

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LOWRY CITY, MISSOURI:**

**Section 1.     Short Title. This Ordinance shall be known and may be cited as the “Offenses Ordinance of the City of Lowry City.”**

**Section 2.     Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in singular number include the plural number. The word “shall” is always mandatory and not merely directory.**

- 1) “City” is the City of Lowry city.**
- 2) “Barbiturate and other hypnotic or somnifacient drugs” includes the salts and derivatives of barbituric acid, also known as malony-urea, having hypnotic or somnifacient action, and compounds, preparations, and mixtures thereof. The term also includes amytal, veronal, barbital, acid diethylbarbituric, or any salts, derivatives, compounds, preparations, and mixtures thereof having hypnotic or somnifacient action. The term also includes para-amino-benzene sulfonamide, sulfanilamide, sufamidyl, prontylin, prontosil, neo prontosil, neo protylin edimalin, sulfonamide, or salts, derivatives, compounds, preparations and mixtures thereof. The term also includes any registered, trademarked, or copyrighted preparation or compound registered in the United States Patent Office containing more than one grain of the avoirdupois or fluid ounce of a substance within its definition.**
- 3) “Narcotic Drug” includes opium, coca leaves, Demerol, and the several alkaloids derived there from, the best known of these alkaloids being morphia, heroin, and codeine, obtained from opium and cocaine derived from the coca plant; and all compounds, salt, preparations, or other derivatives obtained either from the raw materials or from the various alkaloids of opium, coca leaves, and Demerol. The term “narcotic drug” also includes India hemp and its various derivatives, compounds, and preparations, and peyote in its various forms, Demerol in its derivative, compounds, salts, and preparation. The term “narcotic drug” also includes marihuana, being a product of the plant Cannabis sativa L. and any preparation of derivative of the fibers of the plant Cannabil sativa L. “Narcotic drug” also includes**

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

opiates which are drugs known to have addiction forming or addiction-sustaining liability similar to morphine, and the term :opiates: shall include by way of example, but not by way of limitation, the drugs Amidone, Isoamidone, and Keto-Bemidone, and Tropacocaine Hydrochloride, a synthetic narcotic drug.

- 4) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

**Section 3.     Offenses Against Public Peace. No person in the City shall:**

- 1) **Tumultuous Conduct.** Disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control.
- 2) **Assault.** Beat, strike, wound, imprison, or inflict violence on another where the circumstances show malice or assault another with intent to commit murder, rape, mayhem, robbery, or larceny. Nor shall any person assault another with a lethal weapon, instrument, or thing with intent to commit upon the person of another any bodily injury where no provocation appears or where the circumstances of the assault show malice.
- 3) **Fighting.** Fight another person except in boxing exhibitions duly authorized and licensed under law.
- 4) **Other.** Have the status or condition of any of the following. The following persons shall be deemed violators of the peace:
  - a. **Loitering.** Any person found loitering or strolling in, about, or upon any street, alley, or other public way or public place, or 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 or conducting himself in a lewd, wanton or lascivious manner in speech or behavior.
  - b. **Burglar's Tools.** Any person upon whose person or in whose possession shall be found any instrument, tool, or other implement for picking locks or pockets, or any implement that is usually employed or that reasonably may be inferred to have been designed to be employed in the commission of any felony, misdemeanor or the violation of any ordinance, and who shall fail to account satisfactorily for the possession of the same.
  - c. **Unlawful Occupancy.** Any person wandering abroad and occupying, lodging, or sleeping in any vacant or unoccupied, barn,

## **ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

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 satisfactory account of himself.

- d. **Begging.** Any person wandering abroad and begging; or any person who goes about 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 himself.
- e. **Illegal Association.** Any person who keeps, operates, frequents, lives in, or is employed in any house or other establishment of ill fame, or who (whether married or single) engages in or commits acts of fornication or perversion for hire.
- f. **Illegal Employment.** Any person who frequents or loafs, loiters, or idles in or around or is the occupant of or is employed in any gambling establishment or establishment where intoxicating liquor is sold without a license.
- g. **Fraudulent Schemes.** Any person who shall engage in any fraudulent scheme, device, or trick to obtain money or other valuable thing from others; or any person who aids or assists such trick, device or scheme.
- h. **Concealing Stolen Property.** Any person who keeps a place where stolen property is concealed.
- 5) **Unlawful to Disturb Religious Worship.** Disquiet or disturb any congregation or assembly for religious worship by making a noise or by rude or indecent behavior, or profane discourse within their place of worship, or so near the same as to disturb the order or solemnity of the meeting.

**Section 4. Offenses Against Public Safety.** No person in the City shall:

- 1) **Narcotics.**
  - a. **Unlawful Possession.** Sell, give, use or possess for any purpose whatever any narcotic drug, except as provided herein.
  - b. **Unlawful Association.** Establish, contribute to, support, maintain, become an inmate of, or in any way be connected with any building or part thereof, or place of any description whatever, or permit such building or part thereof, or place of any description whatever owned by or under the control of such person to be used for the manufacture, preparation, sale, storage, smoking, or use of any narcotic drug, except as herein provided.

