

BILL NO. ~~52XX5223~~
5086

ORDINANCE NO.

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AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 215: OFFENSES, ARTICLE VI., OFFENSES CONCERNING PROPERTY, BY ADDING NEW SECTION 215.640; POSSESSION OF PROHIBITED THEFT DEVICES.

WHEREAS, retail merchants have determined that special tools are being used to remove or shield theft detection devices on merchandise in order to enable the theft of goods and merchandise within the City of Richmond Heights; and

WHEREAS, the City Council finds and determines it is in the best interest of the public health, safety and welfare to prohibit the use of such devices in the City of Richmond Heights in order to better detect and deter the criminal conduct they are intended to enable.

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

SECTION 1. Chapter 215, OFFENSES, ARTICLE VI., OFFENSES CONCERNING PROPERTY, is hereby amended as follows by adding new SECTION 215.640: POSSESSION OF PROHIBITED THEFT DEVICES.

ADD:

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SECTION 215.640: POSSESSION OF PROHIBITED THEFT DEVICES.

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It shall be unlawful for any person to possess any theft detection shielding device, theft detection device remover or tool, instrument, article, box or box adapted, modified, constructed, designed or used for committing or facilitating offenses involving theft or stealing, in a public place with intent to use such item for theft or stealing or with knowledge that some person intends to use the same in committing a theft or stealing.

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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 2nd day of September, 2008.

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BETTY J. HUMPHREY
JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: August 18, 2008
Second reading: September 2, 2008