

TITLE II. PUBLIC HEALTH, SAFETY AND WELFARE

CHAPTER 200: POLICE DEPARTMENT

SECTION 200.010:GENERALLY

This Chapter consists of the rules and regulations for the operation of the Police Department of this City. To the extent that this Chapter conflicts with the provisions of Chapter 120 (relating to Personnel), this Chapter shall prevail. To the extent that regulations promulgated by the Mayor or by the Chief of Police under the authority of this Chapter, conflict with the provisions of Chapter 120 (relating to Personnel), then Chapter 120 shall prevail. (Ord. No. 2025, CC 1981 §71.010)

SECTION 200.020:CHIEF OF POLICE--AUTHORITY

The Chief of Police is the director of the Police Department. He shall have immediate and direct control of the department, subject to the supervision of the Mayor, and subject to such other rules, regulations and orders as the Mayor may prescribe. He shall promulgate and enforce orders, rules and regulations (consistent with this Code and with the rules, regulations and orders of the Mayor) for the efficient operation of the Police Department. (Ord. No. 2025, CC 1981 §71.020)

SECTION 200.030:CHIEF OF POLICE--DUTIES

The Chief of Police shall devote his entire time to the discharge of his official duties. He shall not be absent from the City except in the performance of his official duties, or when granted leave of absence by the Mayor. (Ord. No. 2025, CC 1981 §71.030)

SECTION 200.040: PATROLMEN, ASSIGNMENTS

Assignment of a Patrolman is at the discretion of the Chief of Police. For the purpose of this Chapter, all Police (including Chief of Police) are considered Patrolmen. (Ord. No. 2025, CC 1981 §71.040)

SECTION 200.050: PATROLMEN, DUTIES

Each Patrolman shall:

1. Be familiar with every part of town, observing anything unusual to assist in the prevention of crime.
2. Examine all doors and windows of commercial and industrial buildings at night and report any that are not properly secured to the owner thereof.
3. Report whenever he has reasonable grounds to suspect that any building or part thereof is being used in violation of the law or is the resort for persons of known bad character and be prepared to give information relative to the nature of business conducted by firms on his beat.
4. Not leave the City limits while on duty except in cases of emergency and in such cases must file a written report of the same with the City Clerk who shall make the report available to the Mayor.
5. Enforce all traffic ordinances in addition to his other duties.
6. Observe and report all violations of City ordinances and State law.
7. Be responsible for the care and operation of the vehicle assigned to him.
(Ord. No. 2025, CC 1981 §71.050)

SECTION 200.060:SPECIAL DUTIES AT PUBLIC MEETINGS

It is hereby made the duty of the Police Officers of this City, when directed so to do by the Mayor or Acting Mayor of said City to enter into and be present at all public, semi-public or private meetings held or conducted in said City at any opera house, public meeting hall or other place of assembly commonly used for public, semi-public or private meetings and gatherings and to preserve order at such meetings and to see that the fire regulations of said City are enforced.

1. The Mayor, or Acting Mayor, may at his discretion, deputize as Special Police Officers for the purpose of this Section such number of citizens as in his judgment may be sufficient for the purposes specified herein to attend and be present at such meetings and gatherings held in opera houses, public halls, and other gathering places commonly used for public, semi-public or private gatherings. Such persons so deputized by the Mayor shall serve only for the occasion of their specific appointment.
2. This Section shall not apply to any gathering held in a private home nor to any church or other purely religious gathering. (Ord. No. 2025, CC 1981 §71.055)

SECTION 200.070:STANDARD OF CONDUCT

Any of the following is sufficient cause for the suspension or discharge of any member of the Police Department:

1. For drinking intoxicating liquor while on duty or in uniform.
2. For intoxication while either on or off duty.
3. For willful disobedience to any order lawfully issued to him.
4. For disrespect shown to the Mayor or an Aldermen.
5. For incompetency in the performance of his duties.
6. For any neglect of duty.
7. For making known any investigation or proposed movement of the Department to any person not a member of the Department or the Board of Aldermen, or for discussing the affairs of the Department, in a manner likely to disrupt the movement or discipline of the Department, with any person not a member of the Department or the Board of Aldermen.
8. For unnecessary and unwarranted violence toward a prisoner.
9. For cowardice or for lack of energy which may be construed as either incompetency or gross neglect of duty.
10. For sleeping while on duty.
11. For violating any of the rules, regulations, or orders of the Department or of the Mayor, if same be in writing.
12. For indecent, profane or harsh language while on duty or in uniform.
13. For absence without leave.
14. For conduct unbecoming an officer or a gentlemen, whether on duty or off duty.
15. For conduct detrimental to the good order and discipline of the Department.
16. For careless handling of City property, either fixed or movable.
17. For conviction of any felony or misdemeanor.

18. For repeated violation of City ordinances.
19. For failure to cooperate with the City Prosecutor in the preparation or trial of any case, or for providing assistance to a defendant or defense counsel in any legal action brought by the City.
20. For loss of firearm or other weapon while on duty. (Ord. No. 2025, CC 1981 §71.060)

SECTION 200.080:RIGHT OF APPEAL

The right of appeal granted City employees by Section 120.150(7) et seq. is expressly preserved for members of the Department. (Ord. No. 2025, CC 1981 §71.070)

SECTION 200.090:CONDUCT AND DEPARTMENT

All members of the Department shall be quiet, civil, and orderly in their conduct and department, and shall at all times be attentive and zealous in the discharge of their duty, controlling their temper and exercising the utmost patience and discretion. They shall answer any questions put to them with all possible correctness and courtesy (not in a short or careless manner), avoiding at all times unnecessary conversation or argument. (Ord. No. 2025, CC 1981 §71.080)

SECTION 200.100:DISTURBANCES

Any member of the Department shall go instantly to the scene of any disturbance or breach of the peace occurring within his vicinity, use his best effort to restore peace and quiet, making such arrests as may be necessary, and notify and make necessary reports to the Police Department. (Ord. No. 2025, CC 1981 §71.090)

SECTION 200.110:TRUTHFULNESS OF MEMBERS

All members of the Department are required to speak the truth at all times, and under all circumstances, whether under oath or not. If forbidden by the rules of the Department to divulge information, they will state "No Comment". (Ord. No. 2025, CC 1981 §71.100)

SECTION 200.120:MEMBERS TO GIVE NAME

Any member of the Department, when called upon to do so by any person under any circumstances, shall give his name in a respectful and courteous manner. (Ord. No. 2025, CC 1981 §71.110)

SECTION 200.130:BEARING

No member of the Department shall lean upon or place his foot upon a car while issuing a summons.

(Ord. No. 2025, CC 1981 §71.120)

SECTION 200.140:COOPERATION

Every member of the Department is expected to discharge his duties with coolness and firmness in all cases; and in times of extreme peril all available officers shall act together and assist and protect each other in restoring peace and order. Anyone shirking his duty in case of danger or responsibility in an emergency shall be considered unworthy of a place in the Department, and may be discharged.

(Ord. No. 2025, CC 1981 §71.130)

SECTION 200.150:MEMBERS TO USE JUDGMENT

All members of the Department shall be particularly careful not to interfere officiously or unnecessarily in the private business of any person, but when required to act in the discharge of their duty they shall do so with energy and decision, and in the proper exercise of their authority they will receive the fullest support of the Department. (Ord. No. 2025, CC 1981 §71.140)

SECTION 200.160:TESTIMONY

Officers shall appear in Court on any case in which they are witnesses. If duty demands their absence from the Municipal Court (Police Court), they shall report the matter to the Chief of Police in order that the case may be continued. Officers on the witness stand, in response to questions asked, will state in clear and distinct words, truthfully, all they know regarding a matter, without fear or reservation and without any desire to design to influence the result. (Ord. No. 2025, CC 1981 §71.150)

SECTION 200.170:MEMBERS WILL BE FAMILIAR WITH RULES, ETC.

Each member of the Department will be furnished with a copy of any rules, regulations, and orders issued by the Chief of Police or the Mayor, which he shall keep in his possession, and with which he shall be familiar at all times. (Ord. No. 2025, CC 1981 §71.180)

SECTION 200.180:UNIFORM

Every member of the Department shall wear the uniform as the Mayor may from time to time prescribe. They shall, when on duty, carry such equipment as the Mayor may prescribe or adopt and when in uniform, keep their badge always in sight. No member of the Department shall ever appear for duty in civilian clothing without special permission of the Mayor. (Ord. No. 2025, CC 1981 §71.190)

SECTION 200.190:UNIFORM--WHEN OFF DUTY

No member of the Department shall ever wear his uniform or any part of it when off duty, except with the express permission of the Mayor. (Ord. No. 2025, CC 1981 §71.200)

SECTION 200.200:UNIFORM--CARE OF UNIFORM AND EQUIPMENT

All members of the Department will be required to be neat in appearance and keep their uniforms and equipment in good condition and in perfect order and repair. (Ord. No. 2025, CC 1981 §71.210)

SECTION 200.210:RESTRICTIONS APPLYING TO SUSPENDED OFFICERS

No member of the Department shall wear his uniform or carry a pistol while under suspension for any cause; and such member shall immediately surrender his badge and police identification to the Mayor when notified of his suspension. (Ord. No. 2025, CC 1981 §71.220)

SECTION 200.220:DUTY HOURS

Although certain hours are required for the performance of duty on ordinary occasions, members must be prepared at all times to act immediately on notice that their service is required. Members of the Department shall be considered as always on duty for the purpose of discipline. The hours of duty will be regulated by the Mayor. (Ord. No. 2025, CC 1981 §71.230)

SECTION 200.230:POLICE VEHICLES

Police Officers are not to use police vehicles except in the discharge of their duties. Police vehicles are not available for personal use. (Ord. No. 2025, CC 1981 §71.240)

SECTION 200.240:DUTY TO PRESERVE PEACE

Although regular hours of duty shall be assigned to all members of the Department, it shall be the duty of every officer of the Department, at all times, day or night, within the City, to preserve the public peace, protect the rights of persons and property, guard the public health, preserve order at all elections and public assemblies; prevent and remove, if possible, nuisances on and in all streets, highways, areas, alleys, and other places, and enforce the criminal law of the State of Missouri and the ordinances of the City. (Ord. No. 2025, CC 1981 §71.250)