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- c. **Distribution by Licensed Practitioners.**
  - c-1 **Physicians.** A licensed physician, dentist, or veterinary surgeon shall be permitted to dispense or distribute narcotic drugs to a patient in the course of his professional practice only, and such licensed practitioner shall not be permitted to possess narcotic drugs for any other purpose.
  - c-2 **Pharmacists.** A licensed pharmacist shall be permitted to dispense or distribute narcotic drugs to patients under and in pursuance of written prescriptions issued by any licensed physician, dentist, or veterinary surgeon, and such licensed pharmacist shall not be permitted to possess narcotic drugs for any other purpose.
  - c-3 **Record of Distribution.** All instances of professional distribution of narcotic drugs as provided for herein shall be recorded in suitable form and filed and preserved in a manner so as to be readily accessible for inspection by any law enforcement officers of the City.
  - c-4 **Renewal Prohibited.** No prescription for narcotic drugs shall be renewed.
- d. **Possession by Patients.** Any patient shall be permitted to possess narcotic drugs distributed or dispensed to him under the provisions of this sub-section, but such possession and use must be in accordance with the terms of the prescription and prescribed treatment.
- e. **Possession by Manufacture.** A person who is a licensed manufacturer or wholesaler of narcotic drugs shall be permitted to possess narcotic drugs for the purposes of wholesale delivery, compounding, preparation, and manufacture only, and the same shall only be resold to other persons permitted by this subsection to resell, or dispense or distribute narcotic drugs in the course of a licensed manufacturing or wholesale, a licensed professional practice, or a licensed pharmaceutical business.
  - e-1 **Pharmacist as Manufacturer.** A licensed manufacturer or wholesaler permitted to possess narcotic drugs in subsection (e) above may also be a licensed pharmacist and may dispense or distribute narcotic drugs upon written prescription as provided herein, but shall not consume or permit to be consumed any narcotic drug except upon written prescription as herein provided.
- f. **Seizure of Narcotic Drugs.** All narcotic drugs in the possession of any person convicted of a violation of this subsection, shall be

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

seized by, confiscated by, and forfeited to the Chief of Police who shall make proper disposition thereof.

- g. **Seizure of Vehicle.** Any vehicle from which seized drugs are removed, the vehicle being owned by the person convicted of a violation of this sub-section, shall be seized by, confiscated by, and forfeited to the Chief of Police in the name of the City and Subsequently sold at public auction to the highest bidder by the Chief of Police in the manner provided by law.
- h. **Exempted Preparations.** This sub-section shall not apply to the administering or distributing or dispensing of any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation in one avoirdupois ounce, not more than one grain of codeine or any of its salts. Provided, that the preparation administered or distributed or dispensed shall contain some drug or drugs of medicinal qualities in addition to those possessed by the narcotic drug alone. Such preparation shall be administered, or distributed or dispensed in good faith and not for the purpose of evading this sub-section. However, no person shall administer, dispense, or sell, under the exemption of this section, any preparation included in this sub-section, when he knows, or can by reasonable diligence ascertain, that such administering, dispensing, or selling will provide the person to whom or for whose use such preparation is administered, dispensed, or sold, within any forty-eight (48) consecutive hours, with more than four (4) grains of codeine or any of its salts.
- i. **Exempted Persons.** The provisions of this subsection restricting the possession and control of narcotic drugs shall not apply to common carriers or warehousemen, engaged in lawfully transporting or storing such narcotic drugs, or to any employee of such common carriers or warehousemen within the scope of his employment, or to public officers or employees in the performance of official duties requiring possession or control of narcotic drugs, or to persons aiding such officers or employees in performance of such duties.
- 2) **Barbiturates and Other Hypnotic or Somnifacient Drugs.**

  - a) **Unlawful Possession.** Sell, give away, use or possess for any purpose whatever any barbiturates and other hypnotic or somnifacient drugs, except as provided herein.
  - b) **Unlawful Association.** Establish, contribute to, support, maintain, become an inmate of, or in any way be connected

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

with any building or part thereof, or place of any description whatever, or permit such building or part thereof, or place of any description whatever owned by or under the control of such person to be used for the manufacture, preparation, sale, storage, smoking, or use of any barbiturates and other hypnotic or somnifacient drugs, except as provided herein.

**c) Distribution by Licensed Practitioners.**

**c-1 Physicians.** A licensed physician, dentist, or veterinary surgeon shall be permitted to dispense or distribute barbiturates and other hypnotic or somnifacient drugs to a patient in the course of his professional practice only, and such licensed practitioner shall not be permitted to possess barbiturates and other hypnotic or somnifacient drugs for any other purpose.

**c-2 Pharmacists.** A licensed pharmacist shall be permitted to dispense or distribute said drugs to patients under and in pursuance of written prescriptions issued by any licensed physician, dentist, or veterinary surgeon, and such licensed pharmacist shall not be permitted to possess barbiturates and other hypnotic or somnifacient drugs for any other purpose.

**c-3 Record of Distribution.** All instances of professional distribution of barbiturates and other hypnotic or somnifacient drugs as provided for herein shall be recorded in suitable form and filed and preserved in a manner so as to be readily accessible for inspection by any law enforcement officer of the City.

**c-4 Renewal Prohibited.** No prescription for barbiturates and other hypnotic or somnifacient drugs shall be renewed.

**d) Possession by Patients.** Any patient shall be permitted to possess barbiturates and other hypnotic or somnifacient drugs distributed or dispensed to him under the provisions of this sub-section, but such possession and use must be in accordance with the terms of the prescription and prescribed treatment.

**e) Possession by Manufacturer.** A person who is a licensed manufacturer or wholesaler of barbiturates and other hypnotic or somnifacient drugs for the purposes of wholesale delivery, compounding, preparation, and manufacture only, and the same shall only be resold to other persons permitted by this sub-section to resell, or dispense or distribute barbiturates and

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

other hypnotic drugs in the course of a licensed manufacturing or wholesale, a licensed professional practice, or a licensed pharmaceutical business.

**e-1 Pharmacist as Manufacturer.** A licensed manufacturer or wholesaler permitted to possess barbiturates and other hypnotic drugs in sub-section (e) above may also be a licensed pharmacist and may dispense or distribute barbiturates and other hypnotic drugs upon written prescription as provided herein, but shall not consume or permit to be consumed any barbiturates and other hypnotic drug except upon written prescription as herein provided.

