

**AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AMENDING CHAPTER 8 – OFFENSES-MISCELLANEOUS ARTICLE I – IN GENERAL OF THE CODE OF THE CITY OF CAMERON**

**WHEREAS**, in the 2014 Legislative Session, the 97th Missouri General Assembly approved, and the Governor signed into law, Senate Bill 491 and House Bill 1371 with an effective date of January 1, 2017; and

**WHEREAS**, Senate Bill 491 and House Bill 1371 revised or affected 943 sections of the Revised Missouri Statutes; and

**WHEREAS**, the revisions made by Senate Bill 491 and House Bill 1371 resulted in the need to revise Chapter 8 – Offenses-Miscellaneous Article I – In General of the Code of the City of Cameron (“Code”) to conform with general state law; and

**WHEREAS**, it is the intent and the desire of the City Council of the City of Cameron (“Council”) to amend Chapter 8 – Offenses-Miscellaneous Article I – In General to conform with Senate Bill 491, House Bill 1371, and general state law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI, AS FOLLOWS:**

Section 1. That Chapter 8 – Offenses-Miscellaneous Article I – In General of the Code of the City of Cameron, attached hereto, is hereby adopted and enacted.

Section 2. That this Ordinance shall be in full force and effect from and after its passage.

Section 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed

Passed and approved this 5<sup>th</sup> day of December 2016.

\_\_\_\_\_  
Mayor Jerri Ann Eddins

ATTEST:

\_\_\_\_\_  
City Clerk/Finance Clerk

## **CHAPTER 8 – OFFENSES-MISCELLANEOUS**

### **ARTICLE I. - IN GENERAL**

#### **Sec. 8-1. - Curfew—Minors under certain age; warning for violation.**

- (a) It shall be unlawful for any minor under the age of seventeen (17) years to loiter, idle, wander, stroll or to ride in an automobile, or play in or upon the public streets, highways, roads, alleys, sidewalks, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or other unsupervised places between the hours of 10:30 p.m. and 5:00 a.m. of the following day, Sunday through Thursday; Friday and Saturday, 12:00 a.m. to 5:00 a.m. This section does not apply to a minor accompanied by his/her parent, guardian or other adult person having care or custody of the minor; a minor [who] is on an emergency errand; [and/or] a minor in direct route to or from his/her place of residence, place of employment, school, public or church function, if such employment or activity was with the consent and knowledge of the parent, guardian or other adult having care or custody of the minor.
- (b) Any police officer finding a minor violating the provisions set forth in subsection (a) shall warn the minor to cease and desist immediately from such violation. The police officer may take such minor into custody and release him/her to the parent, guardian or other adult person having care or custody of the minor, or release the minor at the scene with written notice of referral to the juvenile officer. The officer shall cause a copy of the written notice to the juvenile officer to be mailed or delivered to the parent, guardian or other adult person having care or custody of the minor.

#### **Sec. 8-2. - Same—Responsibility of parent, guardian or other adult; penalty for violation.**

- (a) It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of seventeen (17) years to knowingly permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, sidewalks, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or other unsupervised places between the hours of 10:30 p.m. and 5:00 a.m. of the following day, Sunday through Thursday; Friday and Saturday, 12:00 a.m. to 5:00 a.m. This section does not apply to a minor accompanied by his/her parent, guardian or other adult person having care or custody of the minor; a minor [who] is on an emergency errand; [and/or] a minor in direct route to or from his/her place of residence, place of employment, school, public or church function, if such employment or activity was with the consent and knowledge of the parent, guardian or other adult having care or custody of the minor.
- (b) After receiving two (2) notices that a minor has violated the provisions set forth in section 8-1, any parent, guardian or other adult person having care or custody of the minor who knowingly permits such minor to again violate the provisions of section 8-1 shall be deemed to be in violation of this section 8-2 and shall, upon conviction, be fined not less than seventy-five dollars (\$75.00).
- (c) After two (2) notices, it shall be prima facie evidence that a parent, guardian, or other adult having care or custody of a minor, knowingly permitted such minor to violate the provisions of section 8-1.
- (d) The parent, guardian or other adult person having care or custody of a minor who has violated the provisions set forth in section 8-1 more than two (2) times may be exempted from penalty, if such parent, guardian, or other adult having care or custody refers such minor to the juvenile officer and assists the juvenile officer in an appropriate program to deter the minor from future violations.

#### **Sec. 8-3. - Reserved.**

#### **Sec. 8-4. - Marijuana possession; or Synthetic Cannabinoid.**

- (a) A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo.

#### **Sec. 8-4.1. – Possession of a Controlled Substance.**

A person commits the offense of possession of a controlled substance, as defined in Section 195.010, RSMo., if he or she knowingly possess a controlled substance, except as authorized by Chapter 579 or Chapter 195, RSMo.

**Sec. 8-4.2. - Unlawful Possession of Drug Paraphernalia.**

A person commits the offense of unlawful possession of drug paraphernalia if he or she knowingly uses, or possesses 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 an imitation controlled substance in violation of Chapter 579 or Chapter 195, RSMo.

**Sec. 8-4.3. - Forfeiture of marijuana, drug paraphernalia, imitation controlled substances, when; disposal.**

All marijuana, controlled substances, imitation controlled substances or drug paraphernalia for the administration, use or manufacture of marijuana, controlled substances, or imitation controlled substances and which have come into the custody of the chief of police or any police officer, the lawful possession of which is not established or the title to which cannot be ascertained after some appropriate hearing, shall be forfeited, and disposed as follows: The municipal judge shall order such marijuana, controlled substance imitation controlled substances, or drug paraphernalia forfeited and destroyed. A record of the place where such marijuana, controlled substance, imitation controlled substances, or drug paraphernalia were seized, of the kinds and quantities of marijuana, controlled substances, imitation controlled substances or drug paraphernalia so destroyed, and of the time, place and manner of destructions, shall be kept, and a return under oath, reporting the destruction of the marijuana, imitation controlled substances, or drug paraphernalia shall be made to the municipal judge by the officer who destroys them.