SECTION 200.250:USE OF UNNECESSARY VIOLENCE TOWARD PRISONERS

No officer shall willfully mistreat or use unnecessary violence toward any person, prisoner, or otherwise. He shall not strike any prisoner except as a last resort in an effort to overcome resistance or prevent escape. An officer shall not shoot at a fleeing person or any escaping prisoner unless he has probable cause to believe that such person has committed a felony. (Ord. No. 2025, CC 1981 §71.260)

SECTION 200.260:QUALIFICATIONS FOR POLICE OFFICERS

- A. All Police Officers employed by the City of Bloomfield shall be at least twenty-one (21) years of age. They shall be of good moral character and shall not have been convicted of any misdemeanor or felony. They shall be able to write legibly and shall furnish at least three (3) good character references. A written examination for any applicant for Police Officer of the City of Bloomfield shall be discretionary with the Board of Aldermen. Any permanent Police Officer so employed shall reside within the City and shall, upon appointment, qualify for a bond in the amount of three thousand dollars (\$3,000.00). Any of these qualifications may be waived by the Board of Aldermen by resolution.
- B. All Police Officers employed by the City of Bloomfield shall be required to have no more or less than one hundred twenty (120) hours of training from any Police Academy located within the State of Missouri which has been certified by the Missouri Director of Public Safety to provide training programs for Police Officers in the State of Missouri. All Police Officers employed by the City of Bloomfield shall be required to have successfully completed the aforesaid one hundred twenty (120) hours of training for certification prior to assuming the duties of a Police Officer for the City of Bloomfield. (Ord. No. 2025, CC 1981 §71.270; Ord. No. 3076 §200.260, 2-15-97)

SECTION 200.270:BOND

Within fifteen (15) days of appointment, and before entering upon the discharge of the duties of his office, each Police Officer shall execute to the City a bond in the sum of three thousand dollars (\$3,000.00). The cost of said bond shall be paid by the City. (Ord. No. 2025, CC 1981 §71.275)

SECTION 200.280:TRAINING REQUIRED FOR POLICE OFFICERS

- A. All newly hired Peace Officers shall be required to have no more or less than one hundred twenty (120) hours of training for certification by the City of Bloomfield.
- B. Newly hired Law Enforcement Officers shall have a one (1) year period after appointment to be certified by the City of Bloomfield. (Ord. No. 3043 §§1–2, 8-9-93)

CHAPTER 205: FIRE DEPARTMENT

SECTION 205.010:FIRE DEPARTMENT ESTABLISHED, COMPOSITION

There is hereby established a Fire Department for the City, which shall consist of a Chief, one Assistant Chief, and such organized Volunteer Firemen as may be enrolled by the Chief with the consent of the Mayor. (Ord. No. 2025, CC 1981 §70.010)

SECTION 205.020:FIRE DEPARTMENT--DUTIES

The Fire Department shall have charge of the fire apparatus and shall keep the same in good order for immediate use, and for more effectually perfecting the Firemen in discharge of their duties shall as often as practicable thoroughly test the condition of the fire fighting apparatus. Upon arrival at any fire, the members present shall take all necessary and proper action to extinguish such fire as quickly as possible and with the least damage possible. The Department shall take all reasonable steps necessary under the circumstances to prevent the spread of the fire and damage to adjoining property. (Ord. No. 2025, CC 1981 §70.020)

SECTION 205.030:CHIEF AND ASSISTANT CHIEF; APPOINTMENT AND TERM

The Chief shall be appointed by the Mayor by and with the consent of the Board of Aldermen at the first regular meeting of the Board after the City election. The Chief and Assistant Chief shall hold office for a term of one (1) year and until his successor is appointed and qualified. (Ord. No. 2025, CC 1981 §70.040)

SECTION 205.040:DUTIES OF CHIEF

It shall be the duty of the Chief to examine and report quarterly to the Mayor the condition of the Department and its equipment, and to recommend such alterations and additions and changes as the Department may in his judgment require. It shall also be his duty to ascertain and report to the Mayor the condition and efficiency of the Fire Department and also file all reports necessary to meet the requirements of the State of Missouri. (Ord. No. 2025, CC 1981 §70.050)

CHAPTER 210: ANIMAL REGULATIONS

SECTION 210.010:DEFINITIONS

AT LARGE: Means off the premises of the owner and not under the control of the owner or a member of his immediate family or a person charged with its care either by leash or otherwise.

OWNER: Means any person, firm or corporation owning, harboring, or keeping a dog, fowl or other animal. (Ord. No. 1828 § 1)

SECTION 210.020:DOGS RUNNING AT LARGE

No dog, fowl, or other animal shall be permitted to run at large within the City limits of Bloomfield, Missouri. This restriction shall not prohibit the appearance of any dog or other domesticated animal upon the streets or public property when such a dog is on a leash or is kept under the immediate control of the person charged with its care. (Ord. No. 1828 §§ 2,3)

SECTION 210.030:CHIEF OF POLICE TO IMPOUND; WHEN--FEES

The Chief of Police or such other person as shall be designated by the Mayor shall impound any dog, fowl, or other animal found running at large and written notice of the impounding shall be given to the owner of such dog, fowl or other animal, if known, and the owner, after receiving notice, shall have seventy-two (72) hours to claim such dog, fowl or other animal to pay pound fees. If the owner is unknown, such officer shall post notice at the Pound and at the City Hall that if the dog, fowl or other animal is not claimed by a certain time and date, said time and date being seventy-two (72) hours after the impoundment, the said dog, fowl or other animal will be killed. If such dog, fowl, or other animal is not claimed within the time specified and all fees and charges paid, the Chief of Police or such other person designated by the Mayor shall kill such dog, fowl or other animal and dispose of its carcass. The impounded dog, fowl or other animal shall be housed and fed in a human manner at the pound. An impounding fee of ten dollars (\$10.00) and a charge of five dollars (\$5.00) per day for feeding shall be charged for any dog, fowl or other animal held at the pound. (Ord. No. 1828 § 4; Ord. No. 73.040)

SECTION 210.040:NOTICE OF IMPOUNDING

Upon taking up and impounding any dog, fowl or other animal and if the owner is unknown, the officer impounding such dog, fowl or other animal shall immediately post at the pound and at the City Hall a notice of impounding in substantially the following form:

NOTICE OF IMPOUNDING (DOG) (FOWL)
(DESCRIPTION OF SUCH OTHER ANIMAL)

DATE:

TO WHOM IT MAY CONCERN:

I have this day taken up and impounded in the Pound of the City of Bloomfield, Missouri, a _____ answering to the following description:

Sex: _____ Approximate

Age: _____

Color: _____ Name of

Owner: _____

Breed: _____

Notice is hereby given that unless said _____ is claimed and redeemed on or before _____ o'clock __M. on the _____ day of _____, 19 __, the same will be killed as provided by ordinance. (Ord. No. 1828 § 5)

SECTION 210.050:LOCATION OF CITY POUND--POUNDMASTER

The City Pound shall be located in or near Bloomfield. The Chief of Police or such other person as designated by the Mayor shall be Pound Master and shall attend to the maintenance of such Pound, and present a proper claim to the Board of Aldermen monthly for the necessary expenses which he may incur in so doing, and if allowed by the Board of Aldermen, shall be paid by the Treasurer.

(Ord. No. 1828 § 7)

SECTION 210.060:BARKING OR CRYING DOGS, CATS OR OTHER ANIMALS

No person shall keep or harbor a dog, cat or other animal which habitually barks, cries, or makes other disturbing noises between the hours of 10:00 P.M. and 6:00 A.M. (Ord. No. 2020 § 8)

SECTION 210.070:UNLAWFUL ENTRY INTO POUND

It is unlawful for any unauthorized person to break open the Pound or to attempt to do so, or to take or let out any dogs, fowl, or other animals therefrom, or to take or attempt to take from any officer any dog, fowl or other animals taken up by such officer in compliance with this Chapter or in any manner to interfere with or hinder such officer in the discharge of his duties under this Chapter. (Ord. No. 1828 § 9)

SECTION 210.080: POISONED MEAT AND SUBSTANCE

It shall be unlawful to throw or deposit poisoned meat or any poison or harmful substance, in any street, alley or public place, or on any private premises within the City for the purpose of destroying any dog, fowl or other animal. (Ord. No. 1828 § 10)

SECTION 210.090: HUMANE TREATMENT

- A. It shall be unlawful to feed any animal unwholesome or unsuitable food, or unclean water to drink which is likely to cause or produce disease in the animal.
- B. No person shall put any push, ashes, hot water or other torturous materials upon; beat, wound, maltreat, torture or inflict unnecessary pain or needlessly or cruelly maim, mutilate or kill any animal, nor shall any person give, sell, lend, barter or otherwise knowingly furnish any instrument, means, compound or other thing to be used for the purpose of maltreating, torturing, maiming or killing any dog, fowl, or other animal. (Ord. No. 1828 § 11)

SECTION 210.100:DISPOSAL OF MANURE OR OFFAL

Every person keeping or harboring any dog, fowl or other animal shall keep or cause to be kept all manure or offal therefrom which shall be deposited or accumulated for such animal, securely or closely confined in such a manner as will prevent it from being scattered from such place of deposit into or upon any street, sidewalk, alley or gutter of the City; and shall so care for it as to prevent any malodorous or offensive condition to exist and to prevent any nuisance to arise therefrom. (Ord. No. 1828 § 12)

SECTION 210.110:DISPOSAL OF DEAD ANIMAL IN PUBLIC WAYS

- A. No person shall deposit, throw or place any dead or fatally sick or injured dog, fowl or other animal, or part thereof, on any public place or private premises or in any sewer or drainage ditch.
- B. It shall be the duty of the City to pick up and dispose of all dead animals and fowl on the public streets or public places. (Ord. No. 1828 § 13)

