

An Ordinance of the City of Brookfield, Missouri Adding and Amending Certain Code Violations to Chapter 24 of the Code of Ordinances.

WHEREAS, The City of Brookfield, Missouri maintains a Municipal Code for the enforcement of public offenses and violations; and

WHEREAS, The City of Brookfield, seeks to have the ability to enforce the offenses listed herein in Municipal Court;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BROOKFIELD, MISSOURI, AS FOLLOWS:

Section 1. As of June 1, 2017, the Code of the City of Brookfield is hereby amended by adding provisions in Chapter 24, Article VIII to be numbered Sections 24-280; by adding provisions in Chapter Article XI, to be numbered Section 24-401; and by amending provisions in Chapter 24, Article XI Section 24-384(b); all of which shall read as follows:

Sec. 24-280. - Disorderly conduct.

Any person who, with intent to provoke a breach of the peace or to cause violence to persons or property, commits any of the following acts shall be deemed to have committed the offense of disorderly conduct:

- (1) Acts in a violent or tumultuous manner toward another, placing such person in fear of safety of life, limb or health.
- (2) Acts in a violent or tumultuous manner toward another, whereby property of any person is placed in danger of being destroyed or damaged.
- (3) Endangers lawful pursuits of another by acts of violence, angry threats and abusive conduct.
- (4) Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.
- (5) Assembles or congregates with another or others for the purpose of causing, provoking or engaging in any fight or brawl.
- (6) Jostles or roughly crowds or pushes any person in any public place.
- (7) Frequents any public place with intent to obtain money from another by an illegal and fraudulent scheme, trick, artifice or device.

- (8) Assembles with another or others for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person in the city, or to aid or abet therein.
- (9) Any person who accosts or attempts to force their company upon any unwilling person.
- (10) Uses "fighting words" directed towards another who becomes outraged and thus creates turmoil.
- (11) Assembles or congregates with another or others for the purpose of doing bodily harm to another.
- (12) Any person, by acts of violence, interferes with another's pursuit of a lawful occupation.
- (13) Congregates with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuses to clear such public way when ordered by a peace officer or other lawful authority.
- (14) Congregates with others on a public street and refuses to move on when ordered by the police.
- (15) By actions taken causes a crowd to collect, except when lawfully addressing such crowd.
- (16) Takes up a position on the public streets or follows pedestrians for the purpose of soliciting alms, or who solicits alms on the public streets unlawfully.
- (17) Causes a disturbance in any bus or other public conveyance by running through it, climbing through windows or upon the seats, or otherwise annoying passengers or employees therein.
- (18) Stands on sidewalks or street corners and makes insulting remarks to or about passing pedestrians or annoys such pedestrians.
- (19) Wanders, prowls, or loiters upon the private property of another in the nighttime and peeks or peers in the door or window of any building or structure located thereon which is inhabited by human beings, without any visible or lawful business with the owners or occupants thereof.

Sec. 24-401. – Possession of synthetic cannabinoid.

It shall be unlawful for any person to possess synthetic cannabinoids as defined in Chapter 195.010 et seq. of the Revised Statutes of Missouri as amended.

Sec. 24-384. – Fireworks

(b) *License Required:*

(1) *Seasonal License:* Any person engaged in the season sale of fireworks must provide proof of their state tax ID number and purchase a license from the city, displaying such license in the place of business. A Seasonal License fee is \$15.00 which shall last for a period of

June 20 to July 5 of each year. Licensee is required to file a gross receipts report for sales. No license shall be issued to a person under the age of 18 years. No license shall be transferable nor shall a person operated under a license issued to another person or under a license issued for another location.

(2) *Annual License:* Any person engaged in year-round sale of fireworks must provide proof of their state tax ID number and purchase a license from the city, displaying such license in the place of business. An Annual License fee is \$45.00 and for a period of January 1 until December 31 of each year. Licensee is required to file a gross receipts report for sales. No license shall be issued to a person under the age of 18 years. No license shall be transferable nor shall a person operated under a license issued to another person or under a license issued for another location.

(3) *Sale without occupancy permit prohibited:* No fireworks may be sold at retail without the securing of the applicable City occupancy permit in addition to the annual license required hereinabove. The license and permit must be on display at the location where the retail sale takes place. The City Zoning Administrator is hereby authorized to issue occupancy permits to permanent firework retailers who comply with the rules for such retailers promulgated annually by the Zoning Administrator's office.

(4) *No smoking:* At all places where fireworks are sold or displayed, the words "No Smoking" must be posted in letters at least four (4) inches in height. Smoking shall not be permitted inside or within twenty-five (25) feet of a seasonal retail area and it is unlawful to permit the presence of lighted cigars, cigarettes, pipes, or other open flame within twenty-five (25) feet of any location where fireworks are stored, kept, or offered for sale.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. If any clause, word, paragraph, section or other part or portion of this ordinance is held to be invalid, illegal, unlawful, or unconstitutional for any reason, the City Council hereby declares it would nevertheless have enacted the remaining portions thereof, and such remaining portions shall remain in full force and effect.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 23 DAY OF MAY, 2017.

CITY OF BROOKFIELD, MISSOURI

Lonnie Trentham, Mayor

ATTEST: _____
Donna Barger, City Clerk