

Chapter 75 -- Offenses

75.010. Failure to Pay Personal Property Taxes.

1. It shall be unlawful for any person to knowingly fail to pay personal property taxes of the City of Sarcoxie.
2. A conviction of violation of this Section shall be punishable under Section 13.010 of this Code. At the request of the defendant, the Municipal Court may in lieu of fine, sentence any person convicted under this Section to such hours of community service as the Court deems proper.

(Amended by Ordinance 769, Passed & Effective May 17, 1993)

75.020. Tampering. A person commits the offense of tampering if he:

1. Tampers with the property of another for the purpose of causing substantial inconvenience to that person or to another; or
2. Unlawfully operates or rides in or upon another's automobile, airplane, motorcycle, motorboat, or other motor-propelled vehicle; or
3. Tampers or makes connection with property of a utility; or
4. Tampers with the property or facilities of an institution providing health or safety protection.

75.030. Property damage. A person commits the offense of property damage if he knowingly damages property of another, or he damages property for the purpose of defrauding an insurer.

75.040. Trespass. A person commits the crime of trespass if he enters or remains unlawfully in a building, or upon real property if the property is fenced or enclosed in a manner designed to exclude intruders, or notice against trespass is given by actual communication to the intruder, or by posting in a manner reasonably likely to come to the attention of potential intruders. (Amended by Ordinance 660, Passed and Effective March 17, 1984)

75.045 Improper Conduct upon Public Property and Trespass.

1. For the purposes of this Section, the following terms, phrases, words, and their derivation shall have the meanings given herein.
 - a. City Official – Chief of Police or Director of Public Works of the City of Sarcoxie, or their designee.

b. Park – a public park, including sidewalks and streets thereby, playground, skating area, pavilion, recreation center, or any other area in the City owned or used by the City and devoted to active or passive recreation.

c. Vehicle – any wheeled conveyance, whether motor powered, animal drawn, or self-propelled, the term shall include any trailer in tow of any size, kind, or description, and exception is made for baby carriages and vehicles in the service of the City Parks.

2. Enforcement. The City Official is hereby delegated with the authority to enforce the provisions of this Section, including the authority to eject from the Park any person acting in violation of this Section, and shall have the authority to seize and confiscate any property, thing, or device in the Park or used in violation of this Section.

3. Prohibited Acts Relating to Park Property. It shall be unlawful for any person in a Park to mark, deface, disfigure, injure, tamper with or displace or remove any building, bridge, tables, benches, fireplace, railings, paving or paving material, waterlines or other public utilities or parts or appurtenances thereof, including signs, notices, placards, whether temporary or permanent, monuments, stakes, posts or other structures or equipment, facilities with Park property or appurtenances whatsoever, either real or personal.

4. Injuries, Removal of Natural Features. It shall be unlawful for any person at any Park to damage, cut, carve, transplant, or remove any tree or plant, or injure the bark or pick the flowers or seeds of any tree or plant, nor shall any such person attach any rope, wire, or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas or in any way injure or impair the natural beauty or usefulness of any area.

5. Restrooms and Washrooms. It shall be unlawful for any person in a Park to fail to cooperate in maintaining Park restrooms and washrooms in a neat and sanitary condition; no person over the age of four (4) shall use the restrooms and washrooms designated for the opposite sex.

6. Discarding Refuse and Trash. It shall be unlawful for any person in a Park to bring or have brought in or dump, deposit, or leave any bottles, debris or broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste and garbage or refuse, or other trash on Park property, unless such refuse or trash shall be placed in containers provided for such purpose. Where no such receptacles or containers are provided, all such rubbish or waste shall be carried away from the Park.

7. Park Hours. It shall be unlawful for any person in a Park to be in the Park other than during recognized hours of such Park, as established by the Board of Aldermen.

8. Loitering, Disorderly Conduct. It shall be unlawful for any person in a Park to

sleep or protractedly lounge on the seats or benches or other areas or engage in loud, boisterous, threatening, abusive, insulting, or indecent language, or to engage in a disorderly conduct or behavior tending to be a breach of the public peace.

9. Expel from Park. Any person, to whom the City Official has reasonable suspicion to believe is in violation of this Section, shall be banned from the Park property until such time as allowed by the Board of Aldermen.

10. Penalty. Any such person shall be so notified by the City Official, in writing, of being banned from the Park, who shall thereafter be found on Park property, shall be, upon conviction, guilty of trespass. Any violation of this Section shall also be a misdemeanor, punishable under Chapter 13 of this Code.

