

BILL NO. 228

ORDINANCE NO. 328

AN ORDINANCE DEFINING WHAT SHALL CONSTITUTE MISDEMEANORS OR OFFENSES AGAINST THE CITY OF ST. MARYS, MISSOURI; PROVIDING PENALTIES THEREFOR; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DESIGNATING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

SECTION 1. Any three or more persons who shall assemble together in the City of St. Marys, with the intent, or being assembled shall agree mutually to aid one another, to do any unlawful act with force or violence against the person or property of another or against the peace or to the terror of the people, such persons so assembling, and each of them, shall be deemed guilty of an unlawful assembly, and shall be punished as hereinafter provided.

SECTION 2. Any three or more persons being assembled as mentioned in Section 1 of this ordinance, who shall proceed to carry out or accomplish their purpose, or do any unlawful act in furtherance or supposed furtherance of said purpose in a violent, unlawful or tumultuous manner to the terror or disturbance of peaceful citizens, or who shall aid or assist in doing any unlawful act, every person so offending shall be deemed guilty of a riot, and shall be punished as hereinafter provided.

SECTION 3. If two or more persons shall, in any public place within this City, voluntarily or by agreement, engage in any fight, or use any blows or violence toward each other, in any angry and quarrelsome manner, or do each other any willful mischief, or if any person shall assault another and strike him, in any public place, to the terror or disturbance of others the person or persons so offending shall be deemed guilty of an affray, and shall be punished as hereinafter provided.

SECTION 4. If any person or persons shall in this City willfully disturb the peace of any neighborhood, or of any family, or of any person, by loud and unusual noise, loud and offensive or indecent conversation, or by threatening,

quarreling, challenging or fighting, every person so offending shall, upon conviction, be adjudged guilty of a misdemeanor, and be punished as hereinafter provided.

SECTION 5. It shall be unlawful for any person, except he be a sheriff, police officer or other officer in the discharge of official duty, to discharge or fire off any gun, pistol or fire-arms within the city limits. Any person violating this section shall be deemed guilty of a misdemeanor and punished as hereinafter provided.

SECTION 6. Every person who shall steal, take and carry away any money or personal property or effects of another under the value of Fifty Dollars (\$50.00) shall be deemed guilty of a misdemeanor and punished as hereinafter provided

SECTION 7. Every person who shall willfully and maliciously break, destroy or injure the door or window of any dwelling house, shop, store or other house or building, or sever therefrom or from the gate, fence or inclosure, or any part thereof, any material of which it is formed, or sever from the freehold any produce or thing attached thereto, or pull down, injure or destroy any gate, post, railing or fence, or any part thereof, or in any manner injure the property of another, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as hereinafter provided.

SECTION 8. Every person who shall permit any gaming table or gambling device to be set up or used for the purpose of gaming in any house, building, shed, booth, shelter, lot or other premises to him belonging or occupied or over which he has at the time the possession or control, shall upon conviction be adjudged guilty of a misdemeanor and punished as hereinafter provided.

SECTION 9. Every person who shall set up or keep a common gaming house, bawdy house or brothel shall upon conviction be adjudged guilty of a misdemeanor and punished as hereinafter provided.

SECTION 10. If any person or persons shall knowingly and willfully obstruct, resist or oppose the City Marshall or any police officer, regular

or special, or any other ministerial officer in the service or execution or in the attempt to execute any writ, warrant or process, original or judicial, or in the discharge of any other duty in any case or in the service or attempt to serve any order or rule of the police court in any case, every person so offending shall be guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 11. Every person who shall willfully destroy, disfigure or injure any wall, fence, hedge, monument, tombstone, tree or shrubbery around or within any cemetery shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 12. Any person who shall be found drunk or in a state of intoxication in or upon any street, sidewalk or any other outdoor place within this city or any person who shall be found drunk or in a state of intoxication inside of any public house or public place within this city to the annoyance of any person or persons then and there lawfully being or any person who shall be found trespassing upon any private property or in any private house or place in this city shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 13. Any person who shall within this city appear in any public place in a state of nudity or shall make an indecent exposure of his or her person shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 14. Any woman who shall prostitute herself within the city or who shall receive any man or men into any house, room, tent or place she may occupy for the purpose of prostitution shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 15. Any person who shall place or cause to be placed in or upon any street, sidewalk, alley, thoroughfare or other public place within this city any article whatsoever so as to obstruct or hinder the free passage of persons or vehicles over or along such street or sidewalk shall be deemed

guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 16. Any person who shall tear up or otherwise destroy or injure any bridge, culvert, sidewalk, pavement, drainage ditches or who shall in any manner injure, deface or destroy any fire engine, hose or any other property belonging to the fire department of this city shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 17. It shall be unlawful for the owner of any lot, block or parcel of ground or the agent or tenant of any such owner to allow or permit weeds to grow or remain when grown on such lot, block or parcel of ground, but all weeds growing on any lot, block or parcel of ground shall be cut off close to the ground and so kept cut. Any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided.

SECTION 18. Any person who shall fail to keep his sidewalk in good repair and on established grade shall be deemed guilty of a misdemeanor and punished as hereinafter provided.

SECTION 19. Any person who shall discharge any firearms^{FOR FIREWORKS} in this city, except officers in the performance of their duty, shall be deemed guilty of a misdemeanor and punished as hereinafter provided.

SECTION 20. Any person who shall purposely give any false alarm of fire in this city shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided.

SECTION 21. Every person convicted of a violation of any of the provisions of this ordinance, punishment for which has not hereinbefore been prescribed, shall be punished by a fine not exceeding \$100 or by imprisonment in the City Jail not exceeding 3 months or by both such fine and imprisonment.

SECTION 22. All ordinances or parts of ordinances in conflict herewith

are hereby repealed.

SECTION 23. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 6th day of October, 1971.

Sam R. Silvestro
MAYOR

ATTEST:

Leta E. Lorch
CITY CLERK

Wanell Cassoult
President of Board