

## Legislation Text

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**File #:** BILL NO. 19-191, **Version:** 1

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An Ordinance amending Chapter 1, General Provisions, Section 1-13 of the Code of Ordinances for the City of Lee's Summit, Missouri, to update penalty provisions in accordance with Missouri law. (CEDC 8-14-19)

### Issue/Request:

An Ordinance amending Chapter 1, General Provisions, Section 1-13 of the Code of Ordinances for the City of Lee's Summit, Missouri, to update penalty provisions in accordance with Missouri law.

### Background:

Section 1-13, "Penalties for Code, Ordinance Violations" of the City of Lee's Summit ("City") Code of Ordinances ("Code") sets forth penalties for violating the Code or a City ordinance, unless the Code or ordinance sets forth a different penalty.

In 2015, the Missouri General Assembly passed Senate Bill 5 which, among other things, codified Sections 479.350 and 479.353 of the Revised Statutes of Missouri ("RSMo."). These statutes limit the penalties the City can impose for "minor traffic violations" and "municipal ordinance violations" as those terms are defined in Section 479.350.

A minor traffic violation is a violation of a municipal traffic ordinance, except those that involve an accident or injury; the Missouri Department of Revenue assess points or could assess more than four points upon conviction; occur in a construction or school zone; or exceed the speed limit by more than nineteen miles per hour. Generally, a municipal ordinance violation involves an ordinance dealing with zoning, illegal dumping, or public nuisances such as debris and weed abatement.

Section 479.353 limits the penalty to minor traffic violations to \$225.00, including court costs. The penalty for a municipal ordinance violation is limited to \$200.00 for the first violation. If, within twelve months, a second violations occurs, the penalty increases to \$275.00; a third violation is \$350.00; and a fourth and subsequent violations have a penalty of \$450.00. These limits include any assessed court costs.

While the City has complying with these laws since they were adopted, it has never codified them in the Code. This Ordinance amends Section 1-13 of the Code to incorporate these limitations.

### Proposed City Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance amending Chapter 1, General Provisions, Section 1-13 of the Code of Ordinances for the City of Lee's Summit, Missouri, to update penalty provisions in accordance with Missouri law.

SECOND MOTION: I move for adoption of an Ordinance amending Chapter 1, General Provisions, Section 1-13 of the Code of Ordinances for the City of Lee's Summit, Missouri, to update penalty provisions in accordance with Missouri law.

Dan White, Chief Counsel of Management and Operations

The Community and Economic Development Committee voted unanimously 5-0 to recommend to City Council approval of an Ordinance amending Chapter 1, General Provisions, Section 1-13 of the Code of Ordinances for the City of Lee's

Summit, Missouri, to update penalty provisions in accordance with Missouri law.