75.050. Disorderly Conduct Generally.

1. A person who shall do or engage in any of the following shall be guilty of disorderly conduct:

a. Any person who shall act in a violent or tumultuous manner toward another, whereby any person is placed in danger of safety of his life, limb or health.

2. Any person who shall act in a violent or tumultuous manner toward another, whereby public property or property of any other person is placed in danger of being destroyed or damaged.

3. Any person who shall endanger lawful pursuits of another by acts of violence or threats of bodily harm.

4. Any person who shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another or public property.

5. Any person who shall assemble or congregate with another or others and cause, provoke or engage in any fight or brawl.

6. Any person who shall collect in bodies or in crowds and engage in unlawful activities.

7. Any person who shall assemble or congregate with another or others and engage or attempt to engage in gaming.

8. Any person who shall frequent any public place and obtain money from another by an illegal and fraudulent scheme, trick, artifice or device, or attempt to do so.

9. Any person who assembles with another or others and engages in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person, or attempts to do so.

10. Any person who utters, in a public place or any place open to the public, any obscene words or epithets.
11. Any person who frequents any place where gaming or the illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated.
12. Any person who shall use "fighting words" directed towards any person who becomes outraged and thus creates turmoil.
13. Any person who shall assemble or congregate with another or others and do bodily harm to another.
14. Any person who shall, by acts of violence, interfere with another's pursuit of a lawful occupation.
15. Any person who shall congregate with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic and refuse to clear such public way when ordered to do so by a peace officer or other person having authority.
16. Any person who damages, befouls or disturbs public property of the property of another so as to create a hazardous, unhealthy or physically offensive condition.

(Amended by Ordinance 789, Passed and Effective July 25, 1994)

75.060. Peace Disturbance.

1. A person commits the offense of peace disturbance if he:
 - a. unreasonably and knowingly causes alarm to another person or persons by:
 - i) Personally abusive language addressed in a face to face manner to a specific individual and uttered under circumstances such that the words have a tendency to cause an immediate and violent response by a reasonable recipient; or
 - ii) Tending to incite a fight; or
 - iii) Threatening to commit a crime against any person; or
 - iv) Fighting.
 - b. A person who commits an act of peace disturbance, as defined herein, shall be guilty of a misdemeanor.

(Amended by Ordinance 789, Passed and Effective July 25, 1994)

75.065. Harassment.

1. A person commits the offense of harassment if for the purpose of frightening or disturbing the person he:
 - a. Communicates in writing or by telephone a threat to commit a crime; or
 - b. Makes a telephone call or communication in writing and uses coarse language offensive to one of average sensibility; or
 - c. Makes a telephone call anonymously; or
 - d. Makes repeated telephone calls.
2. A person who commits the offense of harassment, upon conviction, shall be guilty of a misdemeanor.

(Amended by Ordinance 841, Passed and Effective 02/17/99)

75.066. Stalking.

1. A person commits the offense of stalking if as an adult, he purposely and repeatedly harasses or follows with the intent of harassing another adult.
2. As used in this Section, "adult" means any person eighteen (18) years of age or older or otherwise emancipated.
3. As used in this Section, "harasses" means to engage in a course of conduct directed at a specific adult that serves no legitimate purpose; that would cause a reasonable adult to suffer substantial emotional distress.
4. As used in this Section, "course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
5. Constitutionally protected activity is not included within the meaning of "course of conduct".
6. A person who commits the offense of stalking, upon conviction, shall be guilty of a misdemeanor.

(Amended by Ordinance 842, Passed and Effective 02/17/99)

75.070. Creation of Excessive Noise.

1. The making or creation of excessive, unnecessary or unusually loud noises within the City of Sarcoxie is found and declared to be a detriment to the public health, comfort, convenience, safety and welfare.

2. It is further found and determined that it is in the best interest of the public to secure and promote public health, comfort, convenience, safety and welfare to prohibit the creation of any excessive, unnecessary, or unusually loud noise in the City of Sarcoxie.

3. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section but this enumeration shall not be deemed to be exclusive.

a. Horns, Signaling Devices, etc. Sounding of any horn or signaling devices on any automobile, motorcycle or other vehicle while not in motion on a public street or highway except as a danger signal; or if in motion, the excessive or prolonged sounding of any horn or signaling device except as a danger signal.

b. Radios, Phonographs, etc. The playing, use or operation of any radio, phonograph, musical instrument, or other machine or device for the production or reproduction in such manner as to disturb the peace, quiet, comfort or repose of reasonable persons in any dwelling or any other type of residence, or at any time with louder volume than is necessary for the convenient hearing of the person or persons who are in the room, vehicle, or chamber in which such device is operated or played. The operation of any such device in such a manner as to be plainly audible at a distance of fifty (50') feet from the building, structure, or vehicle in which such device is located shall be prima facie evidence of violation of this section.

c. Loud Speakers, Amplifiers. The using, operating, playing or permitting to be played, any radio, receiving set, musical instrument, phonograph, loud speaker, sound amplifier, or other machine or device for the reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure or for any other purpose unless upon permit issued by the Chief of Police.

d. Exhaust. The discharge into the open air of and internal combustion engine, including any statutory gasoline or gas engine unless the noise from such engine is muffled and equipped with a muffler device sufficient to deaden such noise.

(Amended by Ordinance 788, Passed and Effective July 25, 1994).

75.080. Intoxication or use of intoxicating substance in public place. A person commits the offense of public intoxication when he is in a public place in a state of drunkenness or intoxication which has been caused or induced by the consumption of alcoholic beverage or the use of a narcotic.

1. A person commits the offense of public use of an intoxicating substance when he shall drink or otherwise consume any alcoholic beverage, intoxicating liquor, or use any controlled substance or narcotic drug in any street, public park or other public place.

75.090. Shoplifting, stealing. A person commits the offense of stealing if he appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion.

75.100. Open beer or liquor container. No person shall consume any non-intoxicating beer, malt liquor, or intoxicating liquor (as those terms are defined in Section 50.010 of this Code) while operating a moving motor vehicle (as defined in Section 51.500(2) of this Code) upon the highways of the City of Sarcoxie, Missouri. Any person found guilty of violating this Section shall be guilty of a misdemeanor punishable by a maximum Two Hundred and No/100 (\$200.00) Dollar fine and no term of imprisonment. Any conviction under this Section shall not reflect on any records with the Department of Revenue.

(Amended by Ordinance 815, Passed and Effective 11/17/97)

75.110. Minors. It shall be hereafter unlawful for any person under the age of twenty-one (21) to have in their possession or to consume, any type of alcoholic beverage, or any nonintoxicating beer (3.2%).

(Added by Ordinance 663, Passed and Effective August 6, 1984)

75.120. Possession of marijuana. Any person who shall be in possession of marijuana weighing less than thirty-five (35) grams by metric weight shall be considered guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Fifty and No/100 (\$50.00) Dollars or more than Five Hundred and No/100 (\$500.00) Dollars for each and every such offense.

75.130. Possession of drug paraphernalia.

1. It shall be unlawful for any person to use or to possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or imitation controlled substance in violation of this article.

2. "Drug paraphernalia" shall mean all equipment, products and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or imitation controlled substance in violation of this article. It includes, but is not limited to:

a. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

b. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;

c. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or imitation controlled substance;

d. Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;

e. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;

f. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;

g. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

h. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding controlled substances or imitation controlled substances;

i. Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;

j. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;

k. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;

l. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

i) metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;

ii) water pipes;

- iii) carburetion tubes and devices;
- iv) smoking and carburetion masks;
- v) roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
- vi) miniature spoons or cocaine vials;
- vii) chamber pipes;
- viii) carburetor pipes;
- ix) electric pipes;
- x) air-driven pipes;
- xi) chillums;
- xii) bongos;
- xiii) ice pipes or chillers.

3. In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

- a. Statements by an owner or by anyone in control of the object concerning its use;
- b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;
- c. The proximity of the object, in time and space, to a direct violation of this article;
- d. The proximity of the object to controlled substances or imitation controlled substances;
- e. The existence of any residue of controlled substances or imitation controlled substances on the object;
- f. Direct or circumstantial evidence of the intent of an owner or of anyone in control of the object to deliver it to persons who he knows or reasonably should know, intend to use the object to facilitate a violation of this article; the innocence of the owner, or of anyone in control of the object, as to a direct violation of this article shall not prevent a finding that the object is intended for use as drug paraphernalia;

- g. Instructions, oral or written, provided with the object concerning its use;
- h. Descriptive materials accompanying the object which explain or depict its use;
- i. National and local advertising concerning its use;
- j. The manner in which the object is displayed for sale;
- k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or released items to the community, such as a licensed distributor or dealer of tobacco products;
- l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
- m. The existence and scope of legitimate uses for the object in the community or
- n. Expert testimony concerning its use.

