. Open Burning.

[R.O. 1998 §215.800; Ord. No. 2842 §1, 5-6-2013; Ord. No. 2857 §1, 8-5-2013]

- A. It shall be unlawful for any person to openly burn wood shavings, leaves, rubbish, trash, garbage, treated and creosoted wood or any other material within the City limits of St.

Ann, except that the burning of natural uncontaminated tree wood shall be permitted as follows:

1. The open burning of wood is prohibited except where said burning is done in an appropriate container, appliance or fireplace structure that is designed and intended to be used for the purpose of wood burning, and has a base dimension no greater than sixteen (16) square feet.
 - a. Setbacks shall be as follows:
 - (1) Twenty-five (25) feet from a structure or combustible material.
 - (2) Twenty-five (25) feet from a property line on lots greater than twenty thousand (20,000) square feet in area.
 - (3) Fifteen (15) feet from a property line on lots not greater than twenty thousand (20,000) square feet.
2. The property owner, tenant or other responsible adult shall constantly supervise the burning at all times.
3. When open burning creates an air pollution problem, a nuisance condition, a fire hazard or when atmospheric conditions are unfavorable for burning or when a public air quality warning is posted, said burning shall immediately cease and the fire and embers extinguished.
4. Bonfires for public or private events or for recreational purposes on public or private property shall only be allowed by special permit from the City of St. Ann and the appropriate fire district.

**CITY OF ST. ANN
TABLE FOR SB 491 UPDATE**

We have set up this Derivation Table to assist the City in transferring any Sections the Police Department and Municipal Court may need to adjust for charges. This is also intended to help the Attorney understand which Sections have been changed and which have been retained. Additionally, we have noted the NEW sections which are statutory Sections we now have in our Model Offenses Code, but were not contained in the City’s prior Chapter. If the City does not want to retain any of these Sections please cross through them before adoption and we will remove them before they are printed for the City’s Code book. When the word REMOVED is contained in the first column , this refers to a statutory Section that was repealed by SB 491 and not replaced with new material.

CITY’S PRIOR CODE SECTION	SECTION NUMBER IN NEW CHAPTER
	Art. I, General Provisions
215.010	215.010
NEW	215.020
NEW	215.030
	215.040 to 215.110 (Reserved)
	Art. II, Offenses Against the Person
215.020	215.120
NEW	215.130
215.030 (REMOVED)	215.140 (Reserved)
215.040	215.150
215.060	215.160
215.060	215.165
215.050 (retitled Kidnapping)	215.170
215.070	215.180
NEW	215.190
215.080	215.200
215.090	215.210
	215.220 to 215.290 (Reserved)
	Art. III, Offenses Concerning Administration of Justice
215.100	215.300
215.110	215.310
215.120	215.320
215.130	215.330
215.160	215.340
215.140	215.350

CITY'S PRIOR CODE SECTION	SECTION NUMBER IN NEW CHAPTER
215.150	215.355
215.170	215.360
215.180	215.370
215.190	215.380
215.200	215.385
215.210	215.390
215.220	215.400
215.250	215.410
215.230	215.420
215.240	215.430
215.255	215.440
215.260	215.450
	215.460 to 215.215.510 (Reserved)
	Art. IV, Offenses Concerning Public Safety
215.270	215.520
215.280	215.530
215.290	215.540
215.300	215.550
215.310	215.560
	215.570 to 215.650 (Reserved)
	Art. V, Offenses Concerning Public Peace
215.340	215.660
215.320	215.670
215.330	215.680
215.370	215.690
215.380	215.700
215.390	215.710
215.400	215.720
215.410	215.725
NEW	215.730
NEW	215.740
	215.750 to 215.820 (Reserved)
	Art. VI, Offenses Concerning Weapons and Firearms
NEW	215.830
215.350	215.840
NEW	215.850
NEW	215.860
NEW	215.870
NEW	215.880

CITY'S PRIOR CODE SECTION	SECTION NUMBER IN NEW CHAPTER
NEW	215.890
NEW	215.900
NEW	215.910
215.360	215.920
215.355	215.930
	215.940 to 215.1010 (Reserved)
	Art. VII, Offenses Concerning Property
NEW	215.1020
215.420	215.1030
215.430	215.1040
215.440	215.1050
215.450	215.1060
215.460	215.1070
NEW	215.1080
215.470	215.1090
215.480	215.1100
215.490	215.1110
NEW	215.1120
215.500 (REMOVED)	215.1130 (Reserved)
NEW	215.1140
215.510	215.1150
215.520	215.1160
215.530	215.1170
215.540	215.1180
215.550	215.1190
NEW	215.1200
NEW	215.1210
NEW	215.1220
NEW	215.1230
NEW	215.1240
215.535	215.1250
215.560	215.1260
	215.1270 to 215.1340 (Reserved)
	Art. VIII, Offenses Concerning Prostitution
215.570	215.1350
215.580	215.1360
215.590	215.1370
215.600 (REMOVED)	215.1380 (Reserved)
215.610	215.1390
	215.1400 to 215.1490 (Reserved)

CITY'S PRIOR CODE SECTION	SECTION NUMBER IN NEW CHAPTER
	Art. IX, Sexual Offenses
NEW	215.1500
NEW	215.1510
NEW	215.1520
NEW	215.1530
NEW	215.1540
NEW	215.1550
215.625	215.1560
215.620	215.1570
	215.1580 to 215.1660 (Reserved)
	Art. X, Offenses Concerning Pornography
215.630	215.1670
215.640	215.1680
215.650	215.1690
	215.1700 to 215.1790 (Reserved)
	Art. XI, Offenses Concerning Drugs and Alcohol
215.660	215.1800
215.670	215.1810
NEW	215.1820
215.680	215.1830
215.690	215.1840
215.700	215.1850
215.710	215.1860
215.720	215.1870
	215.1880 to 215.1960 (Reserved)
	Art. XII, Offenses Concerning Minors
215.730	215.1970
215.750	215.1980
215.755	215.1990
	215.2000 to 215.2090 (Reserved)
	Art. XIII, Offenses Concerning Tobacco, Alternative Nicotine Products or Vapor Products
215.740	215.2100
215.740	215.2105
215.740	215.2110
215.740	215.2120
215.740	215.2130

CITY’S PRIOR CODE SECTION	SECTION NUMBER IN NEW CHAPTER
215.740	215.2140
215.740	215.2150
215.740	215.2160
	215.2170 through 215.2200 (Reserved)
	Article XIV, Miscellaneous Offenses
215.760	215.2210
215.770	215.2220
215.780	215.2230
215.790	215.2240
215.800	215.2250

BILL NO. 3122

ORDINANCE NO. _____

AN ORDINANCE APPOINTING WILLIAM G. BUCHHOLZ II AS PROVISIONAL JUDGE OF THE MUNICIPAL COURT OF THE CITY OF ST. ANN AND ESTABLISHING HIS COMPENSATION

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

Section 1: Effective December 1, 2016, William G. Buchholz II is appointed as provisional judge of the Consolidated Municipal Courts of St. Ann for a period of two years, or until his successor is duly qualified. As provisional judge he shall preside over all arraignment, trial and housing dockets which occur between the hours of 9:00 AM- 4:00PM. He shall serve as the duty judge of consolidated courts at such times as the presiding judge of the consolidated courts is unavailable or so designates.

Section 2: The compensation of the provisional judge shall be \$3,600.00 per month.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Alderman and its approval by the Mayor

Passed by the Board of Aldermen for the City of St. Ann, Missouri, this ____ day of December, 2016.

Mayor

Attest:

City Clerk

Signed this ____ day of December, 2016.

Michael G. Corcoran
Mayor, City of St. Ann

Attest:

City Clerk

First reading: _____

Second reading: _____

Introduced by _____

BILL NO. 3123

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH TOPE INC. FOR SEWER LATERAL INVESTIGATION & REPAIR SERVICES.

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

Section 1. The City Administrator is authorized to accept the proposal attached hereto as Exhibit "A".

Passed by the Board of Aldermen for the City of St. Ann, Missouri, this ____ day of _____, 2016.

Presiding Officer

Attest:

City Clerk

Signed this ____ day of _____, 2016.

Michael G. Corcoran
Mayor, City of St. Ann

Attest:

City Clerk

First reading: _____
Second reading: _____

Introduced by _____

Bill No. 3124

Ordinance No. _____

AN ORDINANCE OF THE CITY OF ST. ANN, MISSOURI, APPROVING THE BUDGET AND AUTHORIZING BUDGETED EXPENDITURES FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2017.

BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE CITY OF ST. ANN, MISSOURI, AS FOLLOWS:

Section 1.

There is hereby adopted a budget for the year beginning January 1, 2017, for the City of St. Ann, Missouri, as specified in Exhibit "A", attached hereto, and by this reference made a part of this Ordinance.

Section 2.

The budgeted expenditures for the year beginning January 1, 2017, as shown on Exhibit A are hereby authorized.

Section 3.

This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law.

Passed by the Board of Aldermen for the City of St. Ann, Missouri, this _____ day of _____, 2016.

Presiding Officer

Attest:

City Clerk

Signed this _____ day of _____, 2016.