- f) Seizure of Barbiturates and Other Hypnotic or Somnifacient Drugs.** All barbiturates and other hypnotic or somnifacient drugs in the possession of any person convicted of a violation of this sub-section, shall be seized by, confiscated by, and forfeited to the Chief of Police who shall make proper disposition thereof.
- g) Seizure of Vehicle.** Any vehicle from which seized drugs are removed, the vehicle being owned by the person convicted of a violation of this sub-section, shall be seized by, confiscated by, and forfeited to the Chief of Police in the name of the City and Subsequently sold at public auction to the highest bidder by the Chief of Police in the manner provided by law.
- h) Exempted Persons.** The provisions of this sub-section restricting the possession and control of barbiturates and other hypnotic or somnifacient drugs shall not apply to common carriers or warehousemen, engaged in lawfully transporting or storing such barbiturates and other hypnotic or somnifacient drugs, or to any employee of such common carriers or warehousemen within the scope of his employment, or to public officer or employees in the performance of official duties requiring possession or control of barbiturates and other hypnotic or somnifacient drugs, or to person aiding such officers or employees in performance of such duties.
- i) Exempted Preparations.** This sub-section shall not apply to any compound, mixture, or preparation containing salts or derivatives of any barbiturate or other hypnotic or somnifacient drug to cause it to produce an action other than its hypnotic or somnifacient action; or,

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- i-1 Such compound, mixture, or preparation contains a sufficient quantity of another drug or drugs, in addition to the barbiturate or other hypnotic or somnifacient drug to cause it to produce an action other than its hypnotic or somnifacient action; or,
- i-2 Such compound, mixture, or preparation is intended for use as a spray or gargle or for external application and contains, in addition to such salts or derivatives, some other drug or drugs rendering it unfit for internal administration.
- 3) **Intoxicating Liquors.** No person without a current City license, within the City shall:
- a) **Sale.** Manufacture for sale or gift, sell or keep for sale any intoxicating liquors, or sell any intoxicating liquors to another, or permit another to keep for sale any intoxicating liquors or sell any intoxicating liquors on any premises owned or controlled by him or it.
- b) **Accepting Orders.** Solicit or take any order or orders for any purchase or purchases of intoxicating liquors in any manner whatsoever, except as in this Ordinance provided.
- c) **Handling.** Carry on or about his person, or engage or employ any other person to so carry, in any quantity, any intoxicating liquors for the purpose of selling, bartering, exchanging, giving away, or illegally delivering the same in the City.
- d) **Search and Seizure.** Any officer having personal knowledge or reasonable information that intoxicating liquors are being kept in violation of law in any place, shall search such suspected place, and if such officer or person finds upon the premises intoxicating liquors he shall seize the same, together with the vessels in which they are contained, and all implements and furniture used in connection with such liquors in the illegal keeping, bargaining, selling, exchanging, giving away or carrying the same, on any wagon, automobile, vehicle, contrivance, thing or device used in conveying said liquors or kept for the purpose of violating any of the provisions of this Ordinance, and shall arrest any person or persons in charge of such place, or aiding in any manner in carrying on the business conducted in such place.
- d-1 **Exception for Residence.** Sub-section (d) above shall not apply to a private residence kept as such unless it or some



**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

part of it is used in connection with or as a store, shop, hotel, boarding-house, rooming-house or place of public resort.

- e) **Destruction of Property.** If any intoxicating liquors are found or seized, the same and the vessels in which they are contained shall be kept by the officers, and, upon conviction in such proceedings, the judgment shall find such liquors to be unlawful and shall direct their destruction.
  - f) **Loss of Property Rights.** There shall be no property rights of any kind whatsoever in any liquors, vessels, appliances, fixtures, furniture, implements, automobiles, vehicles, or any other things or devices used or kept for the purpose of violating any of the provisions of this Ordinance; and any appliances, fixtures, furniture, implements, wagons, automobiles, vehicles, contrivances or other things or devices used and seized shall be ordered disposed of, as personal property and sold under execution, and the proceeds thereof shall be applied first in the payment of the costs of the prosecution and of any fine imposed, and the balance, if any paid into the general funds of the City.
- 4) **Weapons.**
- a) **Carrying Concealed Weapons.** Wear under his clothes, or conceal about his person, or display in a threatening manner, any dangerous or deadly weapon including, but not by way of limitations, any pistol, revolver, sling shot, cross-knuckles, or knuckles of lead, brass, or other metal, or any bowie knife, or any knife resembling a bowie knife, or any knife with a switch-blade or device whereby the blade or blades can be opened by a flick of a button, pressure on the handle, or other mechanical contrivance.
  - b) **Sale of Switch-Blade Knives Prohibited.** Sell, offer for sale, or display any knife or knives having the appearance of a pocket knife, the blade or blades of which can be opened by a flick of a button, pressure on the handle, or other mechanical devices. Such knife is hereby declared to be a dangerous or deadly weapon within the meaning of sub-section (a) above, and shall be subject to forfeiture to the City as herein provided.
  - c) **Possession of Dangerous or Deadly Weapons.** Have in his possession, except within his own domicile, or carry or use, a revolver or pistol of any description, shotgun, or rifle which

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

may be used for the explosion of cartridges, or any air-gun, "B-B gun," gas operated gun or spring gun, or any instrument, toy or weapon commonly known as a "peashooter," "slingshot," or "beany," or any bow made for the purpose of throwing or projecting missiles of any kind by any means whatsoever, whether such instrument is called by any name set forth above or by any other name.

**c-1 Exception for Licensed and Other Specific Premises.** The prohibition of sub-section © above shall not apply to licensed shooting galleries or in private grounds or premises under circumstances when such instrument can be fired, discharged or operated in such a manner as not to endanger persons or property, and also in such manner as to prevent the projectile from traversing any grounds or space outside the limits of such gallery, grounds or residence; and further provided, that nothing herein contained shall be construed to prevent the concealed carrying of any type of gun whatsoever when unloaded and properly cased, to or from any range or gallery or to or from an area where hunting is allowed by law.

