

**AN ORDINANCE AMENDING ORDINANCE NO. 87 ESTABLISHING A
GENERAL PENALTY FOR THE VIOLATION OF THE CITY OF
CHESTERFIELD ORDINANCES BY INCREASING THE POTENTIAL
FINE ~~(FOR)~~ VIOLATION THEREOF
(FOR)**

WHEREAS, the City of Chesterfield pursuant to Ordinance No. 87 has established that whenever any rule, regulation, or order promulgated pursuant to the Ordinances of the City of Chesterfield have been violated, that said violation found to be true may be punished by a fine of not less than Five Dollars (\$5) and not more than Five Hundred Dollars (\$500); and

WHEREAS, the State, pursuant to R.S.Mo. 456.902 has changed the provisions of the State Statute to allow for the increase in the fine, which may be imposed for a violation of Ordinances in third-class statutory cities to One Thousand Dollars (\$1,000); and

WHEREAS, the City Council having considered the same, determines that it is in the best interests of the health and general welfare of the City of Chesterfield that the Municipal Judge would be given the latitude to increase fines to the sum of One Thousand Dollars (\$1,000) when deemed appropriate and that same would be a valuable tool to be at the disposal of the Court.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Ordinance No. 87 of the City of Chesterfield Section 1(a) is hereby deleted in its entirety and a new section 1(a) is enacted and shall read as follows:

- (a) Except as hereinafter provided, whenever in any rule, regulation or order promulgated pursuant to such Ordinances of the City, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor pursuant to Ordinances passed prior to the date of the enactment of this Ordinance, or whenever in such City Ordinance, rule, regulation or order the doing of any act is required or the failure to do any act is declared to be unlawful by any Ordinance passed prior to the date of the enactment hereof, or where no specific penalty is provided therefore, or any future rule, regulation or order promulgated pursuant to such Ordinances of the City, or any act is prohibited or is made or declared to be unlawful, or an offense or a misdemeanor or whenever in such City Ordinances, rules, regulations or the doing of any act is required or the failure to do any act is declared to be unlawful or where no specific penalty is provided there, the violations of any such Ordinances of the City or of any rule, regulation, or Order promulgated pursuant to such City Ordinance shall be punished by a fine of not less than Five Dollars (\$5.00) and not more than One Thousand Dollars (\$1,000.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

Section 2. All Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed and held for not and the provisions as it relates to fines and imprisonment as set forth herein shall be substituted for same.

Section 3. Nothing in this Ordinance shall be construed to effect any proceedings pending in any court, or any right acquired, or liability incurred, or any cause, or causes of action, which accrued or are existing under any act or Ordinance enacted prior to this date, or any Ordinance hereby amended.

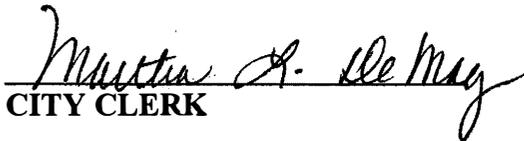
Section 4. Except as amended herein, the Municipal Code, and Ordinances of the City of Chesterfield shall remain in full force and effect

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 19th day of September, 2005.


MAYOR

ATTEST:


CITY CLERK



BEACH, STEWART, HEGGIE, MITTLEMAN & CURTIS, LLC

ATTORNEYS AT LAW

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June 8, 2005

Mr. Michael G. Herring
City Administrator
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017-2079

Re: Increase of Fines for Ordinance Violations

Dear Mike:

Attached please find a draft of an Ordinance that we did some time ago and sent off for review by Public Health & Safety. This changes the ability to penalize for violations of Ordinances from \$500 to \$1,000.

Has this ever been acted upon? Just following up.

Very truly yours,

Douglas R. Beach
Douglas R. Beach

DRB/jrc

Enclosure

JRM
6/10/05

→ Next PH&S mtg

cc: Ray J.
Doug B.

Also admitted in Illinois
+ Fellow of the American Academy of Matrimonial Lawyers
+ Fellow of the American Academy of Adoption Lawyers

BILL NO. _____

ORDINANCE NO. _____

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