Michael Corcoran
Mayor, City of St. Ann

Attest:

City Clerk

Annual Budget

JANUARY 1, 2017
THRU
DECEMBER 31, 2017



Proposed 11-28-2016

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BUDGET NARRATIVE

2017 will see the redevelopment of the old Northwest Plaza completed. The new Crossings at Northwest will be fully built-out with significant new commercial tenants leasing up available space. Bob's Furniture, a new big box chain to St. Louis, will open one of its two St. Louis stores in February at the Crossings. Several other large retail tenants will occupy the remaining big-box space. Out-lot space will be fully leased with tenants such as Starbuck's opening in early in the year. Aldi's will open a brand new 20,000SF store at the corner of St. Charles Rock Rd and Cypress in the first quarter of 2017. This is the first substantial "spinoff" commercial development to come from the Crossing's Project.

With the passage of \$7 million plus General Obligation Bond Issue dedicated to Parks, the City will undertake significant park related projects. These include; renovating the lake at Tiemeyer Park, rehabilitating roughly half of asphalt parking and walk surfaces in the parks, funding improvements at the municipal pool complex, replacing badly needed capital equipment such as mowers. Significant in-house repair work will be undertaken at Tiemeyer Park with the shelter bathroom renovation, hockey court repair being undertaken. The City will also apply for Municipal Park Planning Grant to study park playground needs.

\$300,000 worth of street work will be funded in 2017. This will include both neighborhood street work as well as the continued planning and engineering work associated with the Ashby Rd. Federally Funded rehabilitation project. The City will look at continuing our partnership with METRO to further expand the Rock Road Transportation Development District City wide to provide a long term funding source for street work.

With the significant changes in state municipal courts mandated by the Supreme Court, the City has created a separate budget to fund courts. It has also funded a position to comply with the requirement that prosecutorial operations be segregated from court activities. 2016 saw the City enter into contracts with 3 municipalities to furnish their court administrative services. It is expected that additional contracts will be entered into in 2017.

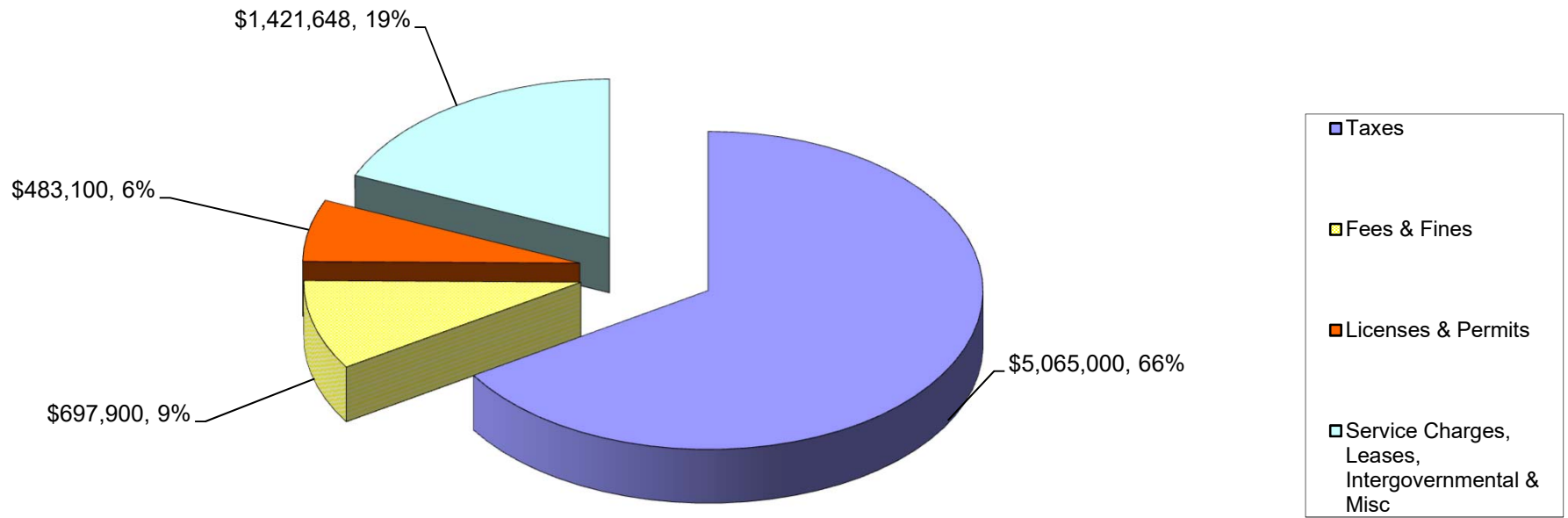
In addition to the Supreme Court mandated changes, the hyperbole targeting municipal courts have created the notion that individuals no longer need to seriously address their cases as there are no longer any repercussions for failing to do so. This has resulted in significant reductions in fine revenue for all municipal courts. For St. Ann, over the last four years, the bulk of the City's fine revenue came from speed control efforts on I-70. Revenue raised from these fines was used to fund the significant increased costs associated with enforcement efforts such as overtime, gasoline, and additional corrections related expenses. Revenue beyond these costs was dedicated to funding 4 school resource officers (3 of which were placed at Ritenour High School which isn't located in the City.), 1 DARE Officer, 2 K-9 Officers, 2 Officers assigned to Federal Task Forces, Neighborhood Watch Program, etc. These have proven to be sound investments. However, with the reduction in fine revenue the added cost of these items can no longer continue to be funded by the General Fund. In 2017, the City will need to reduce or offset these costs through other cuts or enhanced revenues should it desire to keep them.

Over the last 5 years the City has made significant progress in revitalizing its commercial base, developing and partially funding a plan to reinvest in street infrastructure and rebuilding our excellent park and recreation system. The City will continue to face challenges on dealing with General Fund Operating Costs and finding a long term funding source for street infrastructure replacement. However, based on the progress that has been made, I believe the City will be successful in dealing with these issues, while at the same time continuing to provide the level of municipal services that the community expects.