**c-2 Exception for Authorized Officials.** The prohibition of this sub-section shall not be construed to forbid United States Marshals, Sheriffs, Constables, and their deputies, and any regular, special, or ex-officio police officer, or any other law enforcement officer from carrying or wearing, while on duty, such weapons as shall be necessary in the proper discharge of their duties.

**d) Display and Sale of Specified Weapons.** No pawnbroker, second-hand dealer or other person engaged in business in the City shall display or place on exhibition in any show window or other window facing upon any street, any pistol, revolver, or other firearm, with barrel less than twelve (12) inches in length, or any brass or metal knuckles, or any club loaded with lead or other weight, or any black-jack or bill club.

**e) Sales to Intoxicated Persons and Minors.** Purchase from, or sell, loan, or furnish any weapon in which any explosive substance can be used to, any person under the influence of alcohol or any narcotic drug, stimulant, or depressant, or to any person in a condition of agitation and excitability, or to a minor under the age of 21 years.

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

f) **Records Required.** Every second-hand dealer, pawn-broker, or other person engaged in the sale, rental, or exchange of any weapons described in sub-sections (a) and (d) above shall keep a record of each such weapon purchased, sold, rented, or exchanged at retail.

f-1 **Time of Recordation.** The record required hearing shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom such weapon is sold or from whom such weapon is purchased; his or her age; physical description, occupation, residence, and, if residing in a municipality, the street and number where he or she resides; the make, caliber, and finish of the firearm, together with the number or serial letter thereof, if any; the date of the purchase, sale, rental, or exchange of such weapon; and the name of the employee or other person making such purchase, sale, rental, or exchange.

f-2 **Report to Chief of Police.** Every second-hand dealer, pawnbroker, or other person engaged in the sale, rental, or exchange of any weapons described in sub-sections (a) and (d) above shall deliver daily reports to the Chief of Police of every such purchase, sale, loan, or gift. The report shall be on forms provided by the Chief of Police and shall set forth the name in full, the residence, age and physical description, and the occupation of the person to whom or from whom such gun, pistol, firearm or other dangerous or deadly weapon has been purchased, sold, loaned, or given.

g) **Forfeiture of Weapons.** Every person convicted of a violation of this sub-section shall forfeit to the city such dangerous or deadly weapon so concealed or displayed.

h) **Disposition of Confiscated Weapons.** Every police officer, upon making any arrest and taking a weapon used in violation of this Ordinance, shall hold the same to be held by him until the final determination of the prosecution for said offense; and upon the finding of guilt, it shall then be the duty of the judge to deliver said weapon forthwith to the Chief of Police who shall make disposition of the weapon.

5) **Report of Treatment of Wounds.** Every physician or surgeon duly admitted to the practice of medicine or surgery in the State of Missouri, whenever he shall treat any person in the City for a

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

wound inflicted by a dangerous or deadly weapon of any kind, shall notify the City Police Department within one hour of the time when he renders such professional service, or is called upon to render the same.

- 6) **Possession of Burglars' Tools.** Possess any nippers known as burglars' nippers, an pick lock, skeleton key, key to be used with bit or bits, jimmy, or any other burglars' instruments or tools of whatever kind or description, unless it be shown that such possession is innocent or for lawful purposes.
- 7) **Throwing of Missiles.** Throw any stone, snowball or other projectile at any vehicle, building, tree, or other public or private property, or upon or at any person in any public or private way or place or enclosed or unenclosed ground.
- 8) **Ball playing.** Throw, kick, or knock any ball, or play ball in any other manner upon any public street, alley or sidewalk.
- 9) **Fireworks.** **Repealed by ordinance 09-08 on 9/15/2009**  
**APPROVED BY UNANIMOUS VOTE OF COUNCIL September 15, 2009.**
- 10) **Swimming and Bathing in Public Waters.** Swim or bathe in the waters of any Lake or any Creek within the limits of the City where posted against swimming or bathing.
  - a) **Indecent Exposure.** Swim or bath in water in the City where such conduct is allowed unless wearing a bathing suit or other suitable garment to protect his person from exposure.

**AMENDMENT TO ORDINANCE # 8003, SEC. 4, SUB-SEC. (11)**

**Said sub-section (11) to be replaced by the following:**

**APPROVED BY UNANIMOUS VOTE OF COUNCIL AUGUST 11, 1992, TO-WIT:**

- 11) **Burning Regulation.** No person shall kindle, set fire to, or burn any combustible material within the city limits of the City of Lowry City with the exception of lawn debris, i.e.: tree limbs, brush, leaves, grass clippings, etc. Any person so burning any such material shall continuously attend and observe the same while burning so as to prevent any fire from spreading or causing any damage to property or nuisance to other persons. No burning shall be within ten feet of the boundary line of any adjoining property. Such material shall be burned between the hours of 7:00 a.m. and 7:00 p.m. The Fire Department or City of Lowry City shall be notified of any such controlled burn to be conducted.

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- 12) **False Alarm of Fire or Need for Police or Ambulance Assistance.** Intentionally make, turn in, or give a false alarm of fire, or of need for police or ambulance assistance, or aid or abet in the commission of such act.
- 13) **False Report of Crime.** Make to, or file with, the Police Department of the City any false, misleading, or unfounded statement or report concerning the commission or alleged commission of any crime occurring within the City.
- 14) **Interference with Police Department.**
- a) **Resisting Officer.** Resist any police officer, any member of the Police Department, or any person duly empowered with police authority, including the Mayor or City Attorney, while in the discharge or apparent discharge of his duty, or in any way interfere with or hinder him in the discharge of his duty.
  - b) **Assisting in Escape.** Offer or endeavor to assist any person in the custody of a police officer, a member of the Police Department or a person duly empowered with police authority to escape or to attempt to escape from such custody.
  - c) **Impersonating an Officer.** No person, other than an official police officer of the City, shall wear or carry the uniform, apparel, badge, identification card or any other insignia of office like or similar to, or a colorable imitation of that adopted and worn or carried by the official police officers of the City.
- 15) **Escape of Prisoners.**
- a) **Assisting in Escape of Prisoners.** Make available to, present to, or place within the reach of, any person confined under authority of the City any intoxicating or malt liquors, or any tool, implement, or other thing calculated to aid in the escape of such person so confined or any other person confined under authority of the City.
  - b) **Aiding Escapees.** Assist or aid, or attempt to assist or aid any person in the custody of or confined under the authority of the City to escape from any place of confinement, or custody.
- 16) **Registration of Convicted Persons.** Every person who, within two years prior to the effective date of this Ordinance has been convicted of a felony under the laws of the United States, of the State of Missouri or of any other State, or any other Government or Country, or who has violated any national or state law relating to the possession, sale, or transportation of any narcotic, and who is residing in the City on the effective date of this Ordinance or

