

BILL NO. 6111

ORDINANCE NO. _____

**INTRODUCED BY: ALDERMAN PLUFKA
ALDERMAN WEGGE
ALDERMAN LOCHMOELLER
ALDERMAN KRAMER**

**ALDERMAN DIMMITT
ALDERWOMAN SIMS
ALDERMAN LEAHY
ALDERWOMAN O'NEILL**

AN ORDINANCE ADOPTING AND ENACTING A NEW CHAPTER 215, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF BRENTWOOD, MISSOURI; PROVIDING FOR THE REPEAL OF EXISTING CODE CHAPTER 215; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the Missouri General Assembly has substantially rewritten Title 38 (Crimes and Punishment) of the Revised Statutes of Missouri State Statutes, effective as of January 1, 2017; and

WHEREAS, state law requires, and the Mayor and Board of Aldermen desires, that the City's ordinances conform to state laws on the same subject and, therefore, Chapter 215, Offenses, of the Code of Ordinances of the City of Brentwood requires substantial revision and to effect compliance with the Revised Statutes of Missouri;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRENTWOOD, MISSOURI, as follows:

Section 1: Repeal and Adoption.

Except as provided in Section 2 of this Ordinance, below, Chapter 215 of Title II of the Code of Ordinances of the City of Brentwood, Missouri, consisting of Articles I through XVII and Sections 215.03 through and including 215.2050, is hereby repealed and a new Chapter 215 consisting of new Articles I through XVII and Sections 215.030 through and including 215.2050, all as more fully set out in Exhibit A attached hereto and incorporated herein by this reference, is hereby enacted in lieu thereof.

Section 2. Exceptions to Repeal.

The repeal of existing Chapter 215 set forth in Section 1, above, shall not affect the following:

- (1) Any ordinance adopted subsequent to August 17, 2015, which reflects the date of the last legislation reviewed for the most recently published update/supplement to the Brentwood City Code (Supp #3, 8/15).
- (2) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.

Section 3. Severability.

It is hereby declared to be the intention of the Board of Aldermen that the Sections, paragraphs, sentences, clauses and phrases of this ordinance and Chapter 215, Offenses, hereby adopted are severable, and if any phrase, clause, sentence, paragraph or Section of this ordinance or Chapter 215 hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of this ordinance or Chapter 215 hereby adopted.

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Section 4. Editorial Discretion.

The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 5. Effective Date

This Ordinance shall be in full force and take effect from and after the date of its final passage and approval by the Mayor.

PASSED BY THE BOARD OF ALDERMEN THIS _____ DAY OF _____, 2016.

ATTEST:

Christopher A. Thornton, Presiding Officer

Bola Akande, City Administrator

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2016.

ATTEST:

Christopher A. Thornton, Mayor

Bola Akande, City Administrator

1st Reading: 01/03/17

2nd Reading: