

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS MISSOURI, ADDING SECTION 215.375 TO THE CODE OF ORDINANCES REGARDING DISTURBANCE OF FUNERAL AND BURIAL SERVICES.

WHEREAS, every citizen may freely speak, write and publish their sentiments on all subjects, but should not abuse such rights by imposing their sentiments on others and thereby disrupt or disturb funeral or burial services; and

WHEREAS, a significant governmental interest exists in protecting the peace and privacy of mourners accessing and participating in a funeral or burial service; and

WHEREAS, the City Council has determined that the City should protect the peace and privacy of mourners from disruption and disturbance for a short time and in the limited area immediately around such services, without limiting alternative channels for communication.

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

SECTION 1. Ordinance No. 4788, the Municipal Code of the City of Richmond Heights, Missouri is hereby amended by adding new Section 215.375 entitled Disturbance of Funeral and Burial Services to read as follows:

SECTION 215.375: DISTURBANCE OF FUNERAL AND BURIAL SERVICES

A. No person shall knowingly picket or engage in other protest activities, nor shall any association or corporation knowingly cause picketing or other protest activities to occur, within three hundred (300) feet of any residence, cemetery, funeral home, church, synagogue, or other establishment or location during or within one (1) hour before or one (1) hour after any actual funeral or burial service at that place.

B. As used in this Section, "other protest activities" means any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service.

C. As used in this Section, "funeral" and "burial" services mean the ceremonies and memorial services held in conjunction with the burial or cremation of the dead, but this Section does not apply to processions while they are in transit beyond any three hundred (300) foot zone that is established under Subsection (A) above.

SECTION 2. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

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 SIGNED this 19th day of November, 2012.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: November 5, 2012
Second reading: November 20, 2012