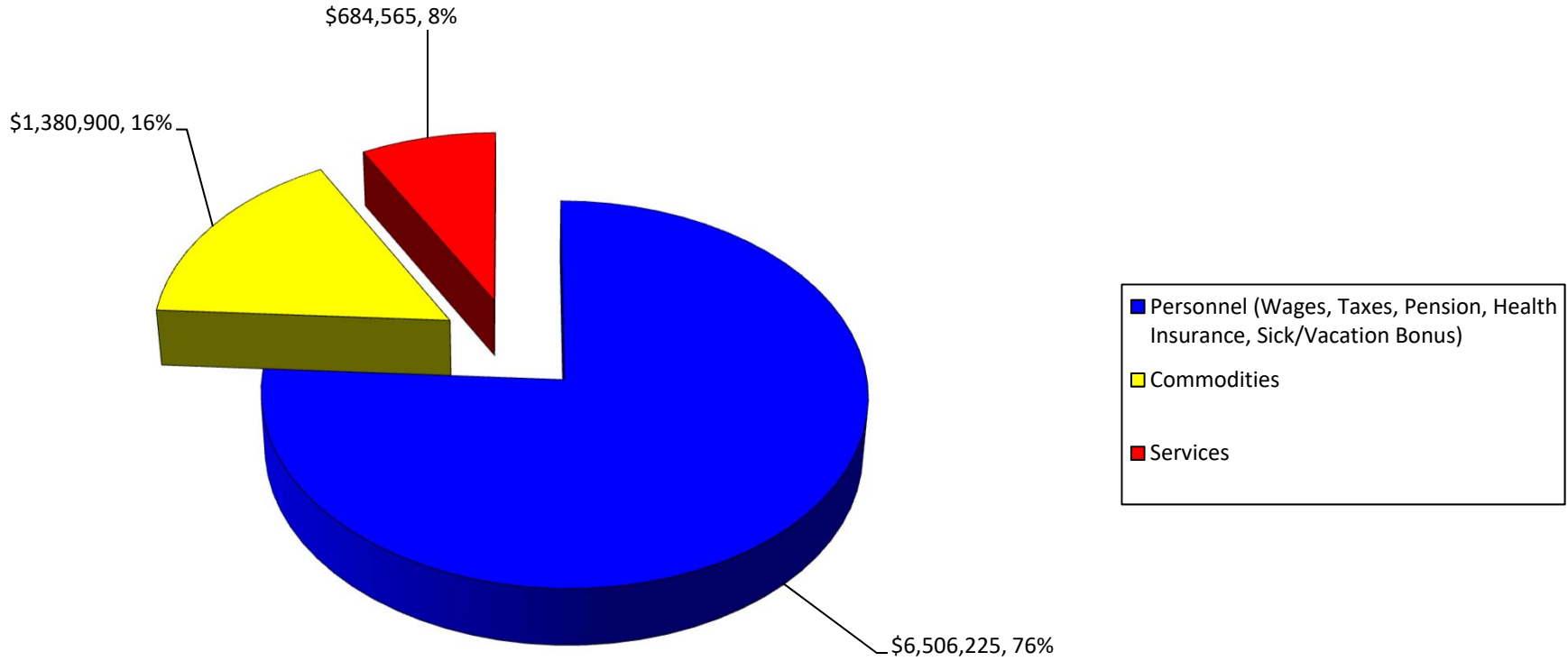
Respectfully Submitted,

Matthew K. Conley
City Administrator/City Clerk

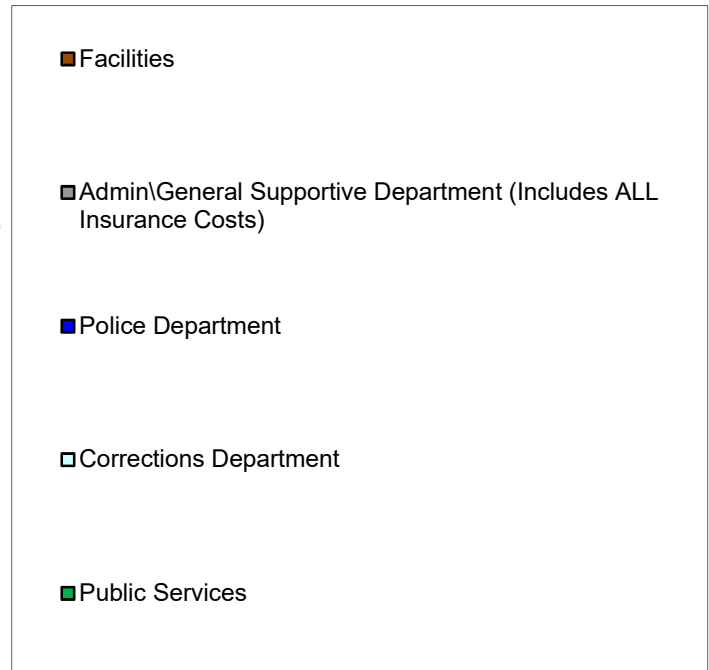
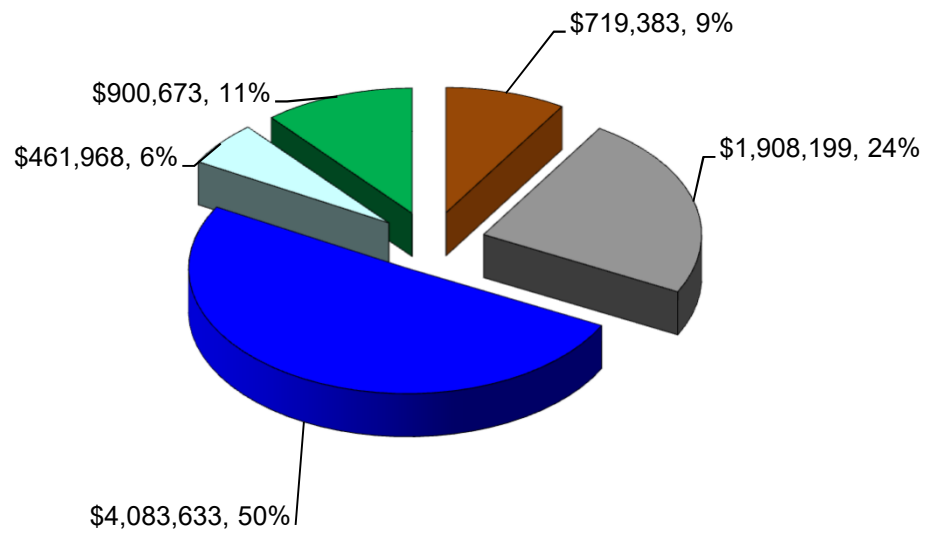
GENERAL FUND REVENUE SOURCES



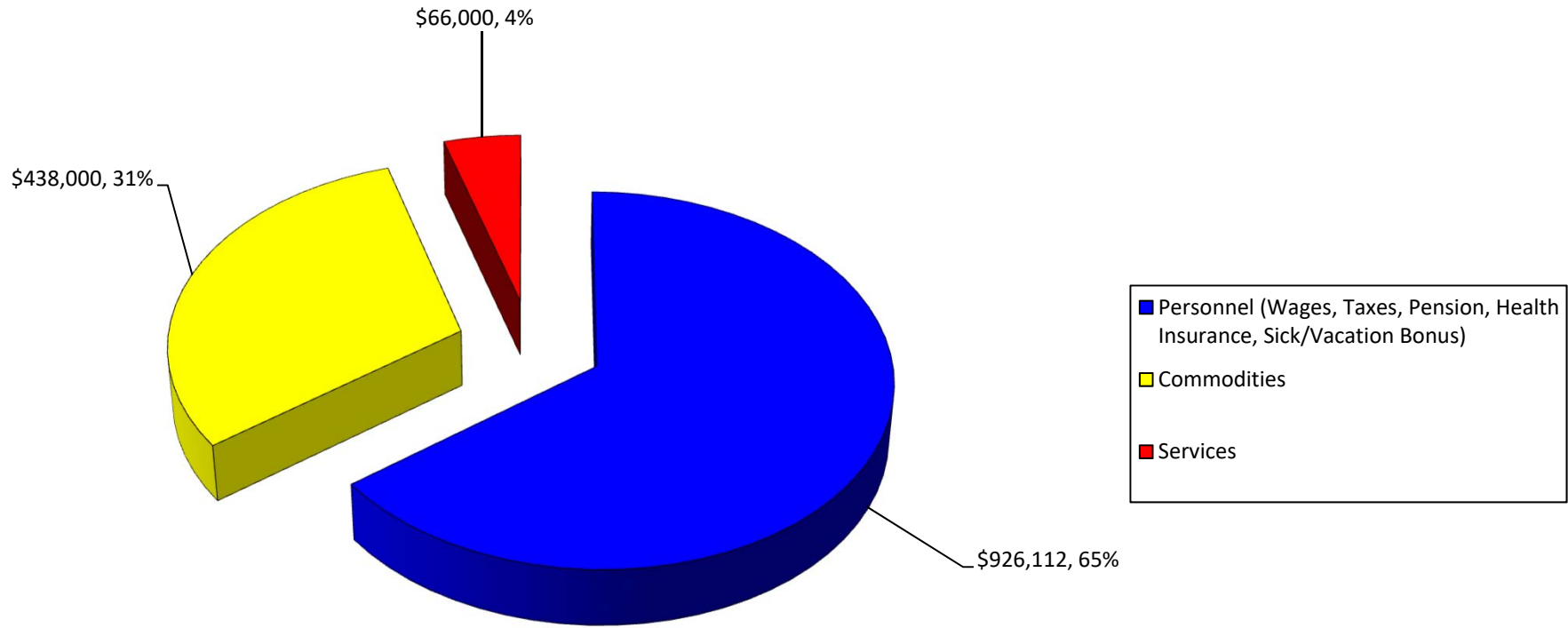
GENERAL FUND OPERATING EXPENSES BY CATEGORY



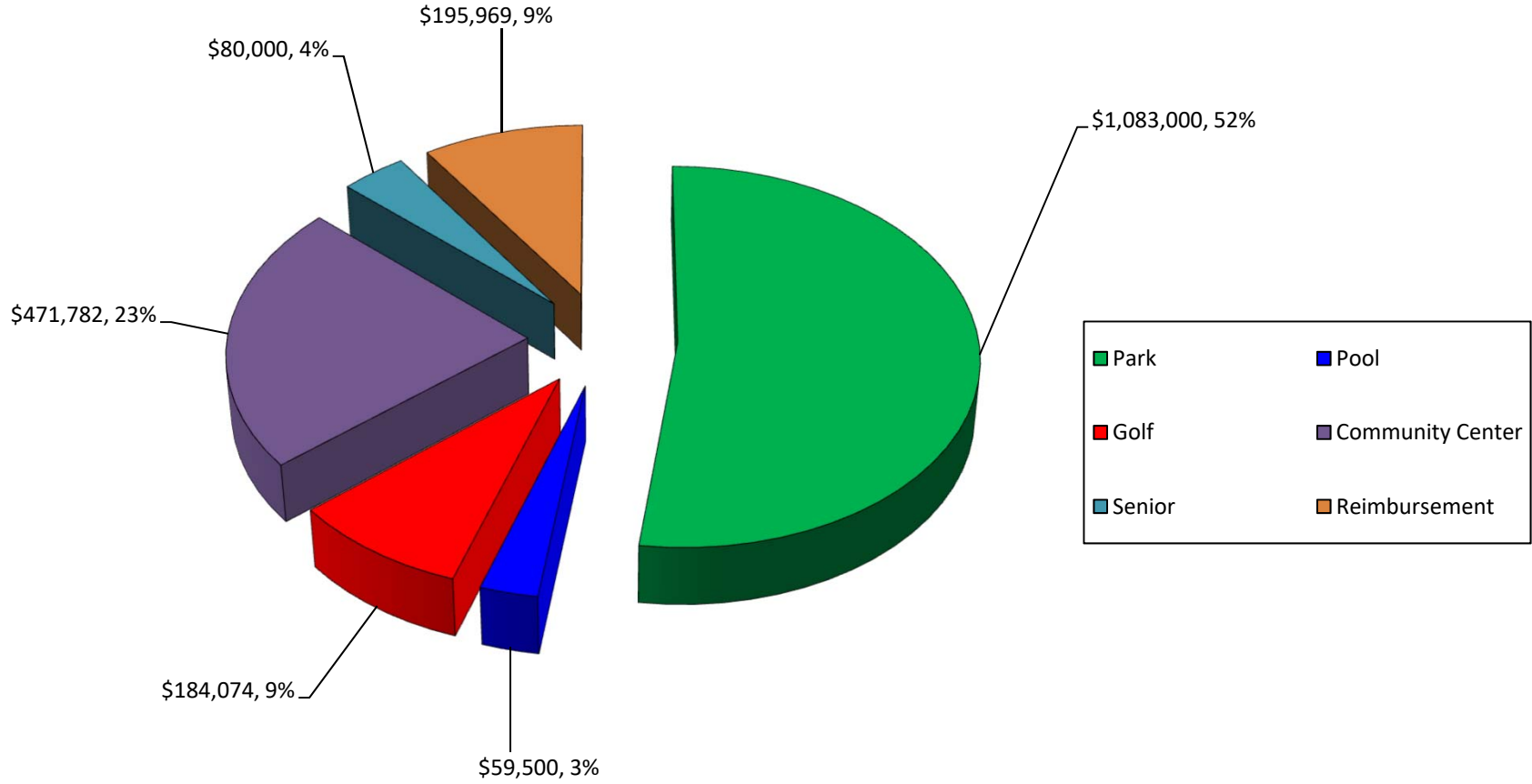
GENERAL FUND OPERATING EXPENSES BY DEPARTMENT



