

AN ORDINANCE AMENDING CHAPTER 10.12, "ACCIDENTS AND ACCIDENT REPORTS" OF THE CODE OF THE CITY OF NORTH KANSAS CITY, MISSOURI, BY REPEALING CERTAIN SECTIONS THEREOF AND ENACTING NEW REQUIREMENTS FOR LEAVING THE SCENE OF AN ACCIDENT.

WHEREAS, the City of North Kansas City, Missouri (the "City") is a third class city and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and

WHEREAS, the City desires to significantly amend its existing code dealing with the accidents and accident reports, so as to more accurately address leaving the scene of a motor vehicle accident within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH KANSAS CITY, MISSOURI, AS FOLLOWS:

Section 1. Chapter 10.12, "Accidents and Accident Reports," of Title 10, "Vehicles and Traffic," of THE CODE OF THE CITY OF NORTH KANSAS CITY, MISSOURI is hereby amended by repealing §§ 10.12.010, 10.12.030 and 10.12.040 and enacting the following to be included in Chapter 10.12 of the City Code:

10.12.010 Leaving the scene of a motor vehicle accident.

A. A person commits the offense of leaving the scene of a motor vehicle accident when, being the operator or driver of a vehicle on the highways, streets, roads or alleys of the City or on any publicly or privately owned parking lot or parking facility within the City generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property due to his/her culpability or to accident, he/she leaves the place of the injury, damage or accident without stopping and giving his/her name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

B. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any such privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

State law reference—Similar provisions, RSMo. § 577.060.

Section 2. Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this ordinance are valid, unless the court finds the valid portions of this ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

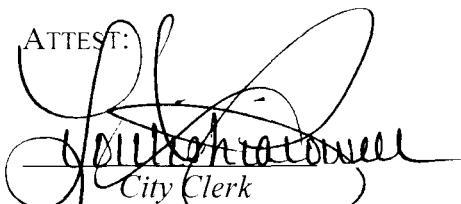
Section 3. Governing Law. This ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

PASSED this 15th day of April, 2014.


Mayor

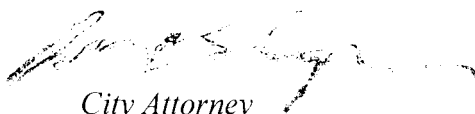
ATTEST:


City Clerk

APPROVED this 15th day of April, 2014.


Mayor

APPROVED AS TO FORM:


City Attorney


City Counselor

CITY OF NORTH KANSAS CITY

MEMORANDUM

TO: Honorable Mayor Stielow and City Council members

FROM: Major Kevin Freeman, Investigations Commander

DATE: April 9, 2014

RE: Amendment's to Chapter 10.12 of the City Code

The Police Department seeks to modify Chapter 10.12 of the City Code as it pertains to leaving the scene of a motor vehicle accident. Currently, Chapter 10.12.010 requires an estimated \$500 in damage to be observed in a motor vehicle accident before the driver of the striking vehicle is required to stop, and provide the owner of the property their name and appropriate contact information.

These changes will bring the City's ordinance in line with the Missouri statute by eliminating the \$500 damage requirement and requiring the driver of the striking vehicle to stop and give notice of their name and contact information regardless of the estimated damage amount. By revising this chapter to be more in line with state statute Chapter 10.12.030 and 10.12.040 will no longer be needed, thus simplifying the municipal code.