

AN ORDINANCE PROHIBITING DRIVING WHILE INTOXICATED AND DRIVING WITH EXCESSIVE BLOOD ALCOHOL CONTENT

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

SECTION ONE: DEFINITIONS

(a) The term "drive", "driving", "operates" or "operating" mean physically driving or operating or being in actual physical control of a motor vehicle.

(b) A person who is in an "intoxicated condition" when he is under the influence of alcohol, a controlled substance, or drug, or any combination thereof.

SECTION TWO: DRIVING WHILE INTOXICATED PROHIBITED

A person commits the offense of driving while intoxicated if he operates a motor vehicle while in an intoxicated or drugged condition.

SECTION THREE: DRIVING WITH EXCESSIVE BLOOD ALCOHOL CONTENT PROHIBITED

(a) A person commits the offense of driving with excessive blood alcohol content if he operates a motor vehicle in this city with ten-hundredths of one percent or more by weight of alcohol in his blood.

(b) As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of Sections 577.020 to 577.041 R.S.Mo.

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

SECTION FIVE: All Ordinances and parts thereof in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION SIX: The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

READ THREE TIMES AND PASSED THIS 17th DAY OF September, 1988.

ATTEST:

JoAnn E. Donze City Clerk

Robert L. Grass

MAYOR

ABSTAIN

ABSENT

<u>ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>
Francis Bader	X	
Henry Coffman	X	
Robert Schultz	X	
Stephen Schwent	X	

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a regular meeting thereof assembled this the 17th day of September, 1988.

JoAnn E. Donze
CITY CLERK