PARK FUND EXPENSES BY CATEGORY



PARK BOND EXPENSES BY CATEGORY



GENERAL FUND					
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PARK FUND

LAW ENFORCEMENT FUND	CAPITAL IMPROVEMENT FUND	ECONOMIC DEVELOPMENT FUND	SEWER FUND	JUDICIAL FUND	PARK BOND
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	2013 Audited	2014 Audited	2015 Audited	2016 Budget	2016 Estimated	2017 Budget
EXPENSES						
Buildings, Grounds & Facilities	456,378	525,978	439,100	439,300	460,264	719,383
Admin\General Supportive Department	2,138,736	2,094,470	2,063,713	1,977,431	2,071,523	1,908,199
Court						497,834
Police Department	3,663,138	4,063,928	4,198,270	4,196,800	4,082,262	4,083,633
Corrections Department	721,731	924,042	543,834	541,000	446,000	461,968
Park Department	356,073	361,059				
Pool Department	154,959	161,995				
Golf Course Department	302,349	307,191				
Community Center Department	443,819	452,372				
Senior Program	119,832	114,692				
Public Services	910,109	863,708	1,193,723	1,418,514	1,566,500	900,673
Pay Plan Adjustment						
TOTAL EXPENSES	9,267,124	9,869,435	8,438,640	8,573,045	8,626,549	8,571,690

2017 Budget
230,969
352,793
342,471
422,926
80,953
1,430,112

Budget	Budget	2017 Budget	Budget	Budget	Budget
	53,360	54,300			
15,000	45,000			6,000	
					1,083,000
					59,500
					184,074
					471,782
					80,000
	10,000	188,476	125,000		
15,000	108,360	242,776	125,000	6,000	1,878,356

GENERAL FUND

**PARK
FUND**

LAW ENFORCEMENT FUND	CAPITAL IMPROVEMENT FUND	ECONOMIC DEVELOPMENT FUND	SEWER FUND	JUDICIAL FUND	PARK BOND
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	2013 Audited	2014 Audited	2015 Audited	2016 Budget	2016 Estimated	2017 Budget
Revenue over(under) expenses before Transfers	(152,112)	(705,789)	493,637	1,297,483	31,676	(904,042)
TRANSFERS						
Debt Service (Principal and Interest 2013 COPS)						
Capital Improvements Fund	100,000	100,000				800,000
Sale of Capital Assets	7,125	8,528	119,635			
Sewer Fund (Reimbursement)						
Economic Development	57,016	55,759				302,833
Judicial Training		10,000				
Park			(1,289,005)	(1,188,907)		(359,862)
Law Enforcement Fund		50,000				
2013 COPS Project Reimbursement		125,089				
Misc.			7			
Revenue over(under) expenses	12,029	(356,413)	(675,726)	118,586	31,676	(161,071)
Operating Cash Balance January 1	1,771,807	1,783,836	1,427,423	751,697	751,697	783,373
Operating Cash Balance December 31	1,783,836	1,427,423	751,697	1,682,612	783,373	622,303

2017 Budget	(359,862)
555,832	
195,969	
304,952	
500,921	

	2017 Budget	2017 Budget	2017 Budget	2017 Budget	2017 Budget	2017 Budget
Revenue over(under) expenses before Transfers	34,000	741,640	242,224	(49,500)	0	2,121,644
Capital Improvements Fund		(800,000)				
Economic Development Fund			(302,833)			
Park						(195,969)
Revenue over(under) expenses	34,000	(58,360)	(60,609)	(49,500)	0	1,925,675
Operating Cash Balance January 1	6,000	100,000	100,000	200,000	7,000	0
Operating Cash Balance December 31	40,000	41,640	39,391	150,500	7,000	1,925,675

Buildings, Grounds, Facilities Expenses

Account	GENERAL FUND						
	2013 Audit	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2016 Budget	
Salaries	111005001	71,868	111,657	67,874	69,964	69,000	251,889
Pension		7,464	8,194	9,427	7,237	9,000	42,725
FICA		5,498	8,542	5,192	5,352	5,000	19,269
Maintenance of Capital Facilities/Equipment							
City Hall Bldg and Equip Maintenance	111035026	73,969	109,293	55,468	50,000	26,264	50,000
City Hall Supplies	111035074	9,711	9,994	9,210	10,000	15,000	15,000
Public Services Bldg & Equip Maintenance		40,732	24,945	27,582	30,000	35,000	40,000
Police Equip Maintenance	111045026	207,609	158,389	102,789	125,000	140,000	125,000
Maint. Agreements	111005016	39,527	94,964	23,601	20,000	26,000	35,000
City Hall\Police\Jail Utilites				137,957	150,000	135,000	140,000
Wireless Communication							500
TOTAL		456,378	525,978	439,100	467,553	460,264	719,383

Admin/General Supportive Expenses

		GENERAL FUND					
	Account	2013 Audit	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
General Insurance	103005000	222,347	162,340	304,895	275,000	276,848	275,000
Salaries Admin	103005001	591,405	615,036	631,493	256,347	250,000	262,459
Salaries Court	103005008				179,513	270,000	0
Salaries Government	103005012				40,000	55,000	55,000
Prosecutors	103005013				90,000	105,000	140,000
Audit, Accounting, Financial	103005004	43,314	37,085	34,163	55,000		55,000
Advertising	103005005	3,333	494	1,518	2,000		2,000
City Hall Clothing	103005009	65	574		1,000		250
City Official Expense	103005007	1,516	1,679	1,955	4,000		4,000
Special Events	103005003				0		0
Employee Appreciation	103005014				2,500	2,500	2,500
Dues & Subscriptions	103005015	7,941	3,174	2,443	5,000	895	2,500
Group Hospitalization	103005019	846,141	830,942	706,809	775,000	775,000	800,000
Pension	103005020	72,901	80,860	80,239	69,523	75,000	45,495
Election Expense	103005021	3,129	4,887	6,574	15,000	2,635	15,000
Legal	103005045	109,010	100,704	123,312	125,000	115,000	125,000
Miscellaneous	103005050	23,934	19,729	16,890	5,000	700	5,000
Bank Fee					14,000	11,000	14,000
FICA	103005055	41,313	44,008	44,144	43,288	46,000	34,996
Postage-Delivery Expense	103005060	10,329	7,402	7,257	10,000	12,000	6,000
Supplies	103005070	30,177	28,959	26,263	35,000	32,000	15,000
REJIS/MIS	103005071	48,418	70,598	48,871	40,000	30,000	30,000
Training	103005078	420	285	359	2,500	75	2,500
Unemployment Compensation	103005090	3,611	29,482	14,191	15,000	5,620	8,000
Utilities	103005095	69,007	46,679		0		0
Vending Expenses	103005061	1,176	1,225	793	1,100		0
Drug Testing	103005096				1,000	750	1,000
City Newsletter	103005098	6,813	6,229	9,948	8,000	3,000	5,000
Wireless Communication	103005101	2,436	2,099	1,596	1,000	2,500	2,500
TOTAL		2,138,736	2,094,470	2,063,713	2,070,771	2,071,523	1,908,199

Court Expenses

GENERAL FUND

Account **2017**
 Budget

Salaries Court	311,124
Judicial	73,200
Language Service	10,000
Clothing	1,000
Pension	55,209
Miscellaneous	500
FICA	23,801
Postage-Delivery Expense	8,500
Supplies	12,000
REJIS/MIS	2,000
Wireless Communication	500
TOTAL	497,834

Police Dept Expenses

Account	GENERAL FUND						
	2013 Audit	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2017 Budget	
Salaries	104005001	2,674,851	3,066,057	3,304,159	3,008,490	3,190,000	2,999,411
Clothing	104005009	29,064	9,743	20,897	25,000	25,000	25,000
Pension	104005020	283,973	340,252	336,433	387,600	411,000	487,252
Gasoline	104005027	167,135	154,281	113,279	115,000	75,000	90,000
Diesel Fuel	104005028		69	270	500	500	500
Miscellaneous	104005050	483	582		1,000	226	1,000
Traffic	104005054	1,005	75	477	1,000	154	1,000
FICA	104005055	197,889	232,044	251,398	230,149	243,132	229,455
Indentification	104005056	1,135	3,921	889	4,000	1,250	4,000
Supplies	104005070	34,011	44,975	36,637	40,000	31,000	33,000
ITI/MULES/REJIS/PDMS	104005072	168,919	109,899	104,509	90,000	75,000	160,515
CMPA/CALEA							20,000
K-9	104005073			1,001	1,500	1,500	5,000
Utilities	104005095	82,259	80,767	0	0	0	0
Drug Testing\Mental Health	104005097	246	1,150	420	5,000	0	2,500
Wireless Communication	104005101	22,168	20,113	27,901	25,000	30,000	25,000
TOTAL		3,663,138	4,063,928	4,198,270	3,934,240	4,082,262	4,083,633