SECTION 210.120:DOGS; LICENSE REQUIRED

- A. It shall be the duty of any person owning, controlling, possessing or having the management or care, in whole or in part, of any dog to apply to the City Clerk and obtain a dog license tag on or before the first day of April of each and every year, for which license the City Clerk is hereby authorized to charge the sum of one dollar (\$1.00) annually for all types of dogs. It is hereby declared a misdemeanor for any such person to neglect, fail or refuse to pay such license fee and secure the metal tag of suitable design and inscribed with the words *BLOOMFIELD D.L.T.* with the year of issuance and to keep the same securely attached to the animal by means of a collar or harness of substantial make and condition, said metal tag to be numbered from 1 upwards; provided that no metal tag shall be issued unless the applicant therefor presents a certification of inoculation of such dog against rabies from a licensed veterinarian showing inoculation during the previous twelve (12) months period; provided further, that such inoculation requirement shall not apply to any dog less than six (6) months of age.
- B. All dogs found within the City without a license tag marked as herein provided and an inoculation tag issued by a duly licensed veterinarian showing vaccination against rabies within the previous twelve (12) months shall be considered as strays and shall be impounded in the City Pound. Notice shall be given to the owner, if known, as provided in Section 210.030. Before the owner of such dog shall be permitted to remove the dog from the Pound, the owner shall obtain a dog license tag and he shall also deposit a sufficient amount of money with the Pound Master to cover the expense of inoculation. Thereafter, the Pound Master shall take the dog to a licensed veterinarian and have the same inoculation against rabies. (Ord. No. 1828 § 14)

SECTION 210.130:VICIOUS DOGS, FOWL, OR OTHER ANIMALS; RESTRAINT, POSTING

No person shall own, keep, harbor or allow to be in or upon his premises any dog, fowl, or other animal of a cross, dangerous, vicious or ferocious disposition, or which habitually snaps at or bites or manifests a disposition, to bite or attack persons unless such dog, fowl or other animal is securely fastened by a chain not over six (6) feet long, or is otherwise securely confined upon such premises; and in addition, unless there is a conspicuous place upon such premises a sign with the letters at least two (2) inches high

containing the following words: *BEWARE OF DANGEROUS DOG*. (Ord. No. 1828 § 15)

SECTION 210.140:UNDOMESTICATED ANIMALS

No person shall own, keep, harbor or allow to be in or upon his premises any undomesticated animal unless such animal is securely confined within and enclosure upon such premises; and in addition, unless there is in a conspicuous place upon such premises a sign with letters at least two (2) inches high containing the following words: *BEWARE OF (DESCRIPTION OF THE ANIMAL)*. (Ord. No. 1828 § 16)

SECTION 210.150:DOGS, FOWL OR OTHER ANIMALS SUSPECTED OF HAVING RABIES

Any dog, fowl or other animal which bites, scratches or otherwise injures a person and has not been inoculated against rabies within the twelve (12) month period immediately preceding the date of injury or is believed to have rabies or has been bitten by an animal suspected of having rabies shall be impounded in the City Pound and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two (2) weeks. At its own discretion, the City is empowered to have such dog, fowl or other animal placed in a Veterinary Hospital or Clinic and there placed under observation for a period of two (2) weeks expense of the owner of such dog, fowl or other animal. (Ord. No 1828 § 17)

SECTION 210.160:RABID DOGS, FOWL OR OTHER ANIMALS

All dogs, fowl or other animals which are affected with rabies shall be put to death by the Pound Master. (Ord. No. 1828 § 18)

SECTION 210.165:EXOTIC ANIMALS OR REPTILES NOT TO BE KEPT WITHIN THE CITY

No person shall own, keep, harbor or allow to be in or upon his premises any exotic animal or reptile which is by nature an undomesticated animal or reptile and which by nature has a dangerous, vicious, or ferocious disposition. (Ord. No. 3072, 11-13-96)

SECTION 210.170:PENALTY

Any person, firm or corporation violating any provision of this Chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100.00. (Ord. No. 2020 § 19)

**SECTION 210.180:KEEPING OF CERTAIN DANGEROUS WILD ANIMALS AND
PIT BULL TERRIERS, ETC.**

- A. It shall be unlawful for any person to possess, own or otherwise have under his custody or control any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, canada lynx, bobcat, jaguarundi, hyena, wolf, coyote, python, boa constrictor or any deadly, dangerous or poisonous reptile, in any place within the City of Bloomfield, other than a properly maintained zoological park, circus, scientific, or educational institution, research laboratory, or veterinary hospital.
- B. *Pit Bull Terriers.* It shall be unlawful for any person to own, keep, harbor or allow to be in or upon his premises any of the following breeds of dog: Pit Bull Terrier, American Staffordshire Terrier, or Bull Terrier.
- C. Any person, firm or business violating this Section shall be subject to a fine not to exceed five hundred dollars (\$500.00) or ninety (90) days of incarceration, or both such fine and incarceration.
(Ord. No. 3075 §§1-3, 2-5-97)

CHAPTER 215: DISABLED AUTOMOBILES

SECTION 215.010:DEFINITIONS

Except where otherwise indicated by the context, the following definitions shall apply in the interpretation and enforcement of this Chapter:

DAMAGED OR DISABLED VEHICLE: Damaged or Disabled Vehicle is any vehicle which is not registered or improperly registered with the State of Missouri; has been inoperable for more than seventy-two (72) hours or is in such a state of repair as to be inoperable, except those on the premises of a duly licensed automobile repair or sales business; or in a duly licensed automobile junking yard.

JUNK: Junk shall have the same meaning as defined in Section 620.010 of this Code.

VEHICLE: Vehicle is any machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides, including but not limited to automobiles, trucks, trailers, motorcycles, tractors, buggies, and wagons, or any part thereof. (Ord. No. 2025, CC 1981 §51.500)

SECTION 215.020:DAMAGED OR DISABLED VEHICLES ARE NUISANCES

Any damaged or disabled vehicle, part thereof, or junk, located on any property, street, or highway which presents a hazard to children, or harbors tall grass, weeds, or other vegetation, or creates a fire hazard, or affords a breeding place or nesting place for mosquitoes, flies, rodents, rats, or other vermin; or any vehicle, part thereof, or junk allowed to remain unmoved on any street or highway for forty-eight (48) hours, is a public nuisance. (Ord. No. 2025, CC 1981 §51.510)

SECTION 215.030:UNLAWFUL TO MAINTAIN

It shall be unlawful for any person to create or maintain a nuisance as defined in Section 215.010.

(Ord. No. 2025, CC 1981 §51.520)

SECTION 215.040:NOTICE

Whenever the Chief of Police or his duly authorized representative determines that any vehicle or junk is a nuisance as defined herein, he shall cause written notice to be served upon the owner of the vehicle or junk, if he can be located, or the person in custody of such vehicle or junk, by registered mail or by personal service. The notice shall state

that the vehicle or junk is deemed to be a nuisance within the provisions of Section 215.020 hereof, and shall briefly state facts deemed to constitute such vehicle or junk a nuisance within the terms of this Chapter, and state that the nuisance shall be abated within seven (7) days from receipt of such notice. (Ord. No. 2025, CC 1981 §51.530)

SECTION 215.050:PROCEEDINGS WHEN OWNER OR CUSTODIAN CANNOT BE LOCATED

When the owner or custodian of any nuisance as defined in Section 215.020 cannot be located by reasonable search, the notice shall be attached to the property, briefly stating facts deemed to constitute the property a nuisance and stating that the nuisance shall be abated within seven (7) days of the date notice was posted, or if the vehicle is on public property, within two (2) days of the date notice was posted. (Ord. No. 2025, CC 1981 §51.540)

SECTION 215.060:DUTY OF THE OWNER OR CUSTODIAN

Any person receiving the notice provided for above shall comply with the provisions of the notice requiring abatement. (Ord. No. 2025, CC 1981 §51.550)

SECTION 215.070:DISPOSITION

If not removed within the times specified in the notice (provided for by Sections 215.040 and 215.050), the vehicle or junk shall be transported to a storage area by or at the direction of the Chief of Police or his duly authorized representative at the expense of the owner or person in custody thereof. It shall then be stored for a period of at least ninety (90) days, and the person entitled to possession thereof may redeem the property by payment to the City of the actual cost of its removal and a reasonable storage fee. If the vehicle or junk is unredeemed after the expiration of the ninety (90) day period, the Chief of Police may sell it to the highest bidder or, if it has no sale value, may otherwise dispose of it. Any money received from disposal of any vehicle or junk shall be applied to the expenses charged to the owner or person in charge thereof, and any excess held in escrow or returned to him. (Ord. No. 2025, CC 1981 §51.560)

SECTION 215.080:NOTICE OF SALE

Prior to the sale of any such property, the Chief of Police shall cause to be posted in the City Hall, place of storage and at least one (1) other public place in the City, a notice of sale stating:

1. That the City is selling abandoned property.

2. The color, make, year, motor number, and serial number, if available, and any other information necessary for an accurate identification of the property.
3. The terms of the sale.
4. The date, time, and place of the sale.

This notice shall be published not less than ten (10) or more than twenty (20) days prior to the date of the sale. (Ord. No. 2025, CC 1981 §51.570)

SECTION 215.090:ENTRY ONTO PRIVATE PROPERTY

The Chief of Police or his duly authorized representative may enter upon private property for inspection or for the purpose of removing any vehicle or junk in accordance with this Chapter. If any person refuses to allow entry onto his private property, the Chief of Police shall obtain a warrant from the proper official and proceed in accordance therewith. (Ord. No. 2025, CC 1981 §51.580)

CHAPTER 220: LITTER

SECTION 220.010:DEFINITIONS

GARBAGE: Waste from the preparation, cooking and serving of food or from handling, storage and sale of produce and meat.

LITTER: Rubbish, straw, hay, grass, paper, lumber, scrap lumber, debris, junk, cardboard, glass, metal objects, used and discarded auto parts, tires, stoves, refrigerators, or other large appliances, large crates, tree branches, abandoned or discarded automobiles, manure, crop residue, dead animals, or any other item which is unwanted, useless, or discarded.