**Sec. 8-4.4. - Illicit possession, sale and use of bath salts.**

- (a) It is unlawful for any person or corporation knowing, or under circumstances where one reasonably should know to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person or corporation any product containing 3,4-Methylenedioxypropylamphetamine (MDPV), Mephedrone, 4-methoxymethcathinone, 4-Fluoromethcathinone, and 3-Fluoromethcathinone or to display for sale or possess with an intent to distribute said products containing MDPV. These products are commonly sold as bath salts with the trade names including, but not limited to, White Rush, Cloud 9, Ivory Wave, Ocean, Charge, Plus, White Lightening, Scarface, Hurricane Charlie, Red Dove, White Dove, or Blue Magic.
- (b) It is unlawful to use or possess with the intent to use MDPV or otherwise introduce into the human body any products containing MDPV.
  - (1) Any person violating the terms of the ordinance [Ordinance No. 5652] shall be punished, upon conviction, with a fine up to five hundred dollars (\$500.00) and incarceration of up to thirty (30) days, with each day of violation constituting a separate offense.
  - (2) Any business found violating the terms of the ordinance shall have their business license revoked by the City of Cameron.
  - (3) The City of Cameron shall refuse a business license to a person or business selling or offering for sale these types of bath salts.

**Sec. 8-4.5. - Restriction of items commonly used to consume illegal drugs.**

- (a) It is unlawful for any person, business or corporation to offer for self-service sale bongs, hookahs, water pipes, rolling papers, blunt wraps, and/or flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism) to any person(s) under the age of eighteen (18) as determined by an official form of government issued photo identification.
- (b) Any person violating the terms of this section shall be punished, upon conviction, with a fine up to five hundred dollars (\$500.00) and/or incarceration of up to thirty (30) days, with each day of violation constituting a separate offense.

- (c) Any person, business or corporation found violating the terms of the ordinance shall have their business license immediately revoked by the City of Cameron.
- (d) The City of Cameron shall refuse a business license to any person, business or corporation offering for self-service sale bongs, hookahs, water pipes, rolling papers, blunt wraps, and flush kits (flush kits contain natural and artificial ingredients that are used in the detoxification of a living organism and/or in an attempt to mask the presence of illegal substances within a living organism).

**Sec. 8-4.6. - Inhalation or inducing others to inhale solvent fumes to cause certain reactions, prohibited—Exceptions.**

No person shall intentionally smell or inhale the fumes or any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues or induce any other person to do so for the purpose of causing a condition of, or inducing symptoms of, intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of senses or nervous system, or for the purpose of, in any manner, changing, distorting or disturbing the audio, visual or mental processes; except that this section shall not apply to the inhalation of any anesthesia for medical or dental purposes.

**Sec. 8-4.6a. - Inducing, or possession with intent to induce, symptoms by use of solvents, prohibited.**

- (a) As used in this section, "alcohol beverage vaporizer" means any device which, by means of heat, a vibrating element, or any method, is capable of producing a breathable mixture containing one (1) or more alcoholic beverages to be dispensed for inhalation into the lungs via the nose or mouth or both.
- (b) No person shall intentionally or willfully induce the symptoms of intoxication, elation, euphoria, dizziness, excitement, irrational behavior, exhilaration, paralysis, stupefaction, or dulling of the senses or nervous system, distortion of audio, visual or mental processes by the use or abuse of any of the following substances:
  - (1) Solvents, particularly toluol;
  - (2) Ethyl alcohol;
  - (3) Amyl nitrite and its iso-analogues;
  - (4) Butyl nitrite and its iso-analogues;
  - (5) Cyclohexyl nitrite and its iso-analogues;
  - (6) Ethyl nitrite and its iso-analogues;
  - (7) Pentyl nitrite and its iso-analogues; and
  - (8) Propyl nitrite and its iso-analogues.
- (c) This section shall not apply to substances that have been approved by the United States Food and Drug Administration as therapeutic drug products or are contained in approved over-the-counter drug products or administered lawfully pursuant to the order of an authorized medical practitioner.
- (d) No person shall intentionally possess any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues for the purpose of using it in the manner prohibited by section 8-4.6 and this section.
- (e) No person shall possess or use an alcoholic beverage vaporizer.
- (f) Nothing in this section shall be construed to prohibit the legal consumption of intoxicating liquor, as defined by Section 311.020 RSMo, or non-intoxicating beer.

**Sec. 8-4.6b. - Possession or purchase of solvents to aid others in violations, prohibited—Violations of sections 8-4.6 to 8-4.6a—Penalty.**

- (a) No person shall intentionally possess or buy any solvent, particularly toluol, amyl nitrite, butyl nitrite, cyclohexyl nitrite, ethyl nitrite, pentyl nitrite and propyl nitrite and their iso-analogues for the

purpose of inducing or aiding any other person to violate the provisions of sections 8-4.6 and 8-4.6a hereof.

- (b) Any person who violates any provision of sections 8-4.6—8-4.6a is guilty of an ordinance violation for the first violation.

**Sec. 8-5. - Firecrackers, explosives, water balloons, eggs or other substances—Throwing against automobiles or pedestrians.**

It shall be unlawful for any person to throw or otherwise propel firecrackers, explosives, eggs, water balloons or any other substance at or against any pedestrian or automobile, whether such pedestrian or automobile is moving or stationary, or against the occupants of any such automobile.

**Sec. 8-6. - Same—Throwing from automobiles; liability of driver and occupants.**

- (a) It shall be unlawful for any person to throw or otherwise propel firecrackers, explosives, eggs, water balloons or any other substance against any person, automobile or occupant of an automobile from any other automobile, whether the automobile is stationary or moving. It shall be unlawful for any person to drive an automobile from which such objects or substances are thrown. The fact that such person is driving an automobile from which firecrackers, explosives, eggs, water balloons or other substances are thrown at another automobile or pedestrian shall be prima facie evidence that the driver of such automobile has violated this section.
- (b) Each occupant of an automobile, whether such automobile is moving or stationary, from which firecrackers, explosives, eggs, water balloons or other substances have been thrown or propelled against pedestrians or other automobiles upon the public highways in the city who shall fail to prevent other occupants from hurling such eggs, water balloons, firecrackers, explosives or other substances from such vehicle, shall be guilty of an offense. The fact that such objects or substances were hurled or propelled from the vehicle by any occupant of an automobile shall be prima facie evidence against all occupants of such automobile of a violation of this section.
- (c) Both the driver and other occupants of any automobile from which firecrackers, explosives, eggs, water balloons or other substances have been thrown against pedestrians or other automobiles upon the public highways of the city shall be equally guilty of an offense, unless the driver and other occupants of such automobile shall immediately stop such automobile or cause the automobile to be stopped and report such action to the police. The failure of such driver and other occupants to stop such automobile or cause the automobile to be stopped and to report such violation shall be prima facie evidence of a violation of the provisions of this section.

**Sec. 8-7. - Assault; penalty.**

- (a) A person commits the offense of assault if:
  - (1) The person attempts to cause or recklessly causes physical injury, 3 physical pain, or illness to another person;
  - (2) With criminal negligence the person causes physical injury to another person by means of a firearm;
  - (3) The person purposely places another person in apprehension of immediate physical injury;
  - (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;
  - (5) The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or
  - (6) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.
- (b) A violation of subdivision (3) or (5) of subsection (a) shall be punished by a fine not exceeding three hundred dollars (\$300.00) or by imprisonment for a period not exceeding fifteen (15) days or by both such fine and imprisonment.

**Sec. 8-8. - Sexual misconduct.**

- (a) A person commits the offense of sexual misconduct if such person:

- (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;
- (2) Has sexual contact in the presence of a third person or person under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or
- (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person

**Sec. 8-9. - Prostitution offenses—Definitions.**

As used in sections 8-9 through 8-12:

Patronizing prostitution means that a person patronizes prostitution if he or she:

- (1) Pursuant to a prior understanding, gives something of value to another person as compensation for having engaged in sexual conduct with any person;
- (2) Gives or agrees to give something of value to another with the understanding that such person or another person will engage in sexual conduct with any person; or
- (3) Solicits or requests another person to engage in sexual conduct any person in return for something of value.

Prostitution means a person commits prostitution if he or she engages or offers or agrees to engage in sexual conduct with another person in return for something of value to be received by any person.

Sexual conduct means:

- (1) Sexual intercourse, any penetration, however slight, of the female genitalia by the penis;
- (2) Deviate sexual intercourse, any sexual act involving the genitals of one (1) person and the mouth, hand, tongue or anus of another person; or any involving the penetration, however slight, of the penis, the female genitalia, or the anus by a finger, instrument, or object done for the purpose of arousing or gratifying the sexual desire of any person or for the other purpose of terrorizing the victim; or
- (3) Sexual contact, any touching, of any other person with genitals or any touching of the genitals or anus of another person or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire any party or for the purpose of terrorizing the victim.

Something of value means any money or property or any token, object or article exchangeable for money or property.

**Sec. 8-10. - Same—Committing prostitution.**

- (a) A person commits the offense of prostitution if he performs an act of prostitution.
- (b) This section shall not apply if the person knew prior to performing the act of prostitution that he or she was infected with HIV. The use of condoms is not a defense.

**Sec. 8-11. - Same—Patronizing prostitution.**

- (a) A person commits the offense of patronizing prostitution if he patronizes prostitution.
- (b) It shall not be a defense that the person believed the individual he or she patronized for prostitution was eighteen years of age or older
- (c) This section shall not apply if the individual who the person patronized is fourteen (14) years of age or younger.

**Sec. 8-13. - Tampering—Definitions.**

As used in section 8-14:

Of another means property in which any natural person, corporation, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest.

Tamper means to interfere with something improperly, to meddle with it, displace it, make unwarranted alterations in its existing condition or to deprive, temporarily, the owner or possessor of that thing.

Utility means an enterprise which provides gas, electric, steam, water, sewerage disposal or communication, video, internet, or voice over internet protocol services, and services and any common carrier. It may be either publicly or privately owned or operated.

**Sec. 8-14. - Same—Generally.**

- (a) A person commits the offense of tampering in the second degree if he or she:
  - (1) Tamper with property of another for the purpose of causing substantial inconvenience to that person or to another;
  - (2) Unlawfully rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle;
  - (3) Tamper or makes connection with property of a utility; or
  - (4) Tamper with or causes to be tampered with any meter or other property of an electric, gas, steam or water utility, the effect of which tampering is either:
    - a. To prevent the proper measuring of electric, gas, steam or water service; or
    - b. To permit the diversion of any electric, gas, steam or water service.
- (b) In any prosecution under subsection (a)(4) of this section, proof that a meter or any other property of a utility has been tampered with and the person accused received the use or direct benefit of the electric, gas, steam or water service with one (1) or more of the effects described in subsection (a)(4) of this section shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of such subsection by the person who used or received the direct benefit of the electric, gas, steam or water service.
- (c) This section shall not apply to a second or subsequent violation of subsection (a)(4) of this section.

Sec. 8-15. - Reserved.

**Sec. 8-16. - Spitting.**

No one shall spit or expectorate upon the floors, platforms, steps or walks of any public building, church, school, theatre, hall or railroad station, upon any sidewalk in the city or upon any walks within the campus or grounds of any institution of learning or of any eleemosynary institution within the city.

**Sec. 8-17. - Motorboats prohibited on city lakes.**

No motorboats shall be allowed on any of the city lakes.

**Sec. 8-18. - Mining—Prohibited.**

No person, either in person or by agent, shall prospect or mine any property within the city.