(Added by Ordinance 796, Passed and Effective October 3, 1994)

75.135. Sale of Tobacco Products or Rolling Papers to Minors.

1. I shall be unlawful for any person to sell or offer to sell or to give, barter, or exchange any cigarette, cigar, rolling paper, chewing tobacco, snuff, or other tobacco product to any person less than eighteen (18) years of age within the corporate limits of this city.
2. This Section shall not apply to the distribution of such products by family members on property that is not open to the public.
3. Any person who violates this Section, upon conviction, shall be punished in accordance with Chapter 13 of this Code.

(Amended by Ordinance 907, Passed and Effective 3/1/05)

75.140. Prohibited Weapons. A person commits an offense if he knowingly possesses, manufactures, transports, repairs or sells:

1. an explosive weapon.
2. a machine gun.
3. a gas gun.

4. a short-barreled rifle or shotgun.
5. a firearm silencer.
6. a switchblade knife.
7. knuckles.

75.150. Unlawful use of weapons. A person commits the offense of unlawful use of weapons if he knowingly:

1. Carries concealed on or about his person a knife, a firearm, a blackjack, or any other weapon capable of lethal use; or
2. Sets a spring gun; or
3. Discharges or shoots a firearm within the City limits.
4. Possesses a firearm while intoxicated.

75.160 Firearms in City Buildings.

a. No person who has been issued a concealed carry endorsement by the Missouri Director of Revenue under Section 571.094 RSMo. Or who as been issued a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state shall, by authority of that endorsement or permit, be allowed to carry a concealed or unconcealed firearm or to openly carry a firearm in any building or portion of a building owned, leased, or controlled by the City , including any facility controlled with a gate or fence or onto or into any premises posted as prohibiting or being off limits to concealed or unconcealed firearms or those lawfully in control thereof.

b. A sign shall be posted near each public entrance of a building owned, leased, or controlled by the City stating that the carrying of firearms is prohibited. The sign shall be a minimum of 11 inches by 14 inches, with written thereon at least 1 inch letters that the carrying of firearms is prohibited.

c. This Section shall not apply to buildings used for public housing by private persons, highways, or rest areas, firing ranges or private dwellings owned, leased, or controlled by the City.

d. Any person violating this Section may be denied entrance to the building or ordered to leave the building.

e. No person who has been issued a certificate of qualification, which allows the person to carry a concealed firearm, before the Director of Revenue begins issuing concealed carry endorsements in July 2004 shall, by authority of that certificate, be

allowed to carry a concealed firearm or to openly carry a firearm in any building or portion of a building owned, leased, or controlled by the City, including any facility controlled with a gate or fence.

f. Any person violating this section shall be guilty of an infraction and shall, upon conviction, be deemed guilty of trespass and have a fine imposed in an amount not to exceed \$100.00 for the first offense; \$200.00 for the second offense, if within six (6) months of the first citation; and \$500.00 for the third offense, if within one (1) year of the first citation.

(Amended by Ordinance 896, Passed and Effective 11/14/03)

75.170. Prohibition of Discharge of BB Guns and / or Pellet Guns, and / or Air Soft Guns within the City. (Amended by Ordinance 947, Passed and Effective 7/20/10)

a. Any person within the City limits who shall discharge any BB gun and/or pellet gun which expels a projectile bullet or ball by means of a spring, air, or other means: paint ball gun, gun or expels a pebble, bullet, slug or ball, or other hard substance by means of a sling, crossbow, rubber band, bow or other means and by doing so, causes property damage or injury to persons or creates in such person a fear, or uses it to cause pain and/or suffering to an animal will be guilty of an ordinance violation and subject to penalty as provided in Chapter 13 of the City Code; and such object may be seized by the police, pending adjudication by the Court.

b. Any parent, guardian, or adult supervising a minor, who knowingly allows said minor to violate this Section, shall also be guilty of an ordinance violation subject to the fines as provided in Chapter 13 of the Sarcoxie City Code.