SOLID WASTE: Any useless, unwanted, or discarded materials which are not discharged directly into the atmosphere or the sanitary sewer system. (Ord. No. 2025, CC 1981 §64.010)

SECTION 220.020:LITTER IN PUBLIC PLACES

No person shall throw or deposit solid waste, garbage or litter including melon rinds, eggs, banana peelings, vegetables, paint, food coloring, ink, or other substance which mars or defaces, in or upon any street, sidewalk or public place in the City except in public receptacles or authorized private receptacles.
(Ord. No. 2025, CC 1981 §64.020)

SECTION 220.030:MANNER OF DISPOSING

Persons placing solid waste, garbage or litter in public receptacles or in authorized private receptacles shall do so in such manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property. (Ord. No. 2025, CC 1981 §64.030)

SECTION 220.040:SWEEPING SOLID WASTE, GARBAGE, OR LITTER INTO PUBLIC PLACES

No person shall sweep into or deposit in any gutter, street, or other public place within the City of Bloomfield the accumulation of solid waste, garbage, or litter from any building or lot or from any public or private sidewalk or driveway. (Ord. No. 2025, CC 1981 §64.040)

SECTION 220.050:BURNING LITTER, ETC., PROHIBITED

No person shall burn any litter in any street, gutter, or other public place within the City. (Ord. No. 2025, CC 1981 §64.050)

SECTION 220.060:SIDEWALKS TO BE KEPT FREE OF LITTER

Persons owning or occupying property shall keep the sidewalk in front of their premises free of solid waste, garbage, or litter. Persons owning or occupying places of business within the City shall keep the front of their business premises free of solid waste, garbage or litter. (Ord. No. 2025, CC 1981 §64.060)

SECTION 220.070:LITTERING BY PERSONS IN VEHICLES

No person, while a driver or passenger in a vehicle, shall throw or deposit solid waste, garbage or litter upon any street or other public place within the City, or upon any private property. No driver of any vehicle shall allow any passenger in that vehicle to throw or deposit solid waste, garbage or litter upon any street or other public place within the City, or upon private property. (Ord. No. 2025, CC 1981 §64.070)

SECTION 220.080:TRANSPORTATION OF SOLID WASTE, GARBAGE OR LITTER

No person shall drive or move any truck or any other vehicle hauling or transporting solid waste, garbage, or litter within or about the City unless such vehicle is so constructed and the load secured so as to prevent any of the contents therein being blown, dropped or deposited upon any street, alley or other public place. (Ord. No. 2025, CC 1981 §64.080)

SECTION 220.090:SOLID WASTE, GARBAGE, OR LITTER ON ANY PRIVATE PREMISES

No person shall throw or deposit solid waste, garbage, or litter upon any private property within the City, whether owned by such persons or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such manner that solid waste, garbage, or litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place, or upon any private property owned by another. (Ord. No. 2025, CC 1981 §64.090)

SECTION 220.100: PENALTY

Each person who shall fail, neglect, or refuse to comply with the provisions of this Chapter shall, upon conviction thereof, be guilty of a misdemeanor, and that upon conviction thereof, shall be punished by a fine of not less than five dollars (\$5.00), nor more than twenty-five dollars (\$25.00) or by imprisonment in the City Jail for a period of not more than thirty (30) days, or by both such fine and imprisonment.
(Ord. No. 2025, CC 1981 §64.100)

CHAPTER 225: WEEDS

SECTION 225.010: CUTTING AND REMOVAL OF GRASS, WEEDS, ETC.

It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee, or occupant having control of any occupied lot or land or any part thereof in the City, or for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant having control of any unoccupied lot or land or any part thereof in the City which is surrounded on three (3) or more sides by occupied land, to permit or maintain on any such lot or land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb, any growth of weeds, grass, and poisonous or harmful vegetation to a greater height than twelve (12) inches on the average, or any accumulation of dead weeds, grass or brush, and it shall also be unlawful for any person or persons to cause, suffer or allow poison ivy, ragweed or other poisonous plant, or plants detrimental to health to grow on any such lot or land in such manner that any part of such ivy, ragweed or other poisonous or harmful weed shall extend upon, overhand or border any public place or allow seed, pollen or other poisonous particles or emanations therefrom to be carried through the air into any public place, and the growth of such weeds, grass and poisonous or harmful vegetation of a height of more than twelve (12) inches be and hereby is declared to be a nuisance. (Ord. No. 2025, CC 1981 §65.010)

SECTION 225.020: DUTY OF OWNER, LESSEE OR OCCUPANT

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of Section 225.010. (Ord. No. 2025, CC 1981 §65.020)

SECTION 225.030: WHEN CITY TO DO WORK

If the provisions of this Chapter are not complied with, the Chief of Police, or other official designated by the Mayor, shall hold a hearing, after five (5) day's notice thereof given to the owner of the lot or his agent, the occupant if any, and the lessee if any. Following the hearing, the Chief of Police or other designated official may declare the weeds to be a nuisance and order the same to be abated within five (5) days. In the event that the weeds are not cut down and removed within five (5) days, the Chief of Police or other designated official shall have the weeds cut down and removed and shall certify the cost of the same to the City Clerk. The City Clerk shall cause a special tax bill therefor against the property to be prepared and to be collected by the Tax Collector, with other taxes assessed against the property. The tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity and no more clerical error of informality in the same, or in the

proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the City Clerk and delivered to the Tax Collector on or before the first (1st) day of June of each year. Such bills if not paid when due shall bear interest at the rate of eight percent (8%) per annum.
(Ord. No. 2025, CC 1981 §65.030)

SECTION 225.040: PENALTY

Each person who shall neglect to cut and remove weeds, grass or other vegetation as directed in this Chapter, or who shall fail, neglect or refuse to comply with the provisions of any notice herein provided or who shall resist or obstruct the Chief of Police or other representative of the City in the cutting and removal of weeds, grass and other vegetation, shall upon conviction thereof, be guilty of a misdemeanor. The preparation of a tax bill, as authorized by Section 225.030 shall not relieve any person of liability under this Section.

1. Each person convicted of a violation of this Section shall be penalized as provided in Section 100.100 of this Code.
2. As provided in Section 100.100 (B) of this Code, each day on which a violation of this Chapter continues shall constitute a separate offense. (Ord. No. 2025, CC 1981 §65.040)

CHAPTER 230: CURFEW

SECTION 230.010:DEFINITIONS

For the purposes of this Chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein:

CONSENT: Consent is actual authorization by a parent or legal guardian or is silent acquiescence by a parent or legal guardian having knowledge.

EMANCIPATED MINOR: Emancipated minor is one whose parent or legal guardian has renounced his right to the care, custody and earnings of said person.

KNOWLEDGE: Knowledge need not be actual knowledge of the exact location of the minor in question, rather it may be imputed from the knowledge that the minor is not at home, that the minor has an ultimate destination, and that the minor may make a diversionary trip on his way to or from the ultimate destination.

MINOR: Minor is anyone under the age of seventeen (17) years. It does not include anyone under the age of seventeen (17) years who is legally married. An "emancipated minor" is not included in the term "minor".

PUBLIC PLACE: Public place is any bar, bowling alley, cafe, drive-in restaurant, drive-in theater, drug store, grocery store, hamburger stand, hotel, ice cream parlor, lobby, parking lot, pool room, restaurant, saloon, shopping center, supermarket, theater, or any place dedicated to amusement and entertainment, to which the public is invited, whether enclosed or out of doors, and which includes any accompanying parking lot or pedestrian walkway, or any appurtenance thereto which is used by the public.
(Ord. No. 2025, CC 1981 §77.010)

SECTION 230.020:CONSENT OF PARENT REQUIRED

No minors shall be present in or on any public street, park, square, or any public place within the City between the hours of eleven o'clock (11:00) P.M. to six o'clock (6:00) A.M., except on Friday and Saturday nights, when the hours shall be twelve o'clock (12:00) Midnight to five o'clock (5:00) A.M. without the emergency consent of a parent or guardian. (Ord. No. 2025, CC 1981 §77.020)

SECTION 230.030:POLICE AUTHORIZED TO STOP MINORS

It shall be the duty of the Police Department of this City to require identification from any person who loiters, idly remains, congregates, tarries or stays on public street, park, square or any public place within the City during the prescribed hours and whose actions,

appearance, demeanor, or other fact within the knowledge of the Police Officer give rise to reasonable belief that the person stopped is a minor. Such identification shall include the person's name, age, home address, phone number and if the person's home address is outside of this City, the address within the City at which he is staying (if any).

1. Should the person stopped and questioned not be a minor, he shall be allowed to proceed freely with no record made of the inquiry.
2. Should the person stopped and questioned by a minor, the Police Officer shall inquire of him whether the parent or legal guardian having care and custody of such minor has knowledge of, and has given consent to the presence of said minor in or on the public street, park, square or public place involved. (Ord. No. 2025, CC 1981 §77.030)

SECTION 230.040:PROCEDURE IF NO PARENTAL CONSENT

A response by the minor that a parent or legal guardian neither has knowledge nor has given consent to his presence in or on the public street, park, square, or public place in question, shall constitute grounds for the Officer to escort the minor in question to the address given, to inform the parent or legal guardian that he may be held responsible for the delinquency of the minor under Section 230.070 of this Chapter, should the minor later be brought before any Court of this City or State for delinquency or youthful offender proceedings. Should no parent or legal guardian be found at the address given, the procedure described in Section 230.060 shall be followed. (Ord. No. 2025, CC 1981 §77.040)

SECTION 230.050:CLAIM OF KNOWLEDGE AND CONSENT

A response by the minor that a parent or legal guardian has knowledge of and/or has given consent to his presence in or on the public street, park, square or public place in question shall constitute grounds to call the parent or legal guardian of the minor, at the phone number given, or at the phone number registered and listed with the phone company, for a corroborating statement by the parent or legal guardian.

1. Should the parent not corroborate the statement of the minor or should no parent or legal guardian answer the phone, the Police Officer shall escort the minor home and shall follow the procedure outlined in Section 230.040.
2. Should the parent or legal guardian answer the phone corroborate the statement of the minor in question, the Police Officer shall inform the parent or legal guardian that continuous presence of a minor in or on the public streets, parks, squares, or other public places during the prescribed hours may constitute lack of proper supervision and care by the parent or legal guardian of said minor and may be considered evidence in proceedings for aiding in the delinquency of a minor, as prescribed in Section 230.070. The Police Officer shall then allow the child to

continue on his way or shall escort the child home, as desired by the parent or legal guardian. (Ord. No. 2025, CC 1981 §77.050)

SECTION 230.060:IF MINOR IS NON-RESIDENT

Should the minor identify himself as a non-resident of the City, the Police Officer shall check to see if the minor has been found present in or on a public street, park, square, or other public place within the previous three (3) months.