**Sec. 8-19. - Same—Permitting use of property.**

No person, either in person or by agent, shall permit any prospecting or mining on property owned or controlled by him within the city.

**Sec. 8-20. - Property damage—Definition.**

For the purposes of section 8-21:

Of another means property in which any natural person, corporation, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest.

**Sec. 8-21. - Same—Generally.**

A person commits the offense of property damage if he or she:

- (1) Knowingly damages property of another; or
- (2) Damages property for the purpose of defrauding an insurer.

**Sec. 8-22. - Injuring sewers, gutters, trenches or channels.**

Any person who shall destroy, tear up or otherwise injure any sewer, gutter, trench or channel made or used for the purpose of carrying off water or draining any street, thoroughfare or other public place within the city shall be deemed guilty of an offense.

**Sec. 8-23. - Trespass—Definitions.**

As used in sections 8-24 and 8-25:

Enter unlawfully or remain unlawfully means that a person enters unlawfully or remains unlawfully in or upon premises when he or she is not licensed or privileged to do so. A person who, regardless of his or her purpose, enters or remains in or upon premises which are at the time open to the public does so with license and privilege unless he or she defies a lawful order not to enter or remain, personally communicated to him or her by the owner of such premises or by any other authorized person. A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of the building which is not open to the public.

Inhabitable structure includes a ship, trailer, sleeping car, airplane or other vehicle or structure:

- (1) Where any person lives or carries on business or other calling;
- (2) Where people assemble for purposes of business, government, education, religion, entertainment or public transportation; or
- (3) Which is used for overnight accommodation of persons.

Any such vehicle or structure is inhabitable regardless of whether a person is actually present.

Of another means property in which any natural person, corporation, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest.

**Sec. 8-24. - Same—First degree.**

- (a) A person commits the offense of trespass in the first degree if he or she knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon real property.
- (b) A person does not commit the offense of trespass in the first degree by entering or remaining upon real property unless the real property is fenced or otherwise enclosed in a manner designed to exclude intruders or unless notice against trespass is given by:
  - (1) Actual communication to the actor; or
  - (2) Posting in a manner reasonably likely to come to the attention of intruders.

**Sec. 8-25. - Same—Second degree; penalty.**

- (a) A person commits the offense of trespass in the second degree if he or she enters unlawfully upon real property of another. This is an offense of absolute liability.
- (b) A violation of this section shall be punished by a fine not exceeding two hundred dollars (\$200.00).

**Sec. 8-26. - Stealing—Definitions.**

As used in section 8-27:

Appropriate means to take, obtain, use, transfer, conceal or retain possession of, or dispose.

Coercion means a threat, however communicated, to:

- (1) Commit any offense;

- (2) Inflict physical injury in the future on the person threatened or another;
- (3) Accuse any person of any offense;
- (4) Expose any person to hatred, contempt or ridicule;
- (5) Harm the credit or business reputation of any person;
- (6) Take or withhold action as a public servant or cause a public servant to take or withhold action;  
or
- (7) Inflict any other harm which would not benefit the actor.

A threat of accusation, lawsuit or other invocation of official action is justified and not coercion if the property sought to be obtained by virtue of such threat was honestly claimed as restitution or indemnification for harm done in the circumstances to which the accusation, exposure, lawsuit or other official action relates or as compensation for property or lawful service. The defendant shall have the burden of injecting the issue of justification as to any threat.

Deceit means purposely making a representation which is false and which the actor does not believe to be true and upon which the victim relies, as to a matter of fact, law, value, intention or other state of mind. The word "deceit" does not, however, include falsity as to matters having no pecuniary significance or puffing by statements unlikely to deceive ordinary persons in the group addressed. Deception as to the actor's intention to perform a promise shall not be inferred from the fact alone that he did not subsequently perform the promise.

Deprive means to:

- (1) Withhold property from the owner permanently;
- (2) Restore property only upon payment of reward or other compensation; or
- (3) Use or dispose of property in a manner that makes recovery of the property by the owner unlikely.

Of another means property or services in which any natural person, corporation, partnership, association, governmental subdivision or instrumentality, other than the actor, has a possessory or proprietary interest, except that property shall not be deemed property of another if such person has only a security interest in the property, even if legal title is in the creditor pursuant to a conditional sales contract or other security arrangement.

Property means anything of value, whether real or personal, tangible or intangible, in possession or in action, and shall include but not be limited to the evidence of a debt actually executed but not delivered or issued as a valid instrument.

Services include transportation, telephone, electricity, gas, water or other public service, cable television service, video service, voice over internet protocol service, or internet service, accommodation in hotels, restaurants or elsewhere, admission to exhibitions and use of vehicles.

**Sec. 8-27. - Same—Generally.**

- (a) A person commits the offense of stealing if he or she:
  - (1) Appropriates property or services of another with the purpose to deprive him thereof, either without his consent or by means of deceit or coercion;
  - (2) Attempts to appropriate anhydrous ammonia or liquid nitrogen of another with the purpose to deprive him or her thereof, either without his or her consent by means of deceit or coercion; or
  - (3) For the purpose of depriving the owner of a lawful interest therein, receives, retains or disposes of property of another knowing that it has been stolen, or believing that it has been stolen

**Sec. 8-28. - Passing bad checks—Generally.**

- (a) A person commits the offense of passing a bad check when he or she:

- (1) With the purpose to defraud makes issues or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money, knowing that it will not be paid by the drawee or that there is no such drawee; or
  - (2) Makes issues or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money, knowing that there are insufficient funds in or deposit with that account for the payment of such check, sight order, or other form of presentment involving the transmission of account information upon such funds then outstanding, or that there is no such account or no drawee and fails to pay the check or sight order or other forms of presentment involving the transmission of account information within ten days after receiving actual notice in writing that it has not been paid because of insufficient fund or credit with the drawee or because there is no such drawee.
- (b) As used in subdivision (2) of subsection (a) of this section “actual notice in writing” means notice of the nonpayment which is actually received by the defendant. Such notice may include the service of summons or warrant upon the defendant for the initiation of the prosecution of the check or checks which are the subject matter of the prosecution if the summons or warrant contains information of the ten-day period during which the instrument may be paid and the payment of the instrument with such ten-day period will result in the dismissal of the charges. The requirement of notice shall also be satisfied for written communications which are tendered to the defendant and which the defendant refuses to accept.
- (b) If the issuer has an account with the drawee, failure of the issuer to pay the check or order within ten (10) days after notice in writing that it has not been honored because of insufficient funds or credit with the drawee is prima facie evidence of his purpose to defraud and of his knowledge that the check or order would not be paid. As used in this subsection, the term "notice in writing" means notice deposited as first class mail in the United States mail and addressed to the issuer at his address as it appears on the dishonored check or to his last known address.
- (c) This section shall not apply when:
- (1) The face amount of the check or sight order or the aggregated amount is seven hundred fifty dollars (\$750.00) or more; or
  - (2) The issuer had no account with the drawee or if there was no such drawee at the time the check or order was issued,
- (d) The face amounts of all bad checks passed pursuant to one (1) course of conduct within any ten-day period may be aggregated in determining whether this section applies.

**Sec. 8-29. - Same—Prerequisites for prosecution.**

It shall be incumbent upon any prosecuting witness or complainant under section 8-28 to show, as a prerequisite to such prosecution or complaint, evidence of a reasonable attempt to collect the amount due on any refused check or order for the payment of money. As used in this section, the term "reasonable attempt to collect" shall mean at least two (2) presentations and refusals by the drawee and subsequent notification to the maker or drawer of the drawee's refusal to pay, which notice shall be sent by registered or certified mail, return receipt requested, delivery to addressee only.

**Sec. 8-30. - Weapons—Definitions.**

As used in sections 8-30—8-33:

Firearm means any weapon that is designed or adapted to expel a projectile by the action of an explosive.

Intoxicated means substantially impaired mental or physical capacity resulting from introduction of any substance into the body.

Knife means any dagger, dirk, stiletto, or bladed hand instrument that is readily capable of inflicting serious physical injury or death by cutting or stabbing a person. The word "knife" does not include any ordinary pocket knife with no blade more than four (4) inches in length.

Knuckles means any instrument that consists of finger rings or guards made of a hard substance that is designed or adapted for the purpose of inflicting serious physical injury or death by striking a person with a fist enclosed in the knuckles.

Projectile weapon means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

Spring gun means any fused, timed or non manually controlled trap or device designed or adapted to set off an explosion for the purpose of inflicting serious physical injury or death.

Switchblade knife means any knife which has a blade that folds or closes into the handle or sheath and:

- (1) That opens automatically by pressure applied to a button or other device located on the handle; or
- (2) That opens or releases from the handle or sheath by the force of gravity or by the application of centrifugal force.

**Sec. 8-31. - Same—Possession, manufacture, transport, repair, sale of certain weapons.**

(a) A person commits an offense if such person knowingly possesses, manufactures, transports, repairs or sells:

- (1) A switchblade knife;
- (2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;
- (3) A gas gun;
- (4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or
- (5) Knuckles; or
- (6) Any of the following in violation of Federal Law:
  - a. A machine gun
  - b. A short-barreled rifle or shotgun;
  - c. A firearm silencer; or
  - d. A switchblade knife.

(b) A person does not commit an offense under this section if his or her conduct involved any of the times in Subsections (A)(1) through (5), the item was possessed in conformity with any applicable Federal law and the conduct:

- (1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency or a penal institution;
- (2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subsection (b)(1) of this section;
- (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise;
- (4) Was incident to displaying the weapon in a public museum or exhibition; or
- (5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

**Sec. 8-32. - Same—Unlawful use.**

- (a) A person commits the offense of unlawful use of weapons if he or she knowingly:
- (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack, or any other weapon readily capable of lethal use into any area where firearms are restricted under Section 571.107 RSMo;
  - (2) Discharges a firearm within the city limits of Cameron;
  - (3) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;
  - (4) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship or into any school or into any election precinct on any election day or into any building owned or occupied by any agency of the federal government, state government or political subdivision thereof;
  - (5) Discharges, carries or has in his possession on the streets, alleys, walkways, parkways or any other public place within the city any air gun, spring gun, slingshot or any other implement or weapon which is capable of impelling with force a metal pellet or other projectile of any kind for a distance of more than ten (10) feet without the use of powder or other explosive;
  - (6) Sells or purchases such air gun, spring gun, slingshot or other such weapon or gives such weapon to any minor under the age of seventeen (17) years within the city.
  - (7) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.
- (b) Subsections (a)(1), (a)(3), and (a)(7) of this section shall not apply to or affect the persons described in this Subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this Subsection. Subsection (a)(2) of this Section shall not apply to or affect any of the following person, when such uses are reasonably associated with or are necessary to fulfillment of such person's official duties, except as other provide in this Subsection:
- (1) All State, County and Municipal Peace Officers who have completed the training required by the Police Officer Standards and Training Commission pursuant to Sections 590.030 to 590.050, RSMo., and who possess the duty and power of arrest for violation of the general criminal laws of the State or for violation of ordinances of Counties or Municipalities of the State, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired Peace Officers, as defined in Subsection (12) of Section 571.030, RSMo., and who carry the identification defined in Subsection (13) of Section 571.030, RSMo., or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
  - (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;
  - (3) Members of the armed forces or national guard while performing their official duty;
  - (4) Those persons vested by Article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;
  - (5) Any person whose bona fide duty is to execute process, civil or criminal;
  - (6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