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

who comes into the City from any point outside the City, whether in transit through the City or otherwise, shall report to the Chief of Police of the City within five days of the effective date of this Ordinance if residing in the City on said effective date or within forty-eight (48) hours after his arrival within the City if coming into the City after said effective date, and shall furnish to the Chief of Police a written statement signed by such person, giving the following information.

- i) His true name and all aliases which he has used or under which he may have been known.
- ii) A full and complete description of his person.
- iii) The kind, character and nature of each crime of which he has been convicted.
- iv) The place where such crime was or crimes were committed and the place of conviction of the same.
- v) The name under which he was convicted in each instance and date thereof.
- vi) The name, if any, and the location of each prison, reformatory, jail or other penal institution in which he was confined or to which he was sentenced.
- vii) The location and address of his residence, stopping place, living quarters or place of abode in the City; if he has more than one residence, stopping place, or place of abode, that fact must be stated and the location and address of each given.
- viii) A statement of the kind of residence, stopping place or place of abode in which he resides, whether the same is temporary or permanent, i.e., whether the same is a private residence, hotel, apartment house, or other building or structure.
- ix) The length of time he has occupied each such place of residence, stopping place or place of abode, and the length of time he expects or intends to remain in the City.
- x) Such other information as the Chief of Police shall find reasonably necessary to carry out the intent of this subsection.
  - (a) Full Parolees Excepted. This sub-section shall not be construed to apply to any person who has received a full pardon for each crime whereof he shall have been convicted, or who has been

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

discharged from parole or who received a suspended imposition of sentence.

- (b) **Photographs and Fingerprints.** At the time for furnishing such information as required above, the person registering may be photographed and fingerprinted by the Chief of Police and photographs and fingerprints shall be made a part of the permanent record herein provided for.
- (c) **False Information.** It shall be unlawful for any person required by any provision of this Ordinance to furnish any such report, to furnish in such report any false or fictitious address, or any address other than a true address or intended address, or to furnish in making any such report any false, untrue, or misleading information or statement relating to any information required by any provision of this Ordinance to be made or furnished.
- (d) **Records Confidential.** The statements herein required shall at all times be kept by the Chief of Police in a file or files separate and apart from other files and records maintained and kept by the Police Department of the City and shall not be open to inspection by the public or by any person other than a regular member of the Police Department of the City and City Attorney.
- (e) **Records Available to Police Officials.** The Chief of Police shall have the authority to transmit copies of records required herein to the sheriff of any county of the State, to the head of any organized police department of any municipality in the State, or to the head of any Federal law enforcement agency, or to any sheriff or chief or police of a municipality, or to the head of any other law enforcement agency of any state in any sate or territory outside of the State, when request is made in writing by such sheriff or other head of a law enforcement agency asking for the record of a certain person named therein, and stating that such record is deemed necessary for the use of such law enforcement officer or agency for the investigation of any crime, or any person who is

## ORDINANCE NO. 8003 - A

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

accused of committing a crime, or any crime which is reported to have been committed, and further stating that the record will be used only for such purpose.

- (f) **Disclosure of Information Illegal.** It shall be unlawful for any police officer or employee of the Police Department to disclose to any person any information contained in a statement required hereunder, except as provided herein.

- 17) **Hitchhiking.** Hitchhike, “thumb rides” or go upon the public streets and highways for the purpose of soliciting free transportation.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF LOWRY CITY, MISSOURI, THAT ORDINANCE 8003-A, SECTION 5, SUBSECTION 1, ADOPTED MARCH 10, 1980 IS HEREBY AMENDED TO READ AS FOLLOWS:**

**Adopted this 20<sup>th</sup> day of May, 2008.**

**John Neuenschwander, Mayor**

### **Section 5. Offenses Against Public Health and Safety Nuisances on Private Property**

- 1) **Definition of “Nuisance.”** For the purpose of this Ordinance the term “Nuisance” as herein defined shall mean any condition or use of premises or of building exteriors, which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such properties are located. This includes but is not limited to the keeping or depositing on, or the scattering over the premises of any of the following:
  - a) Lumber, junk, trash, or debris.
  - b) Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers.
  - c) Permitting any weeds such as jimson, burdock, ragweed, thistle, cocklebur, or other weeds of like kind found growing on any lot or tract of land in the City, and it shall be unlawful for anyone to permit such weeds, grass or plants, other than trees, bushes, flowers, or other ornamental plants, to grow to a height exceeding twelve (12) inches anywhere in the city; any such plants or weeds exceeding such heights are hereby declared to be a nuisance.
- 2) **Duty of Maintenance of Private Property.** No person, owning, leasing, occupying or having charge of any premises shall maintain or keep any



