

AN ORDINANCE AMENDING ORDINANCE NO. 4788, “THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI”, CHAPTER 220: NUISANCES: ARTICLE II; SECTION 220.110, ABANDONED PROPERTY AND OPEN STORAGE OF INOPERABLE VEHICLES TO COMPLY WITH NEW CHANGES IN STATE LAW.

WHEREAS, changes in state law 92014 SB 491, B 1371, 2016 SB 624 and 656 and HB 2332) require parallel revisions to certain of the City Of Richmond Heights, MO ordinance, effective January 1, 2017.

WHEREAS, Section 220.110 of the Municipal Code addresses various offenses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows: nuisances

SECTION 1. CHAPTER 220 NUISANCES: ARTICLE II; ABANDONED PROPERTY AND OPEN STORAGE OF INOPERABLE VEHICLES; Section 220.110 is hereby amended to read as follows:

Section 220.110 Abandoning Motor Vehicle – Last Owner of Record Deemed The Owner of Abandoned Motor Vehicle, Procedures-Penalty-Civil Liability.

A.

A person commits the offense of abandoning a vehicle, vessel or trailer if he or she knowingly abandons any vehicle, vessel or trailer on the right-of-way of any public road or State highway or on or in any of the waters in this State or on the banks of any stream, or on any land or water owned, operated or leased by the State, any board, department, agency or commission thereof, or any political subdivision thereof or on any land or water owned, operated or leased by the Federal Government or on any private real property owned by another without his or her consent.

B.

For purposes of this Section, the last owner of record of a vehicle, vessel or trailer found abandoned and not shown to be transferred pursuant to Sections 301.196 and 301.197 RSMo., shall be deemed by frima facie evidence to have been the owner of such vehicle, vessel or trailer at the time it was abandoned and to have been the person who abandoned the vehicle, vessel or trailer or caused or procured its abandonment.

See Section 577.080 RSMo

SECTION 2. The sections of this Ordinance shall be severable. In the event that any of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds that the valid sections of this Ordinance are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has enacted the valid sections without the void ones, or unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION 3. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED AND APPROVED this 19th day of December, 2016.

JIM THOMSON
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: December 5, 2016
Second Reading: December 21, 2016