- (7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;
  - (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the department of public safety under Section 590.570, RSMo;
  - (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;
  - (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney or assistant circuit attorney; municipal, associated, or circuit judge; or any person appointed by a court to be a special prosecutor who has completed the firearms safety training course required under subsection 2 of Section 571.111, RSMo;
  - (11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit under Section 571.111, RSMo when such uses are reasonably associated with or necessary to the fulfillment; and
  - (12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district member who is employed on a full-time basis and who has a valid concealed carry endorsement prior to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.
- (c) Subsections (a)(2), (a)(3), and (a)(7) of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subsection (a)(1) of this Section does not apply to any person nineteen (19) years of age or older or eighteen (18) years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his/her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this State. Subsection (a)(7) of this Section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event
  - (d) Subsections (a)(1) and (a)(7) of this Section shall not apply to any person who has a valid concealed carry permit issued pursuant to Sections 571.101 to 571.121, RSMo., a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another State or political subdivision of another State.
  - (e) Subsections (a)(2), (a)(3), and (a)(7) of this Section shall not apply to persons who are engaged in a lawful act of defense pursuant to Section 563.031, RSMo.
  - (f) Nothing in this Section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board
  - (g) Firearms in city buildings.
    - (1) No person who has been issued a concealed carry endorsement by the Missouri Director of Revenue under Section 571.094, RSMo. or a concealed carry permit under Section 571.101 to 571.121, RSMo or who has 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 firearm or to openly carry a firearm in any building or portion of a building owned, leased or controlled by the city unless otherwise permitted by law.

- (2) Signs shall be posted at each entrance of a building entirely owned, leased or controlled by the city stating that carrying of firearms is prohibited. Where the city owns, leases or controls only a portion of a building, signs shall be posted at each entrance to that portion of the building stating that carrying of firearms is prohibited.
  - (3) Any person violating this section may be denied entrance to the building or ordered to leave the building. Any city employee violating this section may be disciplined. No other penalty shall be imposed for a violation of this section.
  - (4) No person who has been issued a certificate of qualification that 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.
- (h) This section shall not apply to or affect the following:
- (1) Waterfowl hunting is permitted under city ordinance and statewide regulations on Grindstone Reservoir.

**Sec. 8-33. - Same—Confiscation of certain weapons or implements.**

The police of the city are hereby authorized and directed to seize and confiscate all air guns, spring guns, slingshots or other implements or weapons which are capable of impelling with force a metal pellet or other projectile of any kind for a distance of more than ten (10) feet without the use of powder or other explosive which they shall find in the unlawful possession of any person.

**Sec. 8-34. - Promoting obscenity—Definitions.**

As used in sections 8-34 and 8-35 the following terms shall apply:

Furnish means to issue, sell, give, provide, lend, mail, deliver, transfer, circulate, disseminate, present, exhibit or other provide.

Material means anything printed or written; any picture, drawing, photograph, motion picture film, videotape or videotape production or pictorial representation; any recording or transcription; or any mechanical, chemical or electrical reproduction; or stored computer data, or anything which is or may be used as a means of communication. The word "material" includes undeveloped photographs, molds, printing plates, stored computer data, and other latent representational objects.

Minor means any person less than eighteen (18) years of age.

Nudity or State of Nudity means the showing of the human genitals, ~~or~~ pubic area, vuvla, anus, anal cleft, or the female breast with less than a fully opaque covering of any part of the nipple or areola.

Obscene means any material or performance if taken as a whole:

- (1) Applying contemporary community standards, its predominant appeal is to prurient interest in sex;
- (2) The average person, applying contemporary community standards, would find the material depicts or describes sexual conduct in a patently offensive way; and
- (3) A reasonable person would find the material lacks serious literary, artistic, political or scientific value.

Performance means any play, motion picture film, video tape, dance or exhibition performed before an audience of one (1) or more.

Pornographic for minors means any material or performance if the following apply:

- (1) The average person, applying contemporary community standards, would find that the material or performance, taken as a whole, has a tendency to cater or appeal to a prurient interest of minors;

- (2) The material or performance depicts or describes nudity, sexual conduct, the condition of human genitals when in a state of sexual stimulation or arousal, or sadomasochistic abuse in a way which is patently offensive to the average person applying contemporary adult community standards with respect to what is suitable for minors; and
- (3) The material or performance, taken as a whole, lacks serious literary, artistic, political or scientific value for minors.

Promote means to manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit or advertise or to offer or agree to do the same, by any means including a computer.

Sadomasochistic abuse means flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

Sexual conduct means actual or simulated, normal or perverted acts of human masturbation; deviate sexual intercourse, sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or the breast of a female in an act of apparent sexual stimulation or gratification; or any sadomasochistic abuse or acts including animals or any latent objects in an act of apparent sexual stimulation or gratification.

Sexual excitement means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

**Sec. 8-35. - Same—Prohibited.**

- (a) A person commits the offense of promoting pornography for minors or obscenity if, knowing its content or character, he or she:
  - (1) Promotes or possesses with the purpose to promote any obscene material for pecuniary gain;
  - (2) Produces, presents, directs or participates in any obscene performance for pecuniary gain;
  - (3) Promotes or possesses with the purpose to promote any material pornographic for minors for pecuniary gain; or
  - (4) Produces, presents, directs or participates in any performance pornographic for minors for pecuniary gain; or
  - (5) Promotes, possesses with the purpose to promote, produces, presents, directs, or participates in any performance that is pornographic for minors via computer, electronic transfer, Internet or computer network if the person made the matter available to a specific individual known by the defendant to be a minor.
- (b) This section shall not apply to a person who has been found guilty of an offense under this section or under RSMo 573.030 committed at a different time.