**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- nuisance thereon, as herein described, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located.
- 3) **Exterior Storage of Non-Operating Vehicles Prohibited.** No person in charge of or control of premises, whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, wrecked, junked, discarded or otherwise non-operating motor vehicle to remain on such property longer than ten (10) days, and no person shall leave any such vehicle on any property within the City for a longer time than ten (10) days except that this section shall not apply with regard to any vehicle in an enclosed building or so located on the premises as not to be readily visible from any public place or from any surrounding private property. This Ordinance shall further not apply with regard to any vehicle on the premises of a business enterprise, operated in a lawful place, other than in a residential district, and operated in a lawful manner when the keeping or maintaining of such vehicle(s) is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the City or any other public agency or entity.
- 4) **Notice to Destroy, Remove or Remedy.** The **City Health Inspector** is hereby authorized and empowered to notify, in writing, the owner, lessee, mortgagee, agent and all other persons having an interest in the building, residence tenements, land or structure shown by the land records of the City, to cut, destroy and/or remove any noxious weeds, grass or dirt unhealthful growths or any other noxious matter, including junk, metal, wood scraps, trash, garbage or other waste materials or any other unsightly condition that may be growing lying, or located on such owner's property or upon the sidewalk abutting same. Such notice shall be by Certified Mail addressed to said owner, occupant, lessee, mortgagee, agent or other person having an interest in said land(s) or structure(s), at his last known address as shown by the Tax Records of the City of Lowry City, Missouri.
- a) Notice shall be given by Certified Main or by personal service; but if service cannot be had by either of those modes of service, then service may be had by publication as provided by law.
- b) Any owner or agent so notified, failing, neglecting or otherwise refusing to cut, destroy or remove weeds, grass or unhealthful growth or other noxious matter, junk, metal, wood scraps, trash, garbage or other waste materials or to remedy such unsightly condition that may be growing, lying or located upon such owner's property, or upon the sidewalk abutting same within ten (10) days after receipt of such notice, or upon

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

completion of publication on those cases in which Service of Notice is ineffective by Certified Mail or personal service, the owner or agent shall be in violation of this section and subject to the penalties hereinafter provided.

- c) Upon being so notified, if the owner, occupant, lessee, mortgagee, agent or other person having interest in said building or lands, shall commence the work to recondition or remedy the condition within the time specified herein.
  - d) Upon failure to proceed continuously with the work, without unnecessary delay, the city **Health Inspector** shall be called and have a full and adequate hearing upon the matter, giving the affected parties at least ten (10) days written notice of the hearing. Any party may be represented by Counsel and all parties shall have an opportunity to be heard. After the hearing, if the evidence supports finding that the building, structure or lands are a nuisance or detrimental to the health, safety or welfare of the residents of this City, an Order that the building, structure or land be demolished, removed or repaired, or the nuisance abated shall be issued.
  - e) If the City Health Inspector issues an Order whereby the building, lands or tenements are to be demolished, repaired, or the nuisances remedied, or the property cleaned up, and if the owner fails to remedy the condition as set forth in the Order, the city Health Inspector shall proceed to remedy the condition and the cost of the performance shall be certified by the City Clerk or officer in charge of finance who shall cause a special tax bill or assessment therefore against the property to be prepared and collected by the city Collector against the property to be prepared and collected by the City Collector or other official collecting taxes unless the building or structure is demolished, secured or repaired by a contractor pursuant to an Order issued by the City and such contractor files a Mechanic's Lien against the property where the dangerous building was located. The contractor may enforce this lien as provided in Section 429.010 to 429.360 RSMo.
- 5) **Penalties.** Any person convicted of violating any provision of this Ordinance shall be fined not less than twenty-five dollars (\$25.00) nor more than One Hundred and 00/100 Dollars (\$100.00) for the first violation or upon subsequent violation(s) shall be subject to a fine of not less than seventy-five dollars (\$75.00) nor more than Three Hundred and 00/100 Dollars (\$300.00), plus legal fees and court costs.

**2.)Paraffin Containers.** No person in the City shall sell or offer to sell any confection, candy, liquid or other refreshment in wax or paraffin containers, or

## ORDINANCE NO. 8003 - A

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

other containers which when discarded upon a sidewalk or street will create a waxy, oily or greasy condition.

### **3.) Stench Bombs.**

- a) **Throwing or Depositing.** No person in the City shall throw, drop, pour, deposit or discharge, upon the person or property of another any liquid gaseous or solid substance which is injurious to person or property, or which is nauseous, sickening, irritating or offensive to any of the sense with intent to wrongfully injure, molest, discomfort, discommode or coerce another in the use, management, conduct or control of his person or property. No person shall attempt, or aid in the attempt or commission of any of these prohibited acts.
  - b) **Possession Prohibited.** No person in the City shall manufacture or prepare or have in his possession or under his control, any liquid, gaseous or solid substance or matter of any kind which is in furious to person or property, or which is nauseous, sickening irritating or offensive to any of the senses, with the intent to use the same in violation of section (a) or with intent that the same shall be used in violation of sub-section (a) above. The possession or control by any person of any such liquid, gaseous or solid substance or matter shall be deemed prima facie evidence of intent to use the same or cause the same to be used in violation of sub-section (a) above.
  - c) **Excepted Uses.** The prohibition of sub-sections (a) and (b) above shall not apply to police officers acting in line of duty or to proprietors of business places or their employees using such substances for the protection of their property and their business places when the substances referred to herein are kept solely for the purpose of repelling robbers, thieves, murderers or other law violators.
- 2) **Expectoration.** No person in the City shall expectorate and “spit” upon any sidewalk, street, floor in public buildings or upon any other public place.

**Section 6. Offenses Against Property.** No person in the City shall:

### **1) Against Public and Private Property.**

- a) **Injury or Removal.** Willfully, maliciously, wantonly, negligently or otherwise injure, deface, destroy or remove real property or improvements thereto, or moveable or personal property, belonging to the City or to any person in the City.
- b) **Scattering Rubbish.** Throw or permit to be deposited or scattered upon any sidewalk, alley, street, bridge or public passageway, or upon any private property, any waste or other material of any kind.