1. If there is no record of the minor being found present in or on a public street, park, square, or other public place within the previous three (3) months, the Police Officer shall inform the minor in question of this Chapter and shall escort him to the place within the municipal jurisdiction of the City at which he is staying. If the minor is a transient who intends to leave the City before the next morning, the minor shall be detained and the parent or legal guardian of that minor shall be informed that the minor will be detained if desired until the parent or legal guardian, or the designee of the parent or legal guardian, arrives to claim said minor. If the parent or legal guardian of the transient minor so requests, the Police Officer shall release the minor and escort him out of the corporate limits of this City.
2. If the non-resident minor has been found present in or on a public street, park, square, or other public place within the previous three (3) months, the Officer shall follow the procedure for transient minors, as found in Subsection (1) of this Section, except that the minor shall not be released until claimed by a parent or legal guardian or the designee of the parent or legal guardian.
(Ord. No. 2025, CC 1981 §77.060)

SECTION 230.070:RESPONSIBILITY OF PARENT

No parent or legal guardian having the care and custody of a minor shall fail to properly supervise and care for such child. Failure of supervision or care shall cause the child to be brought before the Juvenile Court of the State or any other Court of the City or State, for delinquency or youthful offender proceedings. Continuous presence by a minor during the prescribed hours in or on the public streets, parks, squares, or other public places shall constitute prima facie evidence of failure by the parent or legal guardian to properly supervise said minor and shall be considered a cause of the delinquency or offense committed. (Ord. No. 2025, CC 1981 §77.070)

CHAPTER 235: MISCELLANEOUS OFFENSES

SECTION 235.010:PASSING BAD CHECKS

- A. A person commits the offense of passing a bad check when, with purpose to defraud, he issues or passes a check or other similar sight order for the payment of money in a sum less than one hundred fifty dollars (\$150.00), knowing that it will not be paid by the drawee, or that there is no such drawee.
- B. If the issuer had no account with the drawee or if there were no such drawee at the time the check or order was issued, this fact shall be prima facie evidence of his purpose to defraud and of his knowledge that the check or order would not be paid.
- C. If the issuer has an account with the drawee, failure to pay the check or order within ten (10) days after notice in writing that it has not been honored because of insufficient funds or credit with the drawee is prima facie evidence of his purpose to defraud and of his knowledge that the check or order would not be paid.
- D. Notice in writing means notice deposited as first class mail in the United States Mail and addressed to the issuer at his address as it appears on the dishonored check or to his last known address.
(Ord. No. 2025, CC 1981 §75.010)

State Law Reference -- See RSMo. §570.120.

SECTION 235.020:FRAUDULENT USE OF A CREDIT DEVICE

- A. A person commits the offense of fraudulent use of a credit device if he uses a credit 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 cancelled; or
 - 3. For any other reason his use of the device is unauthorized.
- B. Fraudulent use of a credit device is a misdemeanor unless the value of the property or service obtained or sought to be obtained within any thirty (30) day period is one hundred fifty dollars (\$150.00) or more, in which case fraudulent use of a credit device is a felony. (Ord. No. 2025, CC 75.020)

State Law Reference -- See RSMo. §570.130

SECTION 235.030:TAMPERING

A person commits the offense of tampering if he:

1. Tamper with the property of another for the purpose of causing substantial inconvenience to that person or to another; or
2. Unlawfully operates or 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;
4. Tamper with the property or facilities of an institution providing health or safety protection.
(Ord. No. 2025, CC 1981 §75.030)

SECTION 235.040:PROPERTY DAMAGE

A person commits the offense of property damage if he knowingly damages property of another, or he damages property for the purpose of defrauding an insurer. (Ord. No. 2025, CC 1981 §75.040)

SECTION 235.050:TRESPASS

A person commits the offense of trespass if he enters unlawfully upon real property of another, without license or privilege. (Ord. No. 2025, CC 1981 §75.050)

SECTION 235.060:PEACE DISTURBANCE

A. A person commits the offense of peace disturbance if:

1. He unreasonably and knowingly disturbs or alarms to another person or persons by:
 - a. Loud noise; or
 - b. Offensive and indecent language which is likely to produce an immediate violent response from a reasonable recipient; or
 - c. Fighting; or
 - d. Creating a noxious and offensive odor.

2. He 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.

B. Peace disturbance is a misdemeanor. (RSMo. §574.010; Ord. No. 3025 §1, 8-10-82)

SECTION 235.070:PRIVATE PEACE DISTURBANCE

- A. A person commits the offense of private peace disturbance if he is on private property and unreasonably and purposely causes alarm to another person or persons on the same premises by fighting.
- B. Private peace disturbance is a misdemeanor. (Ord. No. 2025, CC 1981 §75.070; Ord. No. 3025 §1, 8-10-82)

State Law Reference -- See RSMo. §574.020; State of Missouri v. Carpenter

SECTION 235.080:PEACE DISTURBANCE DEFINITIONS

For the purpose of Section 235.060 and 235.070:

PRIVATE PROPERTY: Means any place which at the time is not open to the public. It includes property which is owned publicly or privately.

PROPERTY OF ANOTHER: Means any property in which the actor does not have a possessory interest.

PUBLIC PLACE: Means any place which at the time is open to the public. It includes property which is owned publicly or privately. If a building or structure is divided into separately occupied units, such units are separate premises.
(Ord. No. 2025, CC 1981 §75.080)

State Law Reference -- See RSMo. §574.030.

SECTION 235.090: INTOXICATION OR USE OF INTOXICATING SUBSTANCE IN PUBLIC PLACE

- A. A person commits the offense of public intoxication when he is in a public place in a state of drunkenness or intoxication which has been caused or induced by consumption of alcoholic beverage or the use of a narcotic.

- B. A person commits the offense of public use of an intoxicating substance when he shall drink or otherwise consume any alcoholic beverage, intoxicating liquor; or use any controlled substance or narcotic drug in any street, public park or other public place.
- C. A person commits the offense of possession of an open beer or liquor container if a container of non-intoxicating beer, malt liquor, or intoxicating liquor (as those terms are defined in Section 600.010 of this Code) is found within a vehicle (as defined in Section 300.020 of this Code) which that person has under his control or in which that person is a passenger, or in his possession on any public property, including parks. (Ord. No. 2025, CC 1981 §§75.110, 75.140)

SECTION 235.100:VAGRANCY

A person commits the offense of vagrancy when he is:

1. Found loitering or strolling in, about, or upon any street, alley, or other public way or public place, or at any public gathering or assembly, or in or around any store, shop, or business or commercial establishment, or on any private property or place without lawful business, and who upon being ordered to move on about his business fails to do so.
2. Found to occupy, lodge, or sleep in any vacant or unoccupied barn, garage, shed, shop, or other building or structure, or in any automobile, truck, railroad car, or other vehicle, without owning the same or without permission of the owner or person entitled to the possession of the same, or sleeping in any vacant lot during the hours of darkness and not giving a reasonable explanation for his behavior.
3. Found to be begging, or going from door to door of private homes or commercial and business establishments, or places himself in or upon any public way or public place to beg or receive alms for his own use. (Ord. No. 2025, CC 1981 §75.120)

SECTION 235.110:SHOPLIFTING, STEALING

A person commits the offense of stealing if he appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion.

(Ord. No. 2025, CC 1981 §75.130)

SECTION 235.120:POSSESSION OF MARIJUANA

Any person who shall be in possession of marijuana weighing less than thirty-five (35) grams by metric weight shall be considered guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) or

more than five hundred dollars (\$500.00) for each and every such offense. (Ord. No. 2025, CC 1981 §75.150)

SECTION 235.130:DEFACING OF PROPERTY

No person shall wantonly, willfully, or mischievously to write, stamp, carve, engrave, or deface the sidewalks, streets, alleys, public places within the limits of this City; or to kick, throw by hand or by means of any device, any rock, stone brick, ball, egg, vegetable, paint, ink, coloring substance, or other missile or object, at any other person or upon or against the sidewalks, avenues, streets, alleys, or upon or against any automobile or other vehicles, building, residence or other property of another person. (Ord. No. 2025, CC 1981 §75.160)

SECTION 235.140:OBSTRUCTION OF FREE PASSAGE

No person shall place or cause to be placed in or upon any street, avenue, alley, sidewalk or other public place within the limits of this City, any article or thing whatsoever, so as to obstruct or hinder the free passage of any person or vehicle over or along such street, avenue, alley, sidewalk or other public place, provided that nothing in this Section shall be so constructed as to prevent any merchant or tradesman from placing any package of merchandise, which he may be receiving or sending away, upon any sidewalk, if the same does not occupy more than one-fourth ($\frac{1}{4}$) of the width thereof, and remain thereon not more than two (2) hours. (Ord. No. 2025, CC 1981 §75.170)

SECTION 235.150:DAMAGING VEGETATION

No person shall wantonly, willfully, or mischievously, and without authority from the owner or proper authorities within the limits of this City cut down, pull up, saw, peel, cut, hack, injure, remove, deface, or destroy, any fruit tree, ornamental, or shade tree, shrub, bush, vegetable vine, attached to the land of another, or in any park or public place. (Ord. No. 2025, CC 1981 §75.180)

SECTION 235.160:UNLAWFUL USE OF WEAPONS

- A. A person commits the offense of unlawful use of weapons if he knowingly:
1. Carries concealed on or about his person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or
 2. Sets a spring gun; or

3. Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in Section 302.010, RSMo., or any building or structure used for the assembling of people; or
4. Aims a firearm or projectile weapon at another person in an angry or threatening manner, or possesses a knife, firearm, blackjack, or any other weapon readily capable of lethal use with purpose to unlawfully use such weapon against another person; or
5. Possesses or discharges a firearm or projectile weapon while intoxicated; or
6. Discharges a firearm, pellet gun, air rifle, air gun, or gun within the City limits; or
7. Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public street or discharges or shoots a firearm into any out-building; or
8. Carries a knife, firearm, blackjack or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any school, or into any election precinct on any election day, or into any building owned by or occupied by any agency of the Federal Government, State Government, or political subdivision thereof, or into any public assemblage of persons met for any lawful purpose.