Subchapter A -- Misdemeanors

75.200. Disturbing the peace. If any person or persons shall willfully disturb the peace of any neighborhood, or of any family, or of any person by loud and unusual noise, or by offensive or indecent conversation or by threatening, quarrelling, challenging or fighting, every person so offending shall, upon conviction, be adjudged guilty of a misdemeanor.

75.210. Disturbing religious assembly, etc. Every person within the City of Sarcoxie, who shall willfully, maliciously or contemptuously disquiet or disturb any camp meeting, congregation or other assembly met for religious worship, or when meeting at a place of worship, or dispersing therefrom, or any school or other meeting or assembly of people met together for any lawful purpose whatever, by making a noise or by rude or indecent behavior or profane discourse, within the place of assembly, or so near the same as to interrupt or disturb the order or solemnity thereof, or who shall willfully menace, threaten or assault any person there being, shall be deemed guilty of a misdemeanor.

75.220. Assault. No person shall within the corporate limits of the City of Sarcoxie, assault, strike, fight, beat or wound another, challenge another to fight, or provoke a fight between others, or between himself and another, nor shall any two (2) or more persons in any public place in this City, voluntary or by agreement engage in any fight, or do each other any willful mischief, or use any blows or violence toward each other. Any person so offending shall be guilty of a misdemeanor.

75.230. Deadly weapons concealed, etc. If any person shall carry concealed upon or about his person any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people are assembled for educational, literary or social purposes or to any election precinct on any election day, or into any court room during the sitting of court, or into any other public assemblage of persons met for any lawful purpose other than for militia drill, or meeting called under the militia law of this State, having upon or about his person any kind of fire arms, bowie knife, dirk, dagger, slingshot or other deadly weapons, or shall in the presence of one or more persons exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated, or under the influence of intoxicating drinks, or shall directly or indirectly sell or deliver, loan or barter to any minor any such weapon without the consent of the parent or guardian of such minor, he shall be deemed guilty of a misdemeanor. Provided, that this section shall not apply to persons moving or traveling peaceably through this State, nor to persons who have been threatened with great bodily harm or had good reason to carry the same in the necessary defense of themselves, home or property, nor to any police officer, or person whose duty it is to execute process or warrants, or to suppress breaches of the peace or make arrests.

75.240. Shooting firearms. No person in this City shall discharge any gun, pistol, or other fire arms, or explode any detonating material, any person so offending shall be deemed guilty of a misdemeanor, but this section shall not apply to any officer in the discharge of his duty nor to the operator or workman in any mine, nor to persons properly using any lawful target gun in any licensed shooting gallery.

75.250. Unlawful assembly. If three (3) or more persons shall assemble together with the intent, or being assembled shall agree mutually to assist one another to do any unlawful act with force or violence, against the person or property of another or against the peace or to the terror of the people, such persons so assembling, and each of them shall be guilty of an unlawful assembly.

75.260. Riot. If three (3) or more person, being assembled as mentioned in the last preceding section, shall proceed to carry out or accomplish their purposes or do any unlawful act in furtherance or supposed furtherance of said purposes, in a violent, unlawful or tumultuous manner to the terror or disturbance of the peaceful citizens of said City, every person so offending or who shall aid or assist in doing any such unlawful act shall be deemed guilty of a riot, and upon conviction shall be punished as for a

misdemeanor. Any individual violating any of this or the last preceding section may be prosecuted singly or jointly with others violating the same.

75.270. Indecent exposure or lewd act. Any person who shall appear in the streets of Sarcoxie when naked or in dress not becoming his or her sex, or in any indecent or lewd garb, or expose his or her person indecently, or be guilty of any indecent behavior or lewd act or of exhibiting any indecent or lewd book, statute or other thing or of exhibiting or performing any immoral or lewd play, or other representation, shall upon conviction be adjudged guilty of a misdemeanor.

75.280. Visiting and loitering about bawdy house. Any person, male or female, who shall in this City visit or be found in, or frequenting or loitering about or be the inmate of, or boarder or lodger in any bawdy house, house of ill fame, assignation, or disorderly house or other place kept and maintained for the practice of fornication, or in which fornication is committed, or any one who shall in any way by any unlawful act, aid or abet, or contribute to the support of any inmate, boarder or lodger in any such house, room or place, shall be deemed guilty of a misdemeanor.