Corrections Dept Expenses

	Account	GENERAL FUND					
		2013 Audit	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
Salaries	112005001	576,523	737,502	606,895	413,791	350,000	345,491
Correction Officer Clothing	112005009	596		1,000	0	0	500
Pension	112005020	28,459	55,139	70,308	45,377	45,000	69,547
FICA	112005055	50,131	60,197	60,000	33,451	36,000	26,430
Supplies	112005075	66,022	71,204	75,000	51,215	15,000	20,000
TOTAL		721,731	924,042	813,203	543,834	446,000	461,968

Park Department Expenses

	GENERAL FUND			PARK FUND				
	Account	2013 Audit	2014 Audit	Account	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
Salaries	106005001	295,313	293,765	606005001	257,702	345,075	300,000	112,848
General Insurance				606005000	10,000	10,000	10,000	10,000
Clothing				606005009	1,122	1,000	728	1,000
Maintenance				611065026	22,879	40,000	34,035	10,000
Pension	106005020	38,256	44,938	606005020	42,953	65,221	55,000	24,488
Gasoline				606005027	21,689	16,000	10,000	14,000
Diesel Fuel				606005028		12,000	8,000	10,000
Miscellaneous				606005050	727	250	500	250
FICA	106005055	22,504	22,356	606005055	19,608	26,398	22,000	8,633
Chemicals, Fertilizers, Seed				606005059	279	2,000	2,000	2,000
Supplies				606005074	8,931	10,000	7,000	9,000
Training				606005078	0	250	0	250
Utilities				606005095	26,956	27,000	25,000	27,000
Wireless Communication				606005101	1,531	1,500	1,200	1,500
TOTAL		356,073	361,059		414,377	556,694	475,463	230,969

Pool Department Expenses

	Account	GENERAL FUND	
		2013 Audit	2014 Audit
Salaries	107005001	143,947	150,483
General Insurance			
Clothing			
Maintenance			
Pension			
Swim Team			
Instructor Fee			
Miscellaneous			
FICA	107005055	11,012	11,512
Chemicals			
Concessions			
Supplies			
Training			
Utilities			
TOTAL		154,959	161,995

Account	2015 Audit	PARK FUND		
		2016 Budget	2016 Estimated	2017 Budget
607005001	161,328	165,000	155,000	188,000
607005000	20,000	20,000	20,000	20,000
607005009	1,071	1,500	900	1,500
611075026	27,202	40,000	70,000	15,000
607005020	0	0	0	7,161
607005010	0	1,500	0	0
607005030	11,975	10,000	10,000	10,000
607005050	287	250	100	250
607005055	12,342	12,393	12,000	14,382
607005059	20,533	10,000	12,000	12,000
607005061	10,436	10,000	8,561	10,000
607005074	3,748	7,000	4,000	6,000
607005078	425	1,500	1,400	1,500
607005095	67,374	67,000	67,000	67,000
	336,721	346,143	360,961	352,793

Golf Course Dept. Expenses

	GENERAL FUND			PARK FUND				
	Account	2013 Audit	2014 Audit	Account	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
Salaries	108001030	250,494	252,859	608001030	262,609	161,636	180,000	184,385
General Insurance				608005000	9,784	10,000	9,271	10,000
Advertising				608005005	748	3,000	1,000	3,000
Clothing				608005009	610	500	495	500
Maintenance				611085026	22,614	20,000	21,000	10,000
Pension	108005020	32,714	34,988	608005020	24,783	18,969	20,000	20,481
Gasoline				608005027	6,852	6,000	4,500	6,000
Diesel Fuel				608005028		4,000	2,700	4,000
Miscellaneous				608005050	482	500	1,749	500
FICA	108005055	19,141	19,344	608005055	20,090	12,365	15,000	14,105
Chemicals, Fertilizers, Seed				608005059	35,001	32,000	24,000	30,000
Concessions				608005061	18,389	10,000	15,000	10,000
Stationery				608005070	2,256	1,000	700	1,000
Supplies				608005074	2,527	4,000	2,400	3,000
Training				608005078	1,571	500	260	500
Utilities				608005095	45,895	45,000	42,000	45,000
TOTAL		302,349	307,191		454,211	329,469	340,075	342,471

Community Ctr Dept Expenses

	GENERAL FUND			PARK FUND				
	Account	2013 Audit	2014 Audit	Account	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
Salaries	109005001	365,547	371,323		284,034	194,918	330,000	244,473
General Insurance				109005000	5000	25,000	25,000	25,000
Advertising				109005005	80	5,000	500	5,000
Newsletter				109005003				
Clothing				109005009	553	500	757	500
Maintenance				611095026	16236	15,000	42,507	15,000
Pension	109005020	50,254	52,601		44,184	21,511	42,000	15,000
Instructor Fee				109005030	220	20,000	15,000	20,000
Miscellaneous				109005050	92	2,500	1,000	2,500
FICA	109005055	28,018	28,448		21,755	18,031	23,000	18,702
Stationery				109005070	360	500	1,200	500
Supplies				109005074	6299	20,000	11,000	15,000
Daycamp				109005075	1157	5,000	1,561	2,500
Training				109005078	0	250	0	250
Special Events				109005080	4412	7,500	7,000	7,500
Utilities				109005095	48490	45,000	49,000	49,000
Cell Phones				109005101	1301	3,000	2,000	2,000
TOTAL		443,819	452,372		434,173	381,210	551,525	422,926

Seinor Program Expenses

	Account	GENERAL FUND		PARK FUND			
		2013 Audit	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2017 Budget
Salaries	113005001	91,842	90,091	88,973	59,809	90,000	59,809
General Insurance	113005000	4,750	2,500	3,000	3,000	3,000	3,000
Pension	113005020	14,666	15,209	15,444	9,068	15,500	9,068
FICA	113005055	7,026	6,892	6,806	4,575	6,900	4,575
Supplies	113005074	90		1,967	1,000	573	1,000
Events	113005080	121		0	1,000	0	1,000
Maintenance	113005052	1,337		0	2,500	0	2,500
TOTAL		119,832	114,692	116,190	80,953	115,973	80,953

Public Services Dept Expenses

Account	GENERAL FUND						ECONOMIC DEVELOPMENT		
	2014 Audit	2015 Audit	2016 Budget	2016 Estimated	2017 Budget	2016 Budget	2016 Estimated	2017 Budget	
Salaries	105005001	541,626	424,758	398,062	360,000	330,729		79,500	79,500
Clothing	105005009	2,489	2,000	2,000	1,000	2,000			
Contracted Inspections				133,000					
Dues & Subscriptions	105005015	10	500	500	563	600			
Pension	105005020	56,037	60,037	49,279	49,000	44,643		9,540	17,252
Gasoline	105005027	38,704	40,000	30,000	10,000	15,000			
Diesel Fuel	105005028	17,146	12,000	11,000	7,500	10,000			
FICA	105005055	41,425	32,494	30,452	27,000	25,301		6,082	6,082
Mosquito Control	105005063	5,927	5,000	10,000	11,360	11,750			
Miscellaneous	105005050	242	150	150	0	150			
Street Lighting	105005071	91,343	95,000	110,000	105,000	110,000			
Street Reconstruction				800,000	954,377	300,000			
Supplies	105005074	67,518		20,000	18,000	20,000			
Debris/Yardwaste Disposal	105005076	13,180	45,000	45,000		0			
Training	105005078	400	500	500	0	500			
Utilities	105005095	29,326	30,000	30,000	22,000	25,000			
Wireless Communication	105005101	4,736	5,000	5,000	700	5,000			
TOTAL		910,109	752,439	1,674,942	1,566,500	900,673		95,122	102,833

2017	PARK FUND	PARK BOND
SPECIAL FUND EXPENDITURES/TRANSFERS		
ADMIN/GENERAL SUPPORTIVE		
Memberships		
MFP\Copier Replacement City Hall\Court		
Postage Meter Lease		
Folder Lease		
Long Term Planning & Development Reserve		
MIS		
City Hall\Police Fuel Tank Lining		
REIMBURSEMENT		
Reimburse Park Fund For In-House Project Labor\Supervision		195,969
POLICE		
Training		
Ammunition\Range		
Taser Replacement\Cartridges		
Body Armor		
Jail Camera Audio		
PARK		
Operating Cost	230,969	
Tiemeyer Lake Project		480,000
Mower Replacement x2		125,000
Tractor Replacement		28,000
Pavement Maintenance		372,000
Renovate Tiemeyer 1-2-3 Restrooms		15,000
Playground Mulch (Stop Gap Until Playground Replacement)		10,000
Hockey Rink Fencing\Wall		28,000
Tiemeyer Park Cameras		25,000
POOL		
Operating Cost	352,793	
Lifeguard Stand Replacement		15,000
Indoor Pool Thermal Blanket		5,000
LED Lighting Fixtures Indoor Pool		10,000
Pool Planter Box Replacement		9,500
GOLF COURSE		
Operating Cost	342,471	
Golf Cart Lease		28,000
Lease Purchase Fairway Mower ¹		9,074
Sand Trap Rake		12,000
Tee/Collar Mower		40,000
Gator Replacement		25,000
Greens Aerator		20,000
Fence Replacement (West Side of International Plaza)		50,000
COMMUNITY CENTER		
Operating Cost	422,926	
Cardo Equipment Lease		13,182
Floor Scrubber		6,000
Catering Food Warmer		2,600
Debt Service Refinancing		410,000
Replace Fence Behind Community Center		40,000
SENIOR PROGRAM		
Operating Cost	80,953	
Senior Van Replacement		80,000
PARK OPERATIONS		
Fuel Tank Lining		20,000
PUBLIC SERVICES		
Transfer to General Fund (Infrastructure Improvements)		
Transfer to General Fund (Operating Costs)		
Contracted Sewer Lateral Repairs		
Lease Purchase Street Sweeper ²		
Vacant Structure Demolition		
Smart Gov		
Debris Removal		
Street Main Supplies		
Front End\Backhoe Tire Replacement		
BUILDINGS, GROUNDS & FACILITIES		
Transfer to General Fund (Operating Costs)		
TOTAL EXPENDITURES & TRANSFERS	1,430,112	2,074,325