B. *Exemptions.*

1. Subsections (A) (1, 3, 4, 6, and 8) of this Section shall not apply to or affect any of the following:
 - a. Peace Officers, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer.
 - b. Wardens and keepers of prisons and jails.
 - c. Members of the Armed Forces or National Guard while performing their official duty.
2. Subsection (A) (1) does not apply when the actor is transporting such weapons in a non-functioning state or when not readily accessible.
3. The defendant shall have a burden of injecting the issue of an exemption under this Section.

C. *Penalty.* Upon conviction of a violation of any such provision of this Section, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the City or County jail not exceeding ninety (90) days, or by both such fine and imprisonment.

(Ord. No. 3038 §§235.160–235.170, 6-28-93)

SECTION 235.170:INDECENT EXPOSURE

- A. A person commits the offense of indecent exposure if he knowingly exposes his genitals under circumstances in which he knows that his conduct is likely to cause affront or alarm.
- B. Indecent exposure is a misdemeanor. (Ord. No. 3045 §§1–2, 9-13-93)

SECTION 235.180:UNLAWFUL USE OF DRUG PARAPHERNALIA

- A. It is unlawful for any person to use, or to possess with the 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 Sections 195.005 to 195.425 of the Missouri Revised Statutes 1994, and as amended.
- B. A person who violates this Section shall be subject to a fine not exceeding five hundred dollars (\$500.00). (Ord. No. 3109 §§1–2, 1-10-00)

CHAPTER 240: NUISANCES

SECTION 240.010:DISPOSITION OF REFRIGERATORS AND ICE BOXES

That no person, firm or corporation within the City of Bloomfield desiring to store, junk or abandon any refrigerator, ice box or cabinet having an exterior lock or snap fastener and incapable of being opened from the interior shall store such cabinet in a place where it will be available to children at play, or in a place frequented by them, or shall junk or abandon such cabinet, ice box or refrigerator without first removing the door therefrom, or the lock off of the same. (Ord. No. 2025, CC 1981 §74.010)

SECTION 240.020:CESSPOOLS AND PRIVIES

It is hereby found and determined that all septic tanks, cesspools, outhouses and privy vaults, constitute a danger to the public health, safety and welfare of said City and its inhabitants, and all such septic tanks, cesspools, outhouses and privy vaults are hereby declared to be public nuisances and the maintenance of the same within the limits of the City of Bloomfield, Missouri, is hereby prohibited, except with respect to property which cannot be served by the sewerage system of said City.

1. Any owner of property upon which there is located any building used for human habitation or occupancy is hereby required to make connection with the sewerage system of said City for the disposal of all human and other sewerage, provided sewerage service is available to said property and is located within three hundred (300) feet of said property.
2. Permits for the construction or repair of any building shall be granted only on evidence that the applicant has complied with the provisions of this Section.
3. That it shall be a misdemeanor for any person to violate any of the provisions of this Section.
(Ord. No. 2025, CC 1981 §74.020)

CHAPTER 245: FIREWORKS

SECTION 245.010:SALE PROHIBITED, EXCEPTION

Except as otherwise herein provided, it shall be unlawful for any person to sell or offer for sale any type or kind of fireworks or firecrackers within the corporate limits of this City.

(Ord. No. 2025, CC 1981 §66.010)

SECTION 245.020:SALE FROM PUBLIC PROPERTY PROHIBITED

Except as otherwise herein provided, fireworks and firecrackers shall not be advertised for sale from any street, alley, sidewalk or other public property within the corporate limits.

(Ord. No. 2025, CC 1981 §66.020)

SECTION 245.030:DISCHARGE PROHIBITED IN CERTAIN AREAS, AT CERTAIN TIMES

Except as otherwise herein provided, it shall be unlawful for any person to discharge or shoot any type of fireworks or firecrackers:

1. On any day other than July 4, Independence Day.
2. At any time, in or on any public street, public sidewalk, public park, public grounds, or within the business district of the City.
 - a. Provided, that the Board of Aldermen, by resolution, may permit the discharge or shooting of fireworks or firecrackers on public or private property within the business district on July 4, if the same is a public display, for which no admission charge is collected, and if the same is sponsored and conducted by a local organization. (Ord. No. 2025, CC 1981 §66.030)

SECTION 245.040:UNLAWFUL USE OF FIREWORKS

- A. It shall be lawful for Non-Profit Organizations to sell, give away, or otherwise dispose of within the limits of the City Park of the City of Bloomfield, Missouri, ten (10) days before the fourth (4th) of July and one (1) day after the fourth (4th) of July, all fireworks lawful in the State of Missouri, excluding bottle-rockets. Due to the dangerous misuse of the bottle-rockets in the past, as of July 9, 1985, the sale and explosion of the fireworks named above are hereby deemed unlawful in the City Park.

It will also be lawful for the firing or exploding of any fireworks, other than the before mentioned bottle-rockets, by any person, firms, corporations, or associations only at designated places and time within the limits of the City Park of the City of Bloomfield, Missouri, during the above date only.

- B. Any person, firm, corporation or association of persons who shall violate the provisions of Subsection (A) of this Section shall on conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the City Jail for a term of not more than sixty (60) days. (Ord. No. 2030 §2; Ord. No. 2047 §1)

CHAPTER 250: SOLID WASTE

SECTION 250.010:DEFINITIONS

For the purposes of this Chapter, the following terms shall be deemed to have the meaning indicated below:

APPROVED INCINERATOR: An incinerator which complies with all current regulations of the responsible local and State air pollution control agencies.

BULKY RUBBISH: Non-putrescible solid wastes consisting of combustible and/or non-combustible waste materials from dwelling units, commercial, industrial, institutional, or agricultural establishments which are either too large or too heavy to be safely and conveniently loaded in solid waste transportation vehicles by solid waste collectors, with the equipment available therefor.

CITY: The City of Bloomfield, Missouri.

COLLECTION: Removal of solid waste from its place of storage to the transportation vehicle.

DEMOLITION AND CONSTRUCTION WASTE: Waste materials from the construction or destruction of residential, industrial or commercial structures.

DIRECTOR: The Director of the Solid Waste Management Program of the City, or his authorized representative.

DISPOSABLE SOLID WASTE CONTAINER: Disposable plastic or paper sacks with a capacity of twenty (20) to thirty-five (35) gallons specifically designed for storage of solid waste.

DWELLING UNIT: Any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

GARBAGE: Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving, or consumption of food.

HAZARDOUS WASTES: Including, but not limited to pathological wastes, explosive wastes, pesticides, pesticide containers, toxic or radioactive materials.

MULTIPLE HOUSING FACILITY: A housing facility containing more than one (1) dwelling unit under one (1) roof.

OCCUPANT: Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property, either as owner or as a tenant.

PERSON: Any individual partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, or organization of any kind, or their legal representative agent or assigns.

PROCESSING: Incinerating, composting, baling, shredding, salvaging, compacting and other processes whereby solid waste characteristics are modified or solid waste quantity is reduced.

REFUSE: Solid waste.

SOLID WASTE: Unwanted or discarded waste materials in a solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, discarded appliances, special wastes, industrial wastes, and demolition and construction wastes.

1. *Commercial solid waste:* Solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than five (5) dwelling units.
2. *Residential solid waste:* Solid waste resulting from the maintenance and operation of dwelling units, excluding multiple housing facilities with more than five (5) dwelling units.

SOLID WASTE CONTAINER: Receptacle used by any person to store solid waste during the interval between solid waste collections.

SOLID WASTE DISPOSAL: The process of discarding or getting rid of unwanted material. In particular, the final deposition of solid waste by man.

SOLID WASTE MANAGEMENT: The entire solid waste system of storage, collection, transportation, processing and disposal.

STORAGE: Keeping, maintaining or storing solid waste from the time of its production until the time of its collection.

TRANSPORTATION: The transporting of solid waste from the place of collection or processing to a solid waste processing facility or solid waste disposal area.

YARD WASTES: Grass clippings, leaves, tree trimmings. (Ord. No. 2049 §1)

SECTION 250.020:SOLID WASTE STORAGE

- A. The occupancy of every dwelling unit and of every institutional, commercial or business, industrial or agricultural establishment producing solid waste within the corporate limits of the City, shall provide sufficient and adequate containers for the storage of all solid waste except bulky rubbish and demolition and construction waste to serve each such dwelling unit and/or establishment; and to maintain such solid waste containers at all times in good repair.
- B. The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.
- C. Residential solid waste shall be stored in containers of not more than thirty-five (35) gallons, nor less than twenty (20) gallons in nominal capacity. Containers shall be leakproof, waterproof, and fitted with a fly-tight lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails or other suitable lifting devices or features. Containers shall be of a type originally manufactured for residential solid waste, with tapered sides for easy emptying. They shall be of light weight and sturdy construction. The weight of any individual container and contents shall not exceed seventy-five (75) pounds. Galvanized metal containers, or rubber, fiberglass, or plastic containers which do not become brittle in cold weather, may be used. Disposable solid waste containers with suitable frames or containers as approved by the Director may also be used for storage of residential solid waste.
- D. Commercial solid waste shall be stored in solid waste containers as approved by the Director. The containers shall be waterproof, leakproof and shall be covered at all times except when depositing waste therein or removing the contents thereof; and shall meet all requirements as set forth by Section 250.070.
- E. Solid waste containers which are not approved will be collected together with their contents and disposed of. (Ord. No. 2049 §§2.1–2.7; Ord. No. 3041 §250.020, 6-28-93)

SECTION 250.030:COLLECTION OF SOLID WASTE

- A. The City shall provide for the collection of all solid waste in the City; provided however, that the City may provide the collection service by contracting with a person, county, or other city or a combination thereof, for the entire City or portions thereof, as deemed to be in the best interest of the City.
- B. All solid waste from premises to which collection services are provided by the City shall be collected, except bulky rubbish as defined herein; provided however, that bulky rubbish will be collected if tied securely in bundles not exceeding reasonable limitations

of weight and bulk to be fixed by regulations to be made and promulgated by the Director as hereinafter provided. All solid waste collected shall, upon being loaded into transportation equipment, become the property of the collection agency.