**Sec. 8-36. - Peace disturbance.**

- (a) A person commits the offense of peace disturbance if he or she:
  - (1) Unreasonably and knowingly disturbs or alarms another person by:
    - a. Loud noise;
    - b. Offensive and indecent language which is likely to produce an immediate violent response from a reasonable recipient;
    - c. Fighting; or
    - d. Creating a noxious and offensive odor.
  - (2) Is in a public place or on private property of another without consent and purposely and knowingly causes inconvenience to another person by unreasonably and physically obstructing:
    - a. Vehicular or pedestrian traffic; or

- b. The free ingress and egress to or from a public or private place.
- (3) Private property means any place which, at the time, is not open to the public. It includes property which is owned publicly or privately.
- (4) Property of another means any property in which the actor does not have a possessory interest.
- (5) Public place means any place which, at the time, is open to the public. It includes property which is owned publicly or privately.
- (6) If a building or structure is divided into separately occupied units, such units are separate premises.

**Sec. 8-36.1 - Harassment.**

- (a) A person commits the offense of harassment if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person, and such act does cause such person to suffer emotional distress.
- (b) This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violation(s) of federal, state, county, or municipal law.

**Sec. 8-36.2 - Stalking.**

- (a) As used in this section, the following terms shall mean:
  - Disturbs means to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
- (b) A person commits the offense of stalking if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.
- (c) The offense of stalking shall be an ordinance violation unless the person has previously been found guilty of a violation of this section or Section 565.225 RSMo, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indicatable as a violation of any offense listed in this section or Section 565.225 RSMo.
- (d) Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.
- (e) This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation(s) of federal, state, county, or municipal law.

(Note—under certain circumstances this offense can be a felony under state law.)

**Sec. 8-37. - Disorderly conduct.**

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings, ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Incite a riot means but is not limited to urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written:

- (1) Advocacy of ideas; or
- (2) Expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness of or the right to commit any such act.

Riot means a public disturbance involving:

- (1) An act of violence by one (1) or more persons, part of an assemblage of three (3) or more persons, which act shall constitute a clear and present danger of or shall result in damage or injury to the property of any other person or to the person of any other individual; or

- (2) A threat of the commission of an act of having, individually or collectively, the ability of immediate execution of such threat, where the performance of the threatened act of violence would constitute a clear and present danger of or would result in damage or injury to the property of any other person or to the person of any other individual.
- (b) Conduct prohibited. A person shall be guilty of disorderly conduct if he willfully does any of the following acts:
- (1) Commits an act in a violent and tumultuous manner toward another whereby that other is placed in danger of his life, limb or health.
  - (2) Commits an act in a violent and tumultuous manner toward another whereby the property of any person is placed in danger of being destroyed or damaged.
  - (3) Causes, provokes or engages in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another.
  - (4) Interferes with another's pursuit of a lawful occupation by acts of violence.
  - (5) Obstructs, either singly or together with other persons, the flow of vehicular or pedestrian traffic in a public way and refuses to clear such public way when ordered to do so by the city police.
  - (6) Resists, by using or threatening the use of violence or physical force, the performance of duties by city police or any other authorized official of the city, when known to be such an official, or flees to evade apprehension or arrest from city police or any other authorized official of the city, when known to be by such an official.
  - (7) Obstructs, either by action or inaction, the performance of duties by city police or any other authorized official of the city when known to be such an official.
  - (8) Incites, attempts to incite or is involved in attempting to incite a riot.
  - (9) Addresses words to any member of the city police department, and other authorized official of the city who is engaged in the lawful performance of his duties or any other person when such words by their very utterance tend to incite violence. Words merely causing displeasure, annoyance or resentment are not prohibited.
  - (10) Damages, befouls or disturbs public property or the property of another so as to create a hazardous, unhealthy or physically offensive condition.
  - (11) Makes or causes to be made any loud boisterous noise or disturbance on or in any public place whereby the public peace is broken or disturbed.
  - (12) Fails to obey a lawful order to disperse by a police officer, when known to be such an official, where one or more persons are committing acts of disorderly conduct in the immediate vicinity, and the public health and safety is imminently threatened.
- (c) Exemptions. This section shall not be construed to suppress the right to lawful assembly, picketing, public speaking or other lawful means of expressing public opinion not in contravention of other laws.

**Sec. 8-38. - Private peace disturbance.**

- (a) A person commits the offense of private peace disturbance if he or she is on private property and unreasonably, purposely and knowingly causes alarm to another person on the same premises by:
  - (1) Threatening to commit an offense against any person; or
  - (2) Fighting.
- (b) For the purposes of this section, if a building or structure is divided into separately occupied units, such units are separate premises.
- (c) The violation of this section shall be punished by a fine not exceeding three hundred dollars (\$300.00) or by imprisonment for a period not exceeding fifteen (15) days or by both such fine and imprisonment.

**Sec. 8-39. - Disrupting a House of worship.**

A person commits the offense of disrupting a house of worship if such person:

- (1) Intentionally and unreasonably disturbs, interrupts, disquiets any house of worship by using profane discourse, rude or indecent behavior, or making noise either within the house of worship or so near it as to disturb the order and solemnity of the worship services; or
- (2) Intentionally injures, intimidates, or interferes with or attempts to injure, intimate, or interfere with any person lawfully exercising the right to religious freedom or outside of a house of worship or seeking access to a house of worship whether by force, threat, or physical obstruction.

**Sec. 8-40. - Unlawful assembly.**

A person commits the offense of unlawful assembly if he or she knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States with force or violence.

**Sec. 8-41. - Rioting.**

A person commits the offense of rioting if he or she knowingly assembles with six (6) or more other persons and agrees with such persons to violate any of the criminal laws of this state or of the United States with force or violence and thereafter, while still so assembled, does violate any of such laws with force or violence.

**Sec. 8-42. - Refusal to disperse from unlawful assembly or riot; penalty.**

- (a) A person commits the offense of refusal to disperse if, being present at the scene of an unlawful assembly or at the scene of a riot, he or she knowingly fails or refuses to obey the lawful command of a law enforcement officer to depart from the scene of such unlawful assembly or riot.
- (b) A violation of this section shall be punished by a fine not exceeding three hundred dollars (\$300.00) or by imprisonment for a period of not exceeding fifteen (15) days, or by both such fine and imprisonment.