LAW ENFORCEMENT FUND	CAPITAL IMPROVEMENT FUND	ECONOMIC DEVELOPMENT FUND	SEWER FUND	JUDICIAL FUND
		4,300		
	10,000			
	1,440			
	1,920	50,000		
	20,000			
	20,000			
10,000				
5,000				6,000
	15,000			
	15,000			
	15,000			
	100,000	200,000		
		102,833		
			125,000	
		43,476		
		10,000		
		10,000		
		75,000		
		50,000		
	10,000			
	700,000			
15,000	908,360	545,609	125,000	6,000



Board of Aldermen Agenda Memorandum No. 5

TO: The Honorable Michael Corcoran and Board of Aldermen

DATE: December 5, 2016

RE: Approval of Monthly Reports & Warrant List

They are attached.

Respectfully Submitted,

A handwritten signature in black ink that reads "Matt Conley". The signature is written in a cursive, flowing style.

Matthew K. Conley
City Administrator\Clerk

Bank	Name	Description	Amount
CI	CDW GOVERNMENT	LCD MONITORS FOR JAIL	1,252.58
CI	CENTURY CARPET DIST INC	RUBBER TILE IN JAIL	612.00
CI	CENTURY CARPET DIST INC	RUBBER TILE IN JAIL	2,043.20
CI	CENTURY CARPET DIST INC	CARPET IN ADMIN OFFICES	2,185.50
CI	COMPLETE AUTO BODY AND REPAIR INC	CAR #4 REPAIRS	2,237.06
CI	COMPLETE AUTO BODY AND REPAIR INC	CAR #31 REPAIRS	3,647.70
CI	COMPLETE AUTO BODY AND REPAIR INC	CAR #3 REPAIRS	3,753.30
CI	COMPLETE AUTO BODY AND REPAIR INC	CAR #38 REPAIRS	4,452.40
CI	COMPLETE AUTO BODY AND REPAIR INC	CAR #3 REPAIRS	7,568.35
CI	MATTHEW CONLEY	REIM-CAMERAS,VMWARE, DOCKING STATIO	2,523.09
CI	OFFICE FURNITURE RESOURCES	POLICE DEPT OFFICE FURNITURE	695.00
CI	OVERHEAD DOOR COMPANY	PUBLIC WORKS GARAGE DOOR	3,121.00
SL	MISSOURI LAWYERS MEDIA	NOTICE-SANITARY SEWER	46.20
FF	LEADSONLINE	TOTAL TRACK INVESTIGATION SYSTEM	2,148.00
FF	OFFICE FURNITURE RESOURCES	POLICE DEPT OFFICE FURNITURE	590.00
FF	OFFICE FURNITURE RESOURCES	OFFICE FURNTIURE JAIL	825.00
FF	OLD VIENNA LLC	CHIPS FOR HALLOWEEN	675.00
FF	ZACHARY MAAS	POLICE ACADEMY APPLICATION FEE	30.00
FF	ZACHARY MAAS	POLICE ACADEMY INTERVIEW FEE	150.00
FF	ZACHARY MAAS	POLICE ACADEMY TESTING FEE	180.00
ED	BEELMAN LOGISTICS LLC	ROAD SALT DELIVERY	3,204.85
ED	MISSOURI ASPHALT PRODUCTS, LLC	ASPHALT-ST ARTHUR, KREM	96.75
ED	N B WEST CONTRACTING COMPANY	ASPHALT-LITZ AVE	372.90
ED	N B WEST CONTRACTING COMPANY	COLD PATCH ASPHALT-POT HOLE REPAIRS	405.95
ED	PAYKEN CONSULTING LLC	PARKING LOT SPECS	2,054.55
PT	AMERICAN CARNIVAL MART	GAMES FOR HALLOWEEN PARTY	177.26
PT	ANGO KERNAN RENTALS & SALES	HALLOWEEN PARTY INFLATABLE	182.60
PT	ARMSTRONG TEASDALE LLP	BOND COUNSEL-PARK BONDS	1,417.82
PT	CEE KAY SUPPLY INC	CC TANKS	18.69
PT	CHARTER COMMUNICATIONS	INTERNET/PHONE	138.74
PT	COMMISSION FREE AUTO REPAIR	BRAKES FOR SENIOR VAN	237.49
PT	C & R MECHANICAL CO.	POOL REPAIRS	745.63
PT	ENERGY PETROLEUM COMPANY	GASOLINE-GOLF COURSE	420.37
PT	ENERGY PETROLEUM COMPANY	DIESEL FUEL-PARK DEPT	426.25
PT	ENERGY PETROLEUM COMPANY	DIESEL FUEL-GOLF COURSE	495.31
PT	ENERGY PETROLEUM COMPANY	GASOLINE-GOLF COURSE	504.55
PT	GREEN GUARD FIRST AID & SAFETY	FIRST AID SUPPLIES	38.90
PT	LUBY EQUIPMENT SERVICES	GENERATOR MAINTENANCE	729.00
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	2.16
PT	MENARDS - SAINT ANN	POOL MAINTENANCE	5.24
PT	MENARDS - SAINT ANN	PARK SUPPLIES	6.57
PT	MENARDS - SAINT ANN	PARK SUPPLIES	10.44
PT	MENARDS - SAINT ANN	POOL MAINTENANCE	11.28
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	19.95
PT	MENARDS - SAINT ANN	PARK SUPPLIES	21.22
PT	MENARDS - SAINT ANN	POOL SUPPLIES	24.80
PT	MENARDS - SAINT ANN	PARK SUPPLIES	25.85
PT	MENARDS - SAINT ANN	PARK SUPPLIES	26.95
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	31.92
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	35.64
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	39.96
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	44.50

Bank	Name	Description	Amount
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	44.82
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	49.80
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	51.24
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	61.23
PT	MENARDS - SAINT ANN	PAVILION RENOVATIONS	88.00
PT	MENARDS - SAINT ANN	GOLF COURSE SUPPLIES	122.72
PT	MENARDS - SAINT ANN	PARK MAINTENANCE	133.56
PT	MENARDS - SAINT ANN	PAVILION RENOVATIONS	219.00
PT	MENARDS - SAINT ANN	PAVILION RENOVATIONS	592.19
PT	MENARDS - SAINT ANN	PAVILION RENOVATIONS	1,939.70
PT	MENARDS - SAINT ANN	PAVILION RENOVATIONS	2,933.72
PT	MILBRADT LAWN EQUIPMENT CO	CHAIN SAW PARTS	26.14
PT	MILBRADT LAWN EQUIPMENT CO	CHAIN SAW PARTS	182.22
PT	M & M GOLF CARS	TOURNAMENT DAMAGE	29.52
PT	M & M GOLF CARS	GOLF GLOW EVENT-GOLF CARS	520.00
PT	MTI DISTRIBUTING INC	GOLF EQUIPMENT MAINTENANCE	27.57
PT	MTI DISTRIBUTING INC	PARK EQUIPMENT MAINTENANCE	170.71
PT	MTI DISTRIBUTING INC	GOLF EQUIPMENT MAINTENANCE	231.06
PT	MTI DISTRIBUTING INC	GOLF COURSE BLOWER	303.17
PT	MTI DISTRIBUTING INC	GOLF COURSE EQUIPMENT MAINTENANCE	825.64
PT	NEW SYSTEM	CC FLOOR MACHINE PARTS	83.50
PT	OFFICE ESSENTIALS INC	COMMUNITY CENTER SUPPLIES	48.36
PT	OFFICE ESSENTIALS INC	POOL SUPPLIES	104.85
PT	OFFICE ESSENTIALS INC	GOLF COURSE SUPPLIES	110.57
PT	OFFICE ESSENTIALS INC	COMMUNITY CENTER SUPPLIES	229.63
PT	OLD VIENNA LLC	GOLF COURSE CONCESSIONS	21.16
PT	OLD VIENNA LLC	GOLF COURSE CONCESSIONS	30.60
PT	PEST POLICE	PEST CONTROL-ANIMAL SHELTER	70.00
PT	PEST POLICE	PEST CONTROL-POOL	110.00
PT	PEST POLICE	PEST CONTROL-CC	120.00
PT	SCHMITTEL'S NURSERY	MEMORIAL TREES	855.00
PT	SCOTT'S POWER EQUIPMENT, INC	GOLF EQUIPMENT MAINTENANCE	177.65
PT	SELECT DRINK AND FOODS INC	GOLF COURSE CONCESSIONS	15.90
PT	CARD SERVICES	RETURN HALLOWEEN CANDY	-17.44
PT	CARD SERVICES	RETURN HALLOWEEN CANDY	-19.24
PT	CARD SERVICES	GOLF COURSE CONCESSIONS	8.97
PT	CARD SERVICES	SUPPLIES FOR HALLOWEEN PARTY	11.97
PT	CARD SERVICES	CANDY FOR HALLOWEEN PARTY	49.48
PT	STARBEAM SUPPLY CO	POOL LIGHTS	79.56
PT	ST LOUIS COMPOSTING INC	PARK CLEANUP	30.00
PT	ST LOUIS COMPOSTING INC	PARK CLEANUP	30.00
PT	ST LOUIS COMPOSTING INC	PARK CLEANUP	30.00
PT	SUPREME TURF PRODUCTS INC	GOLF COURSE CHEMICALS	282.70
PT	SUPREME TURF PRODUCTS INC	GOLF COURSE CHEMICALS	545.80
PT	SUPREME TURF PRODUCTS INC	GOLF COURSE CHEMICALS	545.80
PT	THE SHERWIN-WILLIAMS CO	PARK MAINTENANCE	49.96
PT	THE SHERWIN-WILLIAMS CO	PARK MAINTENANCE	68.86
PT	THE SHERWIN-WILLIAMS CO	PARK MAINTENANCE	82.10
PT	THE SHERWIN-WILLIAMS CO	PARK MAINTENANCE	99.92
PT	WESTPORT POOLS	POOL CHEMICALS	269.00
PT	WOLTMAN	LEAF FOR MEMORIAL TREE	5.00
AP	ALL STAR DODGE CHRYSLER JEEP	WARRANTY DEDUCTIBLE 2014 CHARGER	50.00