75.290. Prostitute not to ply his/her vocation. No prostitute, courtesan, or lewd woman or man shall within the corporate limits of the City of Sarcoxie, by any word, sign or action in any way advertise, ply or pursue his or her vocation on any street, alley, avenue, park or other place or in any house, room or rooms, and no person shall in any way contribute to the support of, aid or abet, shelter, help or otherwise give countenance to such man or woman, while plying his or her vocation. Any such prostitute, courtesan, or lewd man or woman, or other person who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor.

75.300. Bawdy house. Every person, male or female, who shall rent, keep, occupy, or have in his or her possession, or under his or her control or management any bawdy house, house of ill fame or assignation house, or any house or room to which men or boys or any man or boy resorts to for the purpose of prostitution or fornication with such female or females, shall be deemed guilty of a misdemeanor.

75.310. Casting stones and missiles. No person shall cast any stone, club, ball or other missile in, over or across any park, public square, street, avenue, alley, or other highway, in the City of Sarcoxie or in any place within the City of Sarcoxie in a manner likely to injure any person or to cause horses or other animals to run or to do mischief, nor to purposely cause any animal or animals to do damage or mischief, by purposely frightening them, any person so offending shall be deemed guilty of a misdemeanor.

75.320. Throwing dice, etc. and betting thereon. If any person shall play at any game whatsoever, for money, property or gain, with cards, dice or any other device which may be adapted to or used in playing any game of chance, or in which chance is a material element, or shall bet or wager on the hands or cards or sides of such as do play

as aforesaid, every such person shall be deemed guilty of a misdemeanor, provided, further, that every adult person who shall play at any game whatsoever for money, property or gain, with any minor under the age of twenty-one (21) years, with cards, dice or other device as aforesaid, with or without the consent of the parent or guardian of said minor, or shall bet or wager on the hands or cards or sides of such game in which said minor shall play, as aforesaid, shall upon conviction in addition to the penalty above set forth, be confined in the City jail for a term not less than ten (10) days.

75.330. Keeping gaming house. Whoever shall permit two (2) or more persons to assemble or consort together at any house or place owned or controlled by him for the purpose of carrying on any game of chance, or in which chance is a material element, with cards, dice, checks, chips, or any other game of chance or gambling device, where any money or property shall be bet, lost or won, or who shall permit any such persons when so assembled at such house or place, to carry on any such game shall be deemed guilty of a misdemeanor.

75.340. Destruction of property. No person shall break, injure or destroy public or private property without the consent of the owner thereof, or willfully or carelessly break glass in any house or building, or motor vehicle, or write upon, paste to, attach, stick on, or make any sign, pictures, or representations upon any house, or room or building, whether public or private, or structure, whether public or private, without the consent of the owner thereof, or the person having the same in charge. Every person violating the provisions of this section shall be deemed guilty of a misdemeanor.

(Amended by Ordinance 694, Passed and Effective March 16, 1987)

75.350. False fire alarm. Any person who shall purposely and falsely give or raise an alarm of fire in the City of Sarcoxie shall be deemed guilty of a misdemeanor.

75.360. Destroying telegraph and telephone wires, etc. Every person who shall willfully and maliciously injure, molest or destroy any of the lines, wires, posts, piers, abutments of any telegraph or telephone company, owner or association used in or about the transmission of dispatches or other communications shall, upon conviction be deemed guilty of a misdemeanor.

75.370. Train in motion, getting on. No person other than passengers or railroad employees, shall get on or off or attempt to get on or off any locomotive, engine, tender, car or train of cars, or any platform or steps thereof, while the same or either of them is in motion, without permission to do so first obtained from those in charge thereof. Every person violating the provisions of this section shall be deemed guilty of a misdemeanor.

75.380. Stallion or jack, how kept. No person shall keep or let to mares within this City any stallion or jack, unless within an enclosure so arranged as to obstruct the view of all outside the enclosure. Any person violating the provisions of this section shall be

deemed guilty of a misdemeanor.

75.390. Negligence with fire.

1. No person shall negligently or carelessly place or permit any person in his employ or under his charge or control to place any fire, burning or heated substance in or near any building in this City in such a manner to endanger such building or any adjoining building, or goods or material therein, or any other property.
2. No person shall allow, place, maintain, or permit any fire or burning on any street or sidewalk on the City. Nothing herein shall prevent the burning of leaves in the ditches of the City so long as such activity has not been prohibited by the Fire Chief.
3. Any person found violating this Section shall be deemed guilty of a misdemeanor.

