

AN ORDINANCE ADOPTING NEW SECTION 21-67 OF THE CODE OF ORDINANCES OF THE CITY OF CHESTERFIELD, MISSOURI, RELATING TO 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 Chesterfield; 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 Chesterfield in order to better detect and deter the criminal conduct they are intended to enable.

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

Section One.

Article V of Chapter V of the Code of Ordinances of the City of Chesterfield, Missouri, is hereby amended by the addition of one (1) new Section, initially to be designated as Section 21-67, to read as follows:

CHAPTER 21. OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE V. OFFENSES AGAINST PROPERTY

SECTION 21-67: POSSESSION OF PROHIBITED THEFT DEVICES

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

Section Two.

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 Three.

This Ordinance shall be in full force and effect both from and after its passage and approval by the Mayor.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: 10/6/08