

BILL NO. 21-023

ORDINANCE NO. 4873

FIRST READING 08/03/2021

SECOND READING 08.17.2021

AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING CHAPTER 16, ARTICLE 1, SECTION 16-1 *PENALTIES* AND CHAPTER 19, ARTICLE I, SECTION 19-5 *PENALTIES* OF THE CITY OF HANNIBAL CODE OF ORDINANCES FOR THE PURPOSE OF REVISING NUISANCE AND LITTERING PENALTIES

WHEREAS, the City Council has previously determined that it is within the reasonable police powers of the City of Hannibal to regulate and address issues regarding public nuisances and littering, and

WHEREAS, the penalties listed in the current Ordinances of the City of Hannibal do not match the penalties authorized under the Revised Statutes of the State of Missouri.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANNIBAL MAKING THE FOLLOWING AMENDMENTS TO THE CITY OF HANNIBAL CODE OF ORDINANCES:

SECTION ONE: Chapter 16, ARTICLE I, Section 16-1 of the ordinances of the City of Hannibal is hereby revoked and replaced with the following, new Section 16-1:

Sec. 16-1. - Penalties.

Any person convicted of any violation of this chapter, within the same 12-month period, shall be punished by a fine, including court costs not to exceed the following amounts:

- (1) first violation - \$200
- (2) second violation - \$275
- (3) third violation - \$350
- (4) fourth and subsequent violations - \$450

Jail time shall not accrue for violations of this chapter.

(Code 1988, § 19-5; Ord. No. 4278, § 1, 4-6-2004; Ord. No. 4388, § 1, 11-7-2006; Ord. No. 4409, § 1(19-5), 3-20-2007)

State Law reference— Municipal Ordinance Violations, RSMo § 479.353.

SECTION TWO: Chapter 19, ARTICLE I, Section 19-5 of the ordinances of the City of Hannibal is hereby revoked and replaced with the following, new Section 19-5:

Sec 19-5. - Penalties.

Any person convicted of any violation of this chapter, within the same 12-month period, shall be punished by a fine, including court costs not to exceed the following amounts:

- (1) first violation - \$200
- (2) second violation - \$275
- (3) third violation - \$350
- (4) fourth and subsequent violations - \$450

Jail time shall not accrue for violations of this chapter.

(Code 1988, § 19-5; Ord. No. 4278, § 1, 4-6-2004; Ord. No. 4388, § 1, 11-7-2006; Ord. No. 4409, § 19-5, 3-20-2007; Ord. No. 4729, § 2, 8-16-2016)

State Law reference— Municipal Ordinance Violations, RSMo § 479.353.

SECTION THREE: It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.


SECTION FOUR: All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its adoption and approval.

Adopted this 17th day of August, 2021.

Approved this 17th day of August, 2021.

ATTEST:


James R. Hark, Mayor
Michael J. Dobson,
Mayor Pro Tem


Angelica N. Zerbonia, MRCC, CMO - City Clerk