- C. Bulky rubbish shall be collected by request to the Director. The Director shall establish the procedure for collecting bulky rubbish.
- D. Solid waste collectors, employed by the City or a solid waste collection agency operating under contract with the City, are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Chapter. Solid waste collectors shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste. Commercial solid waste may be removed from within commercial establishments upon written request of the owner and approval by the Director.
- E. The following collection frequencies shall apply to collections of solid waste within the City:

All residential solid waste, other than bulky rubbish, shall be collected weekly. All commercial solid waste shall be collected weekly, and shall be collected at such lesser intervals as may be fixed by the Director or requested by the commercial establishment upon a determination that such lesser intervals are necessary for the preservation of the health and/or safety of the public.

- F. Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted written permission from the City to use public property for such purposes. The storage site shall be well drained, fully accessible to collection equipment, public health personnel and fire inspection personnel.
- G. Solid waste collectors, employed by the City or a solid waste collection agency operating under contract with the City, shall be responsible for the collection of solid waste from the point of collection to the transportation vehicle, provided the solid waste was stored in compliance with Subsections (C) (D) (E) and (F) of Section 250.020. Any spillage or blowing litter caused as a result of the duties of the solid waste collector shall be collected and placed in the transportation vehicle by the solid waste collector.
(Ord. No. 2049 §§3.1–3.8; Ord. No. 3041 §250.030, 6-28-93)

SECTION 250.040: TRANSPORTATION OF SOLID WASTE

- A. All transportation vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for transportation of solid waste shall be constructed with water-tight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid

waste, or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers.

- B. Permits shall not be required for the removal, hauling or disposal of earth and rock material from grading or excavation activities, however, all such material shall be conveyed in tight vehicles, trucks or receptacles, so constructed and maintained that none of the material being transported shall spill upon the public rights of way.
- C. Transportation and disposal of demolition and construction wastes shall be in accordance with Sections 250.050 and 250.060. (Ord. No. 2049 §§4.1–4.3)

SECTION 250.050:DISPOSAL OF SOLID WASTE

- A. Except as hereinafter provided in Subsection (C), solid waste shall be deposited at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Solid Waste Management Law of 1972, Section 260.200 to 260.245, RSMo., 1973 Supplement, and the rules and regulations adopted thereunder.
- B. The Director may classify certain wastes as hazardous wastes which will require special handling and shall be disposed of only in a manner acceptable to the Director and which will meet all local, State and Federal regulations.
- C. Residential burning of certain solid waste shall be permitted under the following provisions and restrictions:
 - 1. Combustible trash and refuse, not containing any garbage or matter producing excessive smoke or noxious odors, may be burned provided, that any such fire shall be attended and guarded by the person starting the fire, and care taken by him to prevent the escape of fire. No glass, metal, plastic or rubber materials of any sort shall be burned or attempted to be burned in such fires.
 - 2. Leaves and yard rakings, and cuttings from trees and bushes, which are dry and freely combustible may be burned in small open fires; provided, that any such fire shall be attended and guarded by the person starting the fire, and care taken by him to prevent the escape of fire from the immediate area thereof. No burning in the public streets shall be permitted under this Section. No burning shall be permitted when wind exceeds ten (10) miles per hour.
 - 3. No fire shall be permitted which produces excessive smoke or noxious odors. Smoke shall be deemed excessive when it equals or exceeds scale two (2) on the Ringlemann smoke chart. Any person maintaining a fire with excessive smoke or noxious odors shall be in violation of the terms of this Section.
 - 4. The area surrounding burner baskets, burner barrels, and open fires shall be kept neat and clean, and free from accumulations of trash, refuse and debris at all times.

5. The disposal of demolition waste is regulated by the Department of Natural Resources under Chapter 260 RSMo. Such waste, in types and quantities established by the Department, shall be taken to a demolition landfill or sanitary landfill for disposal. (Ord. No. 2049 §§5.1–5.2; Ord No. 3039 §250.050, 6-28-93)

SECTION 250.060:PERMITS

- A. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City, without first obtaining an annual permit therefor from the City; provided however, that this provision shall not be deemed to apply to employees of the holder of any such permit.
- B. No such permit shall be issued until and unless the applicant therefor, in addition to all other requirements set forth, shall file and maintain with the Director evidence of a satisfactory public liability insurance policy, covering all operations of such applicant pertaining to such business and all vehicles to be operated in the conduct thereof, in the amount of not less than fifty-thousand dollars (\$50,000.00) for each person injured or killed, and in the amount of not less than three hundred thousand dollars (\$300,000.00) in the event of injury or death of two (2) or more persons in any single accident, and in the amount of not less than twenty-five thousand dollars (\$25,000.00) for damage to property. Such policy may be written to allow the first one hundred dollars (\$100.00) of liability for damage to property to be deductible. Should any such policy be cancelled, the Director shall be notified of such cancellation by the insurance carrier in writing not less than ten (10) days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.
- C. Each applicant for any such permit shall state in his application therefor;
 1. The nature of the permit desire, as to collect, transport, process, or dispose of solid waste or any combination thereof;
 2. The characteristics of solid waste to be collected, transported, processed, or disposed;
 3. The number of solid waste transportation vehicles to be operated thereunder;
 4. The precise location or locations of solid waste processing or disposal facilities to be used;
 5. Boundaries of the collection area; and
 6. Such other information as required by the Director.

- D. If the application shows that the applicant will collect, transport, process or dispose of solid wastes without hazard to the public health or damage to the environment and in conformity with the laws of the State of Missouri and this Chapter, the Director shall issue for a period of one (1) year, and each applicant shall pay therefor a fee to be set by the Board of Aldermen for each solid waste processing or disposal facility to be operated and a fee to be set by the Board of Aldermen for each transportation vehicle to be used. If in the opinion of the Director, modifications can be made to the application regarding service, equipment, or mode of operation, so as to bring the application within the intent of this Chapter, the Director shall notify the applicant in writing setting forth the modification to be made and the time in which it shall be done.
- E. If the applicant does not make the modifications pursuant to the notice in Subsection (D) of this Section, within the time limit specified therein, or if the application does not clearly show that the collection, transportation, processing or disposal of solid wastes will create no public health hazard or be without harmful effects on the environment, the application shall be denied and the applicant notified by the Director, in writing, stating the reason for such denial. Nothing in this Section shall prejudice the right of the applicant to reapply after the rejection of his application provided that all aspects of the reapplication comply with the provisions of this Chapter.
- F. The annual permit may be renewed simply upon payment of the fee or fees as designated by the Board of Aldermen if the business has not been modified. If modifications have been made, the applicant shall reapply for a permit as set forth in Subsections (B) and (C) of this Section. No permits authorized by this Chapter shall be transferrable from person to person.
- G. In order to insure compliance with the laws of this State, this Chapter and the rules and regulations authorized herein, the Director is authorized to inspect all phases of solid waste management within the City of Bloomfield. No inspection shall be made in any residential unit unless authorized by the occupant or by due process of law. In all instances where such inspections reveal violation of this Chapter, the rules and regulations authorized herein for storage, collection, transportation, processing or disposal of solid waste or the laws of the State of Missouri, the Director shall issue notice of each such violation stating therein the violation or violations found, the time and date and the corrective measure to be taken together with the time in which such corrections shall be made.
- H. In all cases, when the corrective measures have not been taken within the time specified, the Director shall suspend or revoke the permit or permits involved in the violation, however, in those cases where an extension of time will permit correction and there is no public health hazard created by the delay, one (1) extension of time not to exceed the original time may be given.
- I. Any person who feels aggrieved by any notice of violation or order issued pursuant thereto of the Director may, within ten (10) days of the act for which redress is sought, appeal directly to the Municipal Court of the City of Bloomfield in writing, setting forth in a concise statement the act being appealed and the grounds for its reversal.

- J. All motor vehicles operating under any permit required by this Chapter shall display the number or numbers on each side in colors which contrast with that of the vehicle, such numbers to be clearly legible and not less than eight (8) inches high. Each permit for processing or disposal facilities shall be prominently displayed at the facility. (Ord. No. 2049 §§6.1–6.10)

SECTION 250.070:RULES AND REGULATIONS

The Director is hereby authorized to make, amend, revoke, and enforce reasonable and necessary rules and regulations, governing, but not limited to:

1. Preparation, drainage, and wrapping of garbage deposited in solid waste containers.
2. Specifications for solid waste containers, including the type, composition, equipment, size and shape thereof.
3. Identification of solid waste containers and of the covers thereof, and of equipment thereto appertaining, if any.
4. Weight limitations on the combined weight of solid waste containers and the contents thereof, and weight and size limitations on bundles of solid waste too large for solid waste containers.
5. Storage of solid waste in solid waste containers.
6. Sanitation, maintenance and replacement of solid waste containers.
7. Schedules of and routes for collection and transportation of solid waste.
8. Collection points of solid waste containers.
9. Collection, transportation, processing and disposal of solid waste.
10. Processing facilities and fees for the use thereof.
11. Disposal facilities and fees for the use thereof.
12. Records of quantity and type of wastes received at processing and/or disposal facilities.
13. Handling of special wastes such as toxic wastes, sludge, ashes, agriculture, construction, bulky items, tires, automobiles, oils, greases, etc.

The City Clerk is hereby authorized to make and promulgate reasonable and necessary rules and regulations for the billing and collection of solid waste collection and/or disposal service charges, as hereinafter provided for.

A copy of any and all rules and regulations made and promulgated under the provisions hereof shall be filed in the office of the City Clerk of the City. (Ord. No. 2049 §7)

SECTION 250.080:PROHIBITED PRACTICES

It shall be unlawful for any person to:

1. Deposit solid waste in any solid waste container other than his own, without the written consent of the owner of such container and/or, with the intent of avoiding payment of the service charge hereinafter provided for solid waste collection and disposal;
2. Interfere in any manner with solid waste collection and transportation equipment, or with solid waste collectors in the lawful performance of their duties as such, whether such equipment or collectors shall be those of the City, or those of a solid waste collection agency operating under contract with the City;
3. Burn commercial or industrial solid waste unless an approved incinerator is provided or unless a variance has been obtained from the appropriate air pollution control agency;
4. Dispose of solid waste at any facility or location which is not approved by the City and the Missouri Department of Natural Resources;
5. Engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City without a permit from the City, or operate under an expired permit, or operate after a permit has been suspended or revoked. (Ord. No. 2049 §8; Ord. No. 3040 §250.080, 6-28-93)

SECTION 250.090:SERVICE CHARGES

- A. It is hereby imposed, for the collection and disposal of solid waste, and for the improvement of the general public health and environment, a service charge for each dwelling unit. The service charge for collection of residential solid waste shall be in the amount of nine dollars (\$9.00) per calendar month. The service and service charge shall be terminated upon presentation of satisfactory proof to the Director that any such dwelling unit or establishment is unoccupied, and shall be commenced upon renewed occupancy thereof.
- B. The system of services established by the provisions of this Chapter hereof is designed as an integral part of the City's health and sanitation, to be operated as an adjunct to the City's system for providing potable water and the City's system for providing sewage

disposal. The City may enforce collection of such charges by bringing proper legal action against the occupant of any dwelling unit to recover any sums due for such services plus a reasonable attorney's fee to be fixed by the Court, plus the cost of such action.