(Modified by Ordinance 892, Passed and Effective 5/20/03)

75.400. Wearing policeman's badge unlawfully. It shall be unlawful for any person to falsely represent himself to be an officer of the City without being qualified, or to exercise or attempt to exercise the power or duties of an officer of the City or wear any star or uniform of the City Marshal or policeman.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

75.410. Resisting an officer.

1. It shall be unlawful for any person to knowingly and willfully obstruct, resist or oppose any officer of the City in the service or execution, or in the attempt to serve or execute any writ, warrant or process, original or judicial, or in the discharge of any other duty.
2. For the purpose of this section, physical obstruction, giving false information, failure to fully cooperate, etc. shall be deemed violations of this section.

(Amended by Ordinance 796, Passed and Effective October 3, 1994)

75.420. Rescuing prisoner. No person shall by force set at liberty or rescue, or attempt to set at liberty or rescue, any prisoner in custody or confinement for the violation of any ordinance of the City whether before or after conviction, or upon any writ, warrant or process, original or judicial, or any lawful authority, nor assault any officer making an arrest, or in the performance of any other official duty. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

75.430. Signs. No sign of any office, calling or profession, store room or place of business in the City of Sarcoxie shall be placed, projected or suspended across any

sidewalk in this City so as to allow the lower edge or side thereof to be nearer the sidewalk than eight (8') feet, and any person placing or permitting to be placed or allowed to remain in front of his office, store room or other place of business any such sign nearer to the upper surface than eight (8') feet in violation of this ordinance shall be deemed to be guilty of a misdemeanor and upon conviction shall be fined not less than One and No/100 (\$1.00) Dollar nor more than Twenty and No/100 (\$20.00) Dollars.

75.440. Escape of prisoner. If any person in custody either before or after conviction, or working on the streets in the custody of the street commissioner or other person, shall break such custody and escape therefrom, he shall upon conviction be adjudged guilty of a misdemeanor.

75.450. Following Police into the City Hall. No person shall follow or accompany the City Police or other officer inside the City Hall yard, or inside the City Hall when any such officer has charge of any prisoner, unless such officer invite or call on such person to accompany or assist him, nor loiter about the said hall, for the purpose of talking to any prisoner in the City Jail, or in the custody of any officer, unless by the permission of the City Police or other officer, having such prisoner in charge.

75.460. Excavation in street. Any person who shall within this City make any excavation of the depth of one foot or more, on or adjoining any street, lane, public square, alley or highway, or any person having charge or control of such excavation, who shall leave such excavation open and unguarded in the day or night time, shall be deemed guilty of a misdemeanor, provided, red flags by day and red lights kept burning during the night at such excavations and not more than one hundred fifty (150) feet apart along the entire length of such excavation, and one at each end thereof shall be considered a sufficient guard.

75.470. Conduct on street. Any person who shall so conduct himself upon the streets as to endanger the safety of persons or to scare or frighten animals shall be deemed guilty of a misdemeanor.

75.480. Operation of vehicles. Every person operating a motor vehicle upon any street, road, highway, alley, or public way of any description, shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person, and shall exercise the highest degree of care. Any person convicted of violating this ordinance shall be subject to fine, not less than Seventy-Five and No/100 (\$75.00) Dollars nor more than Three Hundred Fifty and No/100 (\$350.00) Dollars.

(Added by Ordinance 75.746, Passed and Effective April 8, 1976)

75.490. Library Theft.

1. A person commits the misdemeanor of library theft, if, with the purpose to deprive,

he:

a. knowingly removes any library material from the premises of the Library without authorization; or

b. borrows or attempts to borrow any Library material from the Library by use of a Library card:

i) without the consent of the person to whom it was issued; or

ii) knowing that the card is revoked, canceled, or expired; or

iii) knowing that the Library card is falsely made, counterfeit, or materially altered.

c. borrows library material from the Library pursuant to an agreement or procedure established by the Library which requires the return of such Library material, and with the purpose to deprive the Library of the Library material, fails to return the Library material to the Library.

2. It shall be prima facie evidence of the purpose to deprive the Library of the Library materials if, within ten (10) days after notice, in writing, deposited as certified mail from the Library demanding return of such Library material, he, without good cause shown, fails to return the Library material. A person is presumed to have received the notice required by this Subsection if the Library mails such notice to the last address provided to the Library by such person.

3. Any person convicted of violation of this section shall be guilty of a misdemeanor and shall be punished in accordance with the provisions of Chapter 13 of this Code.