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- c) **Posting Notices.** Fasten in any way any show card, poster or other advertising device upon public or private property in the City unless legally authorized to do so.
- 2) **Against Public Property.**
  - a) **Tampering.** Tamper with, injure, deface, destroy or remove any sign, notice, marker, fire-alarm box, fire-plug, topographical survey monument or any other personal property erected or placed by the City.
  - b) **Obstructing Passageways.** Place or erect upon public way or passageway to any building an obstruction of any type, provided that this sub-section shall not prevent the duly authorized or required placing of temporary barriers or warning signs for the purpose of safeguarding the public.
  - c) **Removal of Earth.** Move, disturb, or take any earth, stone or other material from any public street, alley, park or other public ground.

**Section 7. Offenses Involving Morals.** No person in the City shall:

- 1) **Prostitution.**
  - a) **Committing.** Commit or offer or agree to commit a lewd act or an act of prostitution or moral perversion, as defined by State statute.
  - b) **Securing.** Secure or offer another for the purpose of committing a lewd or an act of prostitution or moral perversion.
  - c) **Frequenting.** Be in or near any place frequented by the public, or any public place, for the purpose of inducing, enticing, or procuring another to commit a lewd act or an act of prostitution or moral perversion.
  - d) **Meretricious Display.** Make a meretricious display in or near any public place, any place frequented by the public, or any place open to the public view.
  - e) **Transportation.** Knowingly transport any person to any place for the purpose of committing a lewd act or an act of prostitution or moral perversion.
  - f) **Permitting.** Knowingly receive, or offer or agree to receive any person into any place or building for the purpose of performing a lewd act, or an act of prostitution or moral perversion, or to knowingly permit any person to remain in any place or building for any such purpose.
  - g) **Directing.** Direct or offer to direct any person to any place or building for the purpose of committing a lewd act or act of prostitution or moral perversion.
  - h) **Aiding.** Aid, abet, allow, permit, or participate in the commission of any of the acts prohibited in sub-sections (a) through (g) above.
- 2) **Lodging Accommodations.**

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- a) **Registration Under Fictitious Name.** Write or cause to be written or knowingly permit to be written, in any register in any hotel, lodging house, rooming house, or other place whatsoever where transients are accommodated in the City, any other or different name or designation than the true name of the person so registered therein, or the name by which such person is generally known.
- b) **Multiple Night Rentals.** No proprietor, manager, or other person in charge of any place where transients are accommodated for sleeping or lodging purposes shall let any room or rooms more than once between the hours of 6 p.m. and 6 a.m. the next day except to bona fide travelers.
- 3) **Vulgar Language.** Use vulgar, profane, or indecent language on any public street or other public place or in any public dance hall, club dance, skating rink, or place of business open to public patronage.
- 4) **Indecent Exposure.** Publicly expose his or her private parts or any indecent gestures.
- 5) **Apparel of Opposite Sex.** Appear in public in the dress of the opposite sex.
- 6) **Window-Peeping.** Look, peer, or peep into, or be found loitering around or within view of any window within a building occupied as the residence of another with the intent of watching or looking through said window to observe any person undressed, or in the act of dressing or undressing.
- 7) **Gambling.**
  - a) **Participation Prohibited.** Engage in a game of chance prohibited by the statutes of the State of Missouri or ordinances of this City.
  - b) **Possession of Materials.** Have in his possession any evidence of illegal gambling in the nature of policy or pool tickets, slips or checks or memoranda of any combination or bet, or any policy wheel, dice, implement, apparatus or material of any form of illegal gambling or lottery.
  - c) **Owner of Premises.** No person being the owner or person in control of premises shall knowingly permit the use or occupancy thereof for gambling.
- 8) **Animals.**
  - a) **Cruelty to Animals.** Overdrive, overload, drive when overloaded, overwork, torture, cruelly beat, mutilate, or needlessly kill, or carry or transport in any vehicle or other conveyance in a cruel and inhuman manner, any animal; or cause any of these acts to be done.
  - b) **Food and Shelter.** Shall fail to provide any animal in his charge or custody with necessary sustenance, drink, and protection from the element, or cause any of these acts to be done.
  - c) **Abandonment.** Abandon any animal, or cause such act to be done.
  - d) **Fight Upon exhibition.** Maintain any place where fowls or any animals are suffered to fight upon exhibition, or sport upon any wager.

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- e) **Poisoning Dogs or Cats.** Poison any dog or dogs or cat or cats or distribute poison in any manner whatsoever with the intent or for the purpose of poisoning any dog or dogs or cat or cats.
- f) **Killing Animals.** Frighten, shoot at, wound, kill, take, capture, ensnare, net trap or in any other manner moles to injure any robin, lark, whippoorwill, finch, sparrow, thrush, wren, martin, swallow, snow-bird, mocking bird, song-sparrow, or other son bird or insectivorous bird; or in any manner molest or injure the nest eggs or young of any such bird; or have in possession the nest eggs, young or body of such bird.
- g) **Indecent Exhibition of Animals.** Exhibit any stud horse or bull or other animal indecently, nor shall any person let any male animal to any female animal unless the same be done in some place wholly enclosed and out of public view.

**AMENDMENT TO ORDINANCE #8003, SEC. 7 (ANIMALS), SUB-SEC. (8)  
APPROVED BY UNANIMOUS VOTE OF THE FULL COUNCIL AUGUST 11,  
1992 TO ADD SUB-SEC. (8) TO ORDINANCE #8003, SEC. 7 ANIMALS.**

**8) Possession and Sale of Exotic or Wild Animals Prohibited:** No person or corporation shall possess, house, shelter, pen, sell, or offer for sale within the city limits of the City of Lowry City, any exotic animal as defined in the following paragraph:

Exotic or wild animal defined as: Any mammal, fowl, fish, reptile, or any other species not commonly considered as pets or commonly raised for food or agricultural purposes which pose a possible threat to the life or health of humans. This would also include any of the above listed which are required to be registered with the Missouri Department of Conservation and/or any other required agency.

