

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 1, SECTION
13.01.005 OF THE INDEPENDENCE CITY CODE TO PROHIBIT METAL
DETECTING, PROSPECTING, AND TREASURE HUNTING IN CITY
PARKS AND PUBLIC SPACES.

WHEREAS, the City of Independence, Missouri, is a constitutional charter city with the authority to enact ordinances necessary to preserve peace, protect property, and promote the health, safety, and welfare of its residents; and

WHEREAS, the City Council is authorized by § 82.240, RSMo, and Article VI, Section 19(a) of the Missouri Constitution to regulate and preserve city parks and public spaces; and

WHEREAS, the City Council has determined that metal detecting, prospecting, treasure hunting, and similar activities in city parks and public spaces pose risks to public safety, the preservation of park property, and the integrity of historical or cultural resources; and

WHEREAS, it is in the best interest of the City, its citizens, and visitors to regulate such activities in order to preserve and protect public spaces and ensure the responsible and respectful use of city parks by all residents and visitors; and

WHEREAS, this ordinance will replace the current Chapter 13, Article 1, Section 13.01.005 of the Independence City Code;

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

SECTION 1. Chapter 13, Article 1, Section 13.01.005 of the Independence City Code is hereby amended to read as follows:

Sec. 13.01.005. Parks—Miscellaneous regulations.

A. It shall be unlawful for any person in a park to:

1. Willfully and maliciously mark on, deface, disfigure, tamper with, or remove any park property.
2. Enter any building or structure designated for the opposite sex if such person is older than six years of age.
3. Construct or erect any tent, building, structure, fence, or utility lines, except by permit issued by the Director.
4. Plant, cut, remove, or pick any tree or other plant, except as provided in Article 2 of this chapter.

5. Climb upon, stand upon or sit upon any park property not designated or customarily used for such purposes.
6. Loiter on or around any park property. For the purposes of this subsection, loitering shall include sleeping or being in any state of unconsciousness on any park property including, but not limited to, tables and playground equipment and sleeping or being in any state of unconsciousness in park restrooms.
7. Solicit alms or contributions without obtaining a permit to do so from the Director.
8. Build or attempt to build a fire in any area not designated for such purpose by the Director.
9. Enter any area posted as "Closed to the Public."
10. Go onto any ice on park waters unless a sign is posted indicating the ice as being safe.
11. Fail to exhibit any permit issued to the person from the Director when requested to do so by any authorized person for the purpose of enforcing compliance with the permit.
- 12. Operate a metal detector or engage in metal detecting, mining, prospecting, treasure hunting, or any related activity for the purpose of locating artifacts or minerals.**
- 13. Alter, cut, dig, disturb, or remove the natural terrain, including plants, rocks, soil, structures, or any other artificial or natural features.**

- B. Parks, shelter houses, playing fields and parking lots shall be open for use by the public from 6:00 a.m. to 11:00 p.m. A person commits the offense of trespass in the second degree if he or she enters unlawfully upon park property of the City from the hours of 11:00 p.m. to 6:00 a.m., except when participating in or a spectator at an activity sponsored by or with a special user permit from the Independence Parks Recreation Department. This is an offense of absolute liability. A person who has been convicted of this infraction may be sentenced to pay a fine which does not exceed \$200.00.

SECTION 2: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 3: The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

SECTION 4: The City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

SECTION 5: All other parts and provisions of the City Code not in conflict herewith shall remain in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS _____ DAY OF _____, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
City of Independence, Missouri

ATTEST:

City Clerk

APPROVED:

City Counselor

REVIEWED:

City Manager

NOTE: Text added by this ordinance is bolded and underscored.

BILL NO. 25.034

ORDINANCE NO. 19679

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE 1, SECTION 13.01.005 OF THE INDEPENDENCE CITY CODE TO PROHIBIT METAL DETECTING, PROSPECTING, AND TREASURE HUNTING IN CITY PARKS AND PUBLIC SPACES.

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WHEREAS, the City Council has determined that metal detecting, prospecting, treasure hunting, and similar activities in city parks and public spaces pose risks to public safety, the preservation of park property, and the integrity of historical or cultural resources; and

WHEREAS, it is in the best interest of the City, its citizens, and visitors to regulate such activities in order to preserve and protect public spaces and ensure the responsible and respectful use of city parks by all residents and visitors; and

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4. Plant, cut, remove, or pick any tree or other plant, except as provided in Article 2 of this chapter.

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10. Go onto any ice on park waters unless a sign is posted indicating the ice as being safe.
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- 12. Operate a metal detector or engage in metal detecting, mining, prospecting, treasure hunting, or any related activity for the purpose of locating artifacts or minerals.**
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PASSED THIS 2nd DAY OF June, 2025, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.



Presiding Officer of the City Council
City of Independence, Missouri

ATTEST:



City Clerk

APPROVED:



City Counselor

REVIEWED:



City Manager



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