Bank	Name	Description	Amount
AP	AMERICAN ELECTRIC & DATA, INC	LIGHT FIXTURE IN JAIL	339.00
AP	BATTERIES PLUS BULBS	BATTERIES-PUBLIC SERVICES	48.58
AP	BEARING HEADQUARTERS	BEARINGS FOR SALT SPREADER #112	99.72
AP	BENEFLEX	MONTHLY COBRA FEES	127.00
AP	CEE KAY SUPPLY INC	POLICE DEPT MAINTENANCE	26.28
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	242.28
AP	CEILING & WALL SUPPLY, INC.	COURT MAINTENANCE	266.75
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	269.65
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	272.13
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	272.13
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	272.13
AP	CEILING & WALL SUPPLY, INC.	POLICE DEPT MAINTENANCE	272.13
AP	CEILING & WALL SUPPLY, INC.	CITY HALL MAINTENANCE	272.13
AP	CHARTER COMMUNICATIONS	INTERNET/PHONE	1,325.56
AP	CINTAS	SHOPT TOWELS-GARAGE	112.16
AP	COLLINS AUTOMATIC FIRE SPRINKLER	INSPECT & TEST BACKFLOW	925.00
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #33	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #21	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #4	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #5	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #23	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE #31	21.49
AP	COMPLETE AUTO BODY AND REPAIR INC	HEADLIGHT BULB #18	53.50
AP	COMPLETE AUTO BODY AND REPAIR INC	INSPECTION, OIL CHANGE #36	57.49
AP	COMPLETE AUTO BODY AND REPAIR INC	OIL CHANGE & FILTERS #15	87.65
AP	COMPLETE AUTO BODY AND REPAIR INC	REPLACE HEADLAMP PIGTAIL #18	143.85
AP	COMPLETE AUTO BODY AND REPAIR INC	MOUNT, BALANCE, ALIGN TIRE #17	202.02
AP	COMPLETE AUTO BODY AND REPAIR INC	REMOVE & REPLACE BATTERY #13	240.08
AP	COMPLETE AUTO BODY AND REPAIR INC	MOUNT & BALANCE 2 TIRES	299.85
AP	COMPLETE AUTO BODY AND REPAIR INC	BRAKES #24	509.11
AP	COMPLETE AUTO BODY AND REPAIR INC	BRAKE PADS, ROTORS, OIL CHANGE #35	516.32
AP	COMPLETE AUTO BODY AND REPAIR INC	HEATER HOSES, THERMOSTAT, COOLING SY	663.87
AP	COMPLETE AUTO BODY AND REPAIR INC	INSPECTION, BRAKES, TIE ROD, TIRE 39	809.46
AP	COMPLETE AUTO BODY AND REPAIR INC	SHOCKS, BRAKES, TIRES, DOOR LATCH #2	1,450.23
AP	C & R MECHANICAL CO.	PUBLIC SERVICES A/C REPAIRS	168.50
AP	CURTIS, HEINZ, GARRETT & O'KEEFE PC	SPECIAL DOCKETS	500.00
AP	CURTIS, HEINZ, GARRETT & O'KEEFE PC	HOURLY PROSECUTION	1,301.00
AP	CURTIS, HEINZ, GARRETT & O'KEEFE PC	LEGAL FEES	8,603.00
AP	DELTA GLOVES	GLOVES-JAIL	554.16
AP	EMERGENCY VEHICLE SERVICE	WIRING OF K-9 KENNEL LIGHT	55.00
AP	EMERGENCY VEHICLE SERVICE	REMOBE EQUIPMENT-DEAD HEAD VEHICLE	225.00
AP	ENERGY PETROLEUM COMPANY	DIESEL FUEL-PUBLIC SERVICES	426.26
AP	FROESEL OIL COMPANY INC	GASOLINE-POLICE DEPT	4,969.10
AP	GENERAL CODE	ST ANN MODEL CODE	2,800.00
AP	GRAINGER	FLANGE BEARING-SALT SPREADER	37.49
AP	GREEN GUARD FIRST AID & SAFETY	FIRST AID SUPPLIES-PUBLIC SERVICES	31.23
AP	GREEN GUARD FIRST AID & SAFETY	FIRST AID SUPPLIES	137.92
AP	HERITAGE-CRYSTAL CLEAN	PARTS CLEANER-SHOP	376.24
AP	IDN-H. HOFFMAN INC.	POLICE DEPT	300.11
AP	INDUSTRIAL SOAP COMPANY	PARVO KILLER DISINFECTANT	133.80
AP	JACK SCHMITT CAR WASH INC	POLICE VEHICLES-13 WASHES	130.00
AP	JOHN HENRY FOSTER CO OF ST LOUIS	HYDRAULIC CYLINDER-TRUCK LIFT	320.00

Bank	Name	Description	Amount
AP	KEY EQUIPMENT & SUPPLY CO	SENSOR-STREET SWEEPER	101.04
AP	KEY EQUIPMENT & SUPPLY CO	GUTTER BROOM-STREET SWEEPER	119.00
AP	LEON UNIFORM COMPANY INC	UNIFORMS-THOMAS MOORE	7.99
AP	LEON UNIFORM COMPANY INC	UNIFORMS-TYLER SCHMIEG	55.00
AP	LEON UNIFORM COMPANY INC	UNIFORMS-ROBERT MCWILLIAMS	108.00
AP	LEON UNIFORM COMPANY INC	UNIFORMS-NICHOLAS JUENGST	125.00
AP	LEON UNIFORM COMPANY INC	UNIFORMS-SHANNON FLESCHERT	149.97
AP	LEON UNIFORM COMPANY INC	UNIFORMS-DENISE TINNON	183.00
AP	LEON UNIFORM COMPANY INC	UNIFORMS-CHUCK THAL	282.98
AP	LEON UNIFORM COMPANY INC	VEST-ROBERT MCWILLIAMS	775.00
AP	MENARDS - SAINT ANN	CITY HALL MAINTENANCE	6.96
AP	MENARDS - SAINT ANN	PUBLIC SERVICES MAINTENANCE	7.38
AP	MENARDS - SAINT ANN	K-9 SUPPLIES	9.98
AP	MENARDS - SAINT ANN	POLICE SUPPLIES	9.98
AP	MENARDS - SAINT ANN	POLICE SUPPLIES	17.83
AP	MENARDS - SAINT ANN	SHOP SUPPLIES	28.42
AP	MENARDS - SAINT ANN	K-9 FOOD	32.99
AP	MENARDS - SAINT ANN	POLICE DEPT MAINTENANCE	39.81
AP	MENARDS - SAINT ANN	CITY HALL SUPPLIES	49.93
AP	MENARDS - SAINT ANN	POLICE DEPT MAINTENANCE	315.96
AP	MICRO CENTER	CITY HALL SUPPLIES	13.99
AP	MICRO CENTER	MONITOR MOUNTS	79.93
AP	MICRO CENTER	KEYBOARDS, USB AUDIO ADAPTERS	109.96
AP	MILBRADT LAWN EQUIPMENT CO	PARTS FOR LIFT TRUCK	23.74
AP	MISSOURI ONE CALL SYSTEM, INC	LOCATE FEES	169.00
AP	MISSOURI STATE HIGHWAY PATROL	MULES-OCT,NOV,DEC 2016	210.00
AP	NEW SYSTEM	CITY HALL SUPPLIES	43.68
AP	NEW SYSTEM	CITY HALL SUPPLIES	49.76
AP	NEW SYSTEM	CITY HALL SUPPLIES	60.00
AP	NEW SYSTEM	JAIL SUPPLIES	107.39
AP	OFFICE ESSENTIALS INC	POLICE DEPT SUPPLIES	127.48
AP	OFFICE ESSENTIALS INC	JAIL SUPPLIES	282.06
AP	OFFICE ESSENTIALS INC	CITY HALL SUPPLIES	492.48
AP	OFFICE ESSENTIALS INC	POLICE DEPT SUPPLIES	568.52
AP	OFFICE ESSENTIALS INC	COURT SUPPLIES	1,094.29
AP	PEST POLICE	PEST CONTROL-CITY HALL	180.00
AP	POSITIVE CONCEPTS/ATPI	MOBILE TICKETING PAPER	333.08
AP	ST LOUIS CNTY & MUN POLICE ACADEMY	MEMBERSHIP FEE-CONTINUING EDUCATION	9,150.00
AP	CARD SERVICES	PRISONER MEALS	277.04
AP	STARBEAM SUPPLY CO	CITY HALL LIGHTS	29.90
AP	ST LOUIS COMPOSTING INC	DUMPING OF YARD WASTE	2,212.50
AP	ST LOUIS COMPOSTING INC	DUMPING OF YARD WASTE	1,925.00
AP	ST LOUIS COUNTY TREASURER	MOSQUITO SPRAYING	697.50
AP	SUNTRUP FORD, INC	WIPER BLADES #28	62.83
AP	THE SHERWIN-WILLIAMS CO	JAIL	9.67
AP	THE SHERWIN-WILLIAMS CO	JAIL	59.42
AP	THRIFTY CAR RENTAL	CAR RENTAL-CURL-OCT 2016	590.00
AP	THRIFTY CAR RENTAL	CAR RENTAL-CURL-NOV 2016	590.00
AP	ZOBRIO	ON SITE PLANNING MEETING 6-22-16	495.00