**Sec. 8-43. - False reports.**

- (a) A person commits the offense of making a false report if he or she knowingly:
  - (1) Gives false information to a law enforcement officer for the purpose of implicating another person in an offense or an offense;
  - (2) Makes a false report to a law enforcement officer that an offense has occurred or is about to occur; or
  - (3) Makes a false report or causes a false report to be made to a law enforcement officer, security officer, fire department or other organization, official or volunteer dealing with emergencies which involve danger to life or property that a fire or other incident calling for an emergency response has occurred.
- (b) It is a defense to a prosecution under subsection (a) of this section that the person retracted the false statement or report before the law enforcement officer or any other person took substantial action in reliance thereon.
- (c) The defendant shall have the burden of injecting the issue of retraction under subsection (b) of this section.

**Sec. 8-44. - False impersonation.**

A person commits the offense of false impersonation if he:

- (1) Falsely represents himself or herself to be a public servant with the purpose to induce another to submit to his or her pretended official authority or to rely upon his or her pretended official acts and:
  - a. Performs an act in that pretended capacity; or

- b. Causes another to act in reliance upon his or her pretended official authority; or
- (2) Falsely represents himself or herself to be a person licensed to practice or engage in any profession for which a license is required by the laws of this state with purpose to induce another to rely upon such representation and:
  - a. Performs an act in that pretended capacity; or
  - b. Causes another to act in reliance upon such representation.

**Sec. 8-45. - Resisting or interfering with arrest.**

- (a) A person commits the offense of resisting or interfering with arrest, detention, or stop if, he or she knows or reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or stop an individual or vehicle and for the purpose of preventing the officer from effecting the arrest, he or she:
  - (1) Resists the arrest of himself by using or threatening the use of violence or physical force or by fleeing from such officer; or
  - (2) Interferes with the arrest of another person by using or threatening the use of violence, physical force or physical interference.
- (b) This section applies to:
  - (1) Arrests, stops, or detentions with or without warrants;
  - (2) Arrests, stops, or detentions for any offense, infraction or ordinance violation; and
  - (3) Arrests for warrants issued by a court or a probation and parole officer
- (c) A person is presumed to be fleeing a vehicle stop if he or she continues to operate a motor vehicle after he or she has seen or should have seen clearly visible emergency lights or has hear or should have hear an audible signal emanating from the law enforcement vehicle pursuing him or her.
- (c) It is no defense to a prosecution under subsection (a) of this section that the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.

**Sec. 8-46. - Interference with legal process.**

A person commits the offense of interference with legal process if, knowing another person is authorized by law to serve process, he or she interferes with or obstructs such person for the purpose of preventing such person from effecting the service of any process. The word "process" includes any writ, summons, subpoena, warrant other than an arrest warrant or other process or order of a court.

**Sec. 8-47. - Escape or attempted escape from custody.**

- (a) A person commits the offense of escape from custody or attempted escape from custody if, while being held in custody after arrest for any crime, he or she escapes or attempts to escape from custody.
- (b) This section shall not apply when the offense is committed by means of a deadly weapon or dangerous instrument or by holding a person as hostage, in which case it is a class A felony.

**Sec. 8-48. - Abandonment of airtight or semi airtight containers.**

- (a) A person commits the offense of abandonment of an airtight or semi airtight container if he or she knowingly abandons, discards or permits to remain on premises under his or her control, in a place accessible to children, any abandoned or discarded icebox, refrigerator or other airtight or semi airtight container which has a capacity of one and one-half (1½) cubic feet or more, which has an opening of fifty (50) square inches or more and which has a door or lid equipped with hinge, latch or other fastening device capable of securing such door or lid, without rendering such equipment harmless to human life by removing such hinges, latches or other hardware which may cause a person to be confined in such container.
- (b) Subsection (a) of this section does not apply to an icebox, refrigerator or other airtight or semi airtight container located in that part of a building occupied by a dealer, warehouse operator or repair person.

- (c) The defendant shall have the burden of injecting the issue under subsection (b) of this section.

**Sec. 8-49. - Water pollution.**

- (a) As used in this section, "waters of the city" means all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of this city which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two (2) or more persons jointly or as tenants in common and includes waters of the United States lying within this city.
- (b) It is unlawful for any person to:
  - (1) Cause pollution of any waters of the city or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the city;
  - (2) Discharge any water contaminants into any waters of the city which reduce the quality of such waters below the water quality standards established by the state clean water commission if not subject to effluent regulations adopted pursuant to RSMo 644.006 to 644.141;
  - (3) Violate any pretreatment and toxic material control regulations or to discharge any water contaminants into any waters of the city which exceed effluent regulations or permit provisions as established by the state clean water commission or required by any federal water pollution control act;
  - (4) Discharge any radiological, chemical, or biological warfare agent or high-level radio-active waste into the waters of the city.

**Sec. 8-50. - Posting bills, signs, notices and advertisements on buildings, fences, poles and trees.**

- (a) No person shall stick, paste or post any bills or placards upon any public building or fence or upon any private building, fence or other public or private property without the consent of the owner.
- (b) It shall be unlawful for any person to stick, post, place or maintain upon any traffic sign, street sign, pole, tree, post, bridge or structure located on any street, alley, parkway, park or public place any bill, sign, poster, notice, placard, advertisement or printed or written matter of any kind, provided that nothing in this section shall be construed to apply to notices required by law to be posted or to official notices given by public authority.

**Sec. 8-51. - Rules and regulations regarding the use of excessive force during nonviolent civil rights demonstrations.**

- (a) The following rules and regulations are hereby adopted to limit the use of excessive force. The City of Cameron hereby adopts and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations.
- (b) Any person found to be violating any provisions of this section shall be served by the city with written notice stating the nature of the violation.
- (c) Any person guilty of this violation shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding one hundred dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- (d) Any person violating any of the provisions of this section shall become liable to the city for any expense, loss, or damage occasioned the city by reason of such violation.