Any restrictions on the keeping of such animals shall not apply to traveling entertainment shows such as circuses so long as exotic animals which may be a part of such shows are confined in such a manner as to reasonably provide safe separation between the exotic animal and the general public.

The Chief of Police and Mayor shall be responsible for determining the applicability of this definition to any mammal, fowl, fish, reptile or other species. A person desiring to possess any mammal, fowl, fish, reptile or other species which, in the opinion of the Chief of Police and Mayor is prohibited under this definition shall have the right to request a hearing before the City Council which shall make a final decision.

## **ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

- 9) **Lookouts for Illegal Acts.** Act as a guard or lookout for any building, premises or establishment used for gambling, prostitution, or any other form of vice or illegal act, or where intoxicating liquors are illegally kept, sold or purchased, or for any person soliciting, offering or engaging in prostitution, gambling or any other form of vice, or illegal act, or any prostitute, on any street or sidewalk. Nor shall any person give any signal intended to, or calculated to warn, or give warning of the approach of any peace officer to any person in or about such building or premises or places mentioned herein.

### **Section 8. Offenses Involving Children.**

#### **1) Offenses Affecting Children.**

- a) **Wrongs to Children.** No person having the care, custody, control, or confidence of or influence over any child shall willfully cause or permit the life of such child to be endangered, or the health of such child to be injured, or the morals of such child to be impaired; or shall willfully cause or permit such child to be placed in such a situation, business, or occupation that its life, health, or morals shall be endangered; or shall willfully cause or permit such child to be placed in such a situation, business, or occupation that its life, health, or morals shall be endangered; or to will fully abandon such child; or shall torture, torment, cruelly punish, or willfully or negligently deprive of necessary food, clothing or shelter, or in any other manner injure such child unnecessarily.
- b) **Employment During School Hours.** Take, receive, hire or employ any child under the age of fourteen (14) years to labor in any smelter, mill, mine, factory, or in or about any business or employment whatever within the City during the school hours of any school day.
- c) **Presence in Billiard Parlors.** No person operating, or having the control of any billiard or pool table for profit, or who has the control of any room or rooms wherein is kept, used, or operated for profit any billiard or pool table of any kind whatsoever, shall permit or allow any minor under the age of eighteen (18) to play thereon or to use any such table, or to be, remain in, or frequent any such room.
- c-1 **Duty to Post Sign.** It shall be the duty of any person who is the proprietor or keeper of a billiard parlor or pool hall to post conspicuously in his place of business the following sign: "Minors Under the Age of Eighteen (18) Years Not Allowed Here."
- d) **Presence in Gambling and Drinking Houses.** No person who is the proprietor or keeper of a tavern, shall employ any person under twenty-one (21) on the premises or permit any minor under the age of twenty-one (21)

**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

years to drink nay intoxicating liquors or beer or any other fermented malt beverage in or about the same or to sell or give any malt beverage, or alcohol to such minor.

**d-1 Duty to Post Sign.** It shall be the duty of any person who is the proprietor or keeper of a tavern to post conspicuously in his place of business the following sign: “MINORS UNDER THE AGE OF TWETY-ONE (21) YEARS NOT ALLOWED HERE”

- e) **Tattooing of Minors.** Tattoo any minor under the age of eighteen (18) years unless the parent, guardian or other person having charge and custody of said minor shall first have given his or her written consent to such tattooing of such minor.
- f) **Purchase for Minor.** Procure for any minor any article which the minor is forbidden by law to purchase
- g) **Assault on Children Under (16).** Assault any child under sixteen (16) years of age; or take indecent and improper liberties with the person of such child; or entice, allure, or persuade such child into any room, office, or any other place for the purpose of taking any immodest, immoral, or indecent liberties with such child; or take any such liberties with the person of such child at any place.

**g-1 Indecent Exposure in Child’s Presence.** No person shall, in the proximity of any child under sixteen (16) years of age, indecently expose him or herself with intent to assault or ravish such child.

- 2) **Offenses by Children.** It shall be unlawful for a minor:
  - a) **False Statements.** To make false statements, or to furnish, present, or exhibit any fictitious or false registration card, identification card, or note or other document, or to furnish, present, or exhibit such document or documents issued to a person other than the one presenting the same, for the purpose of gaining admission to prohibited places or for the purpose of procuring the sale, gift, or delivery of prohibited articles, including beer, liquor, or wine.
  - b) **Procure Unlawful Services of Others.** To engage or utilize the services of any other person, whether for remuneration or not, to procure for such minor any article which the minor is forbidden by law to purchase.
  - c) **Hanging on Vehicles.** To hang on to any moving vehicle.

**Section 9. Penalties.** Any person, other than a juvenile, violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred (\$500.00) dollars or imprisoned not more



**ORDINANCE NO. 8003 - A**

**AN ORDINANCE REGULATING CONDUCT CONSTITUTING AN OFFENSE BY PERSONS IN THE CITY; PREVENTING VICE, DISORDER AND IMMORALITY PROMOTING PUBLIC PEACE, SAFETY AND HEALTH; PROTECTING PUBLIC AND PRIVATE PROPERTY; PROTECTING PUBLIC MORALS; PROHIBITING OFFENSES INVOLVING CHILDREN; AND PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS.**

**than one year or by both such fine and imprisonment. Any juvenile violating any provision of this Ordinance shall be dealt with in accordance with the juvenile law.**

**Section 10. Separability. Any provision hereof found by any Court of competent jurisdiction to be illegal shall not affect remaining portions of this Ordinance and such illegal part or portion hereof shall be severed from the remaining part or portions.**

**Adopted this 10<sup>th</sup> day of March, 1980.**

**Danny T. Kercher  
Mayor**