** Report Total **

Name	Description	Amount
SHEILA M. PALITZSCH	REFUND BUILDING PERMIT	52.00
HANDY AUTOMOTIVE-CARQUEST	EQUIPMENT MAINTENANCE	92.12
HR GREEN	ADA SIDEWALKS, RESURFACING, GRADING	29,246.64
HR GREEN	ADA SIDEWALKS, RESURFACING, GRADING	1,728.63
HR GREEN	ADA SIDEWALKS, RESURFACING, GRADING	5,573.88
HR GREEN	ADA SIDEWALKS, RESURFACING, GRADING	14,134.95
BENEFLEX	ACA SETUP, 1/2 ANNUAL FEE	734.59
JOHN DEERE CREDIT	FAIRWAY MOWER LEASE	755.01
MO DEPARTMENT OF REVENUE	POLICE VEHICLE PLATES	85.50
MSLACA	DECEMBER 2016 MSLACA MEETING	34.00
DELL	JAIL WORKSTATIONS	3,892.76
WELLS FARGO FINANCIAL LEASING	MAILING EQUIPMENT & MARXAM FOLDER	270.58
OFFICE DEPOT	ADOBE ACROBAT PRO DC	449.99
LOWE'S	PARK MAINTENANCE	54.00
INTERSTATE BILLING SERVICE INC	ARM REST-SENIOR VAN	119.82
DA-COM DIGITAL OFFICE SOLUTIONS	CC COPIER MAINTENANCE CONTRACT	200.83
LACLEDE GAS COMPANY	GOLF COURSE UTILITIES	84.77
LACLEDE GAS COMPANY	PARK UTILITIES	36.88
LACLEDE GAS COMPANY	COMMUNITY CENTER UTILITIES	71.95
LACLEDE GAS COMPANY	POOL UTILITIES	655.05
METROPOLITAN ST LOUIS SEWER DIST	PARK UTILITIES	79.76
METROPOLITAN ST LOUIS SEWER DIST	PARK UTILITIES	86.94
METROPOLITAN ST LOUIS SEWER DIST	PARK UTILITIES	79.76
METROPOLITAN ST LOUIS SEWER DIST	PARK UTILITIES	104.89
METROPOLITAN ST LOUIS SEWER DIST	PARK UTILITIES	29.50
METROPOLITAN ST LOUIS SEWER DIST	GOLF COURSE UTILITIES	104.89
METROPOLITAN ST LOUIS SEWER DIST	POOL UTILITIES	952.13
AMEREN MISSOURI	COMMUNITY CENTER UTILITIES	2,495.04
AMEREN MISSOURI	POOL UTILITIES	22.90
AMEREN MISSOURI	GOLF COURSE UTILITIES	376.91
AMEREN MISSOURI	PARK UTILITIES	325.72
AMEREN MISSOURI	POOL UTILITIES	2,010.56
AMEREN MISSOURI	PARK UTILITIES	681.61
AMEREN MISSOURI	GOLF COURSE UTILITIES	146.29
MISSOURI AMERICAN WATER	GOLF COURSE UTILITIES	2,849.06
AMEREN MISSOURI	PARK UTILITIES	11.25
AMEREN MISSOURI	PARK UTILITIES	50.32
AMEREN MISSOURI	BALLFIELD	32.48
AMEREN MISSOURI	BASEBALL FIELD LIGHTS	99.26
METROPOLITAN ST LOUIS SEWER DIST	COMMUNITY CENTER UTILITIES	243.78
GREY EAGLE DISTRIBUTORS INC	BEER-GOLF COURSE	80.60
GREY EAGLE DISTRIBUTORS INC	BEER-GOLF COURSE	167.25
PEPSI-COLA	GOLF COURSE CONCESSIONS	361.86
SAM'S CLUB/GECF	HALLOWEEN PARTY & GOLF GLO SUPPLIES	198.89
REGIONS COMMERCIAL BANKCARD	PARK MAINTENANCE	173.52
O'REILLY AUTOMOTIVE INC	EQUIPMENT MAINTENANCE	246.78
OFFICE DEPOT	POLICE & KENNEL SUPPLIES	91.86
FACTORY MOTOR PARTS CO.	EQUIPMENT MAINTENANCE	63.50
AMEREN MISSOURI	STREET LIGHT SERVICE	9,165.71
LACLEDE GAS COMPANY	PUBLIC SERVICES UTILITIES	68.35
LACLEDE GAS COMPANY	PUBLIC SERVICES UTILITIES	34.82
LACLEDE GAS COMPANY	FACILITIES UTILITIES	26.43

Name	Description	Amount
LACLEDE GAS COMPANY	FACILITIES UTILITIES	84.34
METROPOLITAN ST LOUIS SEWER DIST	FACILITIES UTILITIES	144.38
METROPOLITAN ST LOUIS SEWER DIST	PUBLIC SERVICES UTILITIES	40.27
METROPOLITAN ST LOUIS SEWER DIST	RECYCLE CENTER UTILITIES	29.50
METROPOLITAN ST LOUIS SEWER DIST	PUBLIC SERVICES UTILITIES	68.99
METROPOLITAN ST LOUIS SEWER DIST	PUBLIC SERVICES UTILITIES	29.50
METROPOLITAN ST LOUIS SEWER DIST	PUBLIC SERVICES UTILITIES	36.68
AMEREN MISSOURI	FACILITIES UTILITIES	6,190.24
AMEREN MISSOURI	TRAFFIC SIGNALS	40.70
AMEREN MISSOURI	FACILITIES UTILITIES	17.86
AMEREN MISSOURI	FACILITIES UTILITIES	49.02
INTERSTATE BILLING SERVICE INC	EQUIPMENT MAINTENANCE	65.31
JENNIFER LOVE	REFUND CC CLASS FEE	35.00
ERNESTINE LOVE	REFUND CC CLASS FEE	35.00
SEAN JOHNSON	REFUND SWIM CLASS FEE	30.00
SUNTRUP FORD, INC	POLICE EQUIPMENT MAINTENANCE	193.94
DA-COM	COPIER	295.87
DA-COM DIGITAL OFFICE SOLUTIONS	CC COPIER MAINTENANCE	200.83
AMEREN MISSOURI	PARK UTILITIES	13.23
AMERICAN PLANNING ASSOCIATION	PROFESSIONAL DUES-SEYMOUR	450.00
AT & T MOBILITY	POLICE CAR COMPUTERS	1,126.56
LAW OFFICES OF JENNIFER H. FISHER,	PROVISIONAL JUDGE 11-10-16	500.00
CHARTER COMMUNICATIONS	PUBLIC WORKS INTERNET	55.00
WELLS FARGO FINANCIAL LEASING	STREET SWEEPER LEASE	3,622.69
MSLACA	DECEMBER MEETING-BROWN & TAYLOR	34.00
HOME DEPOT	PARK SUPPLIES	148.38
MISSOURI AMERICAN WATER	PARK UTILITIES	225.85
MISSOURI AMERICAN WATER	POOL UTILITIES	1,424.36
MISSOURI AMERICAN WATER	PARK UTILITIES	345.51
MISSOURI AMERICAN WATER	PARK UTILITIES	122.29
MISSOURI AMERICAN WATER	GOLF COURSE UTILITIES	209.73
MISSOURI AMERICAN WATER	PARK UTILITIES	29.09
MISSOURI AMERICAN WATER	PARK UTILITIES	56.38
MISSOURI AMERICAN WATER	PARK UTILITIES	77.48
HOME DEPOT	CITY HALL MAINTENANCE	63.98
U.S. POSTAL SERVICE (CMRS-FP)	POSTAGE METER	2,000.00
MISSOURI AMERICAN WATER	PUBLIC SERVICES UTILITIES	88.06
MISSOURI AMERICAN WATER	PUBLIC SERVICES UTILITIES	55.81

** Report Total **