

BILL NO. 2023-156

ORDINANCE NO. 11872

AN ORDINANCE OF THE CITY OF SEDALIA PROHIBITING TELEPHONE HARASSMENT OF PUBLIC SAFETY AGENCIES.

WHEREAS, the City of Sedalia, Missouri desires to protect public safety employees from harassment in the form of repetitive, non-emergency telephone calls, as such harassment can distract limited resources and attention away from addressing emergency situations; and

WHEREAS, this concern is not hypothetical, but real, as several individuals routinely make dozens of non-emergency calls to 911 Joint Communications Dispatch every month, and at least one such call occurred while dispatchers were addressing a legitimate emergency.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1.

Sec. 36-25. Telephone Harassment of a Public Safety Agency

(a) *Definitions.* As used in this section, the following terms shall have the following meanings:

(1) *Repeatedly* means 10 or more times in any 30-day period.

(2) *Non-emergency telephone calls* mean any telephone call that does not clearly involve a danger to life, danger to property, or does not seek assistance to the caller's location by a public safety agency.

(3) *Public safety agency* means any public safety organization providing emergency response services inside the city of Sedalia or any organization dispatching such services, including, but not limited to, Pettis County 911 Joint Communications, the Sedalia Police Department, the Sedalia Fire Department, the Pettis County Sheriff's Department, the Pettis County Fire District, the Pettis County Ambulance District, and the Missouri State Highway Patrol.

(b) It shall be unlawful for any person to repeatedly make non-emergency telephone calls to a public safety agency, whether to the public safety agency's emergency line or administrative business line.

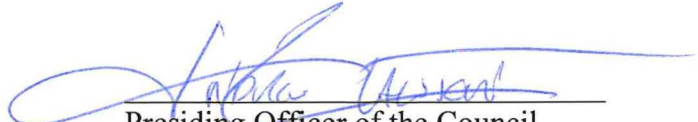
(c) Nothing in this section shall be construed to limit or obstruct any person from making a legitimate emergency call or calling for assistance or service.

(d) Nothing in this section shall be constructed to limit or obstruct the enforcement or prosecution of ordinance 36-24, which prohibits making a false report.

- (e) For the purposes of this section, it is immaterial which telephone number the call is made from, to which public safety agency telephone number the call is made, or which public safety employee answers the call. The burden of proof on the prosecution shall only be to prove, beyond a reasonable doubt, that the accused defendant cumulatively made a prohibited number of non-emergency telephone calls to covered public safety organizations in the prescribed period of time. The recordings of such calls shall be admissible into evidence upon the sworn testimony of a public safety agency's custodian of records that the recordings, and the listed dates and times of those recordings, are true and accurate.
- (f) Upon conviction for a first offense under this section, the Court shall impose a fine. Upon conviction of a second offense under this section within one year of the first offense, the Court may impose a jail sentence. Fines and jail sentences may be imposed in accordance with applicable law.
- (g) While not required to enforce this section or prosecute a violation of same, the director of any covered public safety agency is authorized to issue warning letters advising of this ordinance as appropriate.

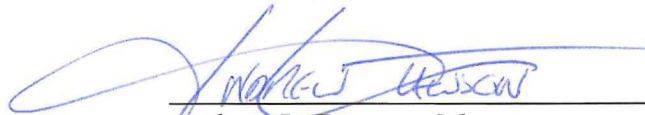
Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 21st day of August, 2023.



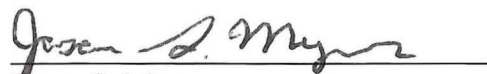
Presiding Officer of the Council

Approved by the Mayor of said City this 21st day of August, 2023.



Andrew L. Dawson, Mayor

ATTEST:



Jason S. Myers
City Clerk