- C. The service charge herein provided for is hereby imposed upon the occupant of each occupied dwelling unit and the billing therefor shall be made to the person contracting for City water and/or sewerage service or for other water service or otherwise providing water service to each such dwelling unit. In the event a dwelling is not serviced by City water and/or sewage service, or any absence of any information that such person is neither the owner nor the tenant of such dwelling unit, in which event billing therefor shall be made to the owner. Service charges shall be payable to the department empowered to collect service charges imposed by the City.
- D. Billing for the service charge shall be contained in the monthly billing for water and sewer service by the City. (Ord. No. 2049 §9; Ord. No. 3029 §250.090, 3-8-93; Ord. No. 3097 §250.090, 7-1-98; Ord. No. 3113 §250.090, 2-14-00)

SECTION 250.100:MAYOR TO ACT AS DIRECTOR

Until further action by the Board of Aldermen, either by ordinance or by resolution, the Mayor shall act as Director of the Solid Waste Management Program of the City of Bloomfield. (Ord. No. 2049 §10)

CHAPTER 255: PUBLIC ACCOMMODATIONS

SECTION 255.010: CITATION OF CHAPTER

This Chapter shall be known as and may be cited as *THE PUBLIC ACCOMMODATIONS CODE*.

(Ord. No. 2025 CC 1981 § 56.010)

SECTION 255.020: POLICY

It is hereby declared to be the policy of this City, in exercise of its licensing and police powers for the preservation of the peace and the protection of health, welfare, and safety of its citizens to prohibit discriminatory practices in places of public accommodation within the City.

(Ord. No. 2025 CC 1981 § 56.020)

SECTION 255.030: DEFINITIONS

As used in this Chapter the following words shall have the prescribed meanings:

COMMISSION: The City Commission on Human Relations as authorized by this Chapter.

PLACES OF PUBLIC ACCOMMODATION: All businesses or enterprises offering, providing, or holding out to the general public, facilities or commodities. (Ord. No. 2025 CC 1981 § 56.030)

SECTION 255.040: DISCRIMINATORY PRACTICES PROHIBITED

Discriminatory practices, are hereinafter defined and established, in places of public accommodation are hereby prohibited and declared unlawful.

1. It shall be a discriminatory practice, directly or indirectly, to deny, refuse or withhold from any person, full and equal accommodation advantages, facilities and privileges in places of public accommodation because of race, color, religious affiliation, sex, ancestry, or national origin.
2. It shall be a discriminatory practice for the owner, lessee, manager, proprietor, concessionaire, custodian, agent or employee of a place of public accommodation within the City to treat any person differently on the sale of a commodity, in the use of a facility or to segregate or require the placing of any person in any separate

section of the premises, or facilities, because of race, color, religious affiliation, sex, ancestry, or national origin.

3. It shall be a discriminatory practice to place, post, maintain, display or circulate, or knowingly cause, permit or allow the placing, posting, maintenance, display or circulation of any written or printed advertisement, notice or sign of any kind or description to the effect that any of the accommodations, advantage or facilities of any place of public accommodation shall be refused, withhold from, or denied to any person because of race, color, religious affiliation, sex, ancestry or national origin, or that the patronage of any person is unwelcome, objectionable, or not accepted, desired or solicited because of race, color, religious affiliation, sex, ancestry or national origin, or that any person is required or requested to use any separate section or area of the premises or facilities because of race, color, religious affiliation, sex, ancestry or national origin.
4. Provided, that nothing in this Section shall be construed to prohibit separate facilities for the two sexes in toilets or restrooms, where a need for privacy outweighs the policy of equal access to places of public accommodation. (Ord. No, 2025, CC 1981 § 56.040)

SECTION 255.050: COMMISSION ON HUMAN RELATIONS--ESTABLISHMENT AUTHORIZED

There is hereby authorized a City Commission on Human Relations, to consist of such members as may be appointed by the Mayor subject to the approval of the Board of Aldermen. The Mayor shall designate the appointee who shall serve as Chairman. Of those first appointed, one-third (1/3) shall be appointed for one-year terms, one-third (1/3) for two-year terms, and one-third (1/3) for three-year terms. All members shall serve a term of three (3) years, except those who are appointed to fill a vacancy occurring during the term of a member. All members shall serve without compensation. (Ord. No. 2025, CC 1981 § 56.050)

SECTION 255.060: COMMISSION ON HUMAN RELATIONS--MEETINGS AND PROCEDURES

The Commission shall fix the time and place of its meetings, and shall , except as herein provided, adopt such other procedures deemed necessary for the successful administration of the provisions and the consummation of the purposes of this Chapter. (Ord. No. 2025, CC 1981 § 56.060)

SECTION 255.070:COMMISSION ON HUMAN RELATIONS--FUNCTION AND DUTIES GENERALLY

The Commission shall act in an advisory capacity to the Mayor and Board of Aldermen, and its functions and duties shall be to foster mutual self respect and to further amicable relations among the various segments of the population with together comprise the City; to help preserve the City's good reputation for tolerance and fair play and promote even better relations among its people; to help make it possible for each citizen, regardless of race, color, religious affiliation, sex, ancestry or national origin, to develop his talents and abilities without limitations; and to assist the community in the fullest realization if its human resources. In order to accomplish the objectives herein set out, the Commission shall advise the Mayor and Board of Aldermen and other officers of the City on problems affecting human and intergroup relations. (Ord. No. 2025, CC 1981 § 56.070)

CHAPTER 260: FAIR HOUSING

SECTION 260.010:DECLARATION OF POLICY

The City Council of the City of Bloomfield hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to see, purchase, lease, rent or obtain real property without regard to race, sex, color, religion, handicap, familial status, or national origin. This Chapter shall be deemed an exercise of the police powers of the City of Bloomfield for the protection of the public welfare, prosperity, health and peace of the people of Bloomfield, Missouri. (Ord. No. 3028 §1, 1-11-93; Ord. No. 3069 §1, 7-8-96)

SECTION 260.020:DEFINITIONS

For the purpose of this Chapter the following terms, phrases, words and their derivations shall have the meanings given herein unless the context otherwise indicates.

AGGRIEVED PERSON: Shall include any person who is attempting to provide housing for himself and/or his family in the City of Bloomfield, Missouri.

DISCRIMINATE: Shall mean distinctions in treatment because of race, sex, color, religion, handicap, familial status, or national origin of any person.

PERSON: Shall include any individual, firm, partnership or corporation. (Ord. No. 3028 §2, 1-11-93; Ord. No. 3069 §2, 7-8-96)

SECTION 260.030:DISCRIMINATORY PRACTICES

It shall be a discriminatory practice and a violation of this Chapter for any person to:

1. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, handicap, familial status, or national origin of any person.
2. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, handicap, familial status, or national origin.
3. Make, print, or publish or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that

indicates any preference, limitation, or discrimination based on race, sex, color, religion, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

4. Represent to any person because of race, sex, color, religion, handicap, familial status, or national origin, that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.
5. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion, handicap, familial status, or national origin.
6. Discriminate in the sale or rental of housing on the basis of a handicap of that buyer or renter; a person residing in or intending to reside in that dwelling after it is sold, rented, or made available; or any person associated with that buyer or renter. The design and construction of new multi-family dwellings containing four (4) or more units is required to meet certain adaptability and accessibility requirements in accordance with Section 804 of the 1988 Fair Housing Amendments Act.
7. Discriminate in the sale or rental of housing on the basis of familial status or because a family has children, exempting certain types of buildings that house older persons (e.g. Section 202 Housing) in accordance with Section 807 of the 1988 Fair Housing Amendments Act. (Ord. No. 3028 §3, 1-11-93; Ord. No. 3069 §3, 7-8-96)

SECTION 260.040:DISCRIMINATION IN THE FINANCING OF A HOUSE

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, or to discriminate against any person in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, handicap, familial status, or national origin of such person or of any person therein associated in connection with such financing. (Ord. No. 3028 §4, 1-11-93; Ord. No. 3069 §4, 7-8-96)

SECTION 260.050:ADMINISTRATION

- A. There is hereby created a Fair Housing Committee whose membership shall consist of five (5) members, who shall be appointed by the Mayor of the City with the approval of the City Council.
- B. Every complaint of a violation of this Chapter shall be referred to a Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known

to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.

- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by conference and conciliation, then and in that event, the Fair Housing Committee shall forward said complaint to the City Attorney for handling. The final determination of whether to prosecute in Municipal Court on said complaint shall be left to the City Attorney.
- D. Nothing in this Chapter shall be construed in such a manner as to limit administrative enforcement mechanisms and recourse against alleged discriminatory housing practices through the U.S. Department of Housing and Urban Development, as specified under Section 810 of the Fair Housing Act as amended effective March 12, 1989, or through the Missouri Commission on Human Rights, as specified in applicable State Statutes. (Ord. No. 3028 §5, 1-11-93; Ord. No. 3069 §5, 7-8-96)

SECTION 260.060:ENFORCEMENT

- A. Any person convicted in Municipal Court of a violation of this Chapter shall be punished by a fine of not more than five hundred dollars (\$500.00) or by confinement in the City Jail for not more than ninety (90) days, or both such fine and imprisonment.
- B. The City Attorney, instead of filing a complaint in the Municipal Court of said City, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri. (Ord. No. 3028 §6, 1-11-93; Ord. No. 3069 §6, 7-8-96)