

AN ORDINANCE ADOPTING NEW SECTION 21-68 OF THE CODE OF ORDINANCES OF THE CITY OF CHESTERFIELD, MISSOURI, RELATING TO TAMPERING.

WHEREAS, residents, business owners, automobile owners and other citizens have, on occasion, had their property tampered with such that a substantial inconvenience has been caused 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 tampering and deter such criminal conduct.

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 21 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 21-68, to read as follows:

CHAPTER 21. OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE V. OFFENSES AGAINST PROPERTY

SECTION 21-68: TAMPERING

Tampering with a Vehicle:

1. Any person who either individually or in association with one or more persons commits the offense of tampering if he/she:
 - a. willfully meddles with the motor vehicle of another so as to alter, to make corrupting or perverting changes, to interfere improperly, or to make objectionable or unauthorized changes with the conscious intent to act without the owner's consent
 - b. knowingly drives, operates, uses, or rides in another's motor vehicle without the consent of the owner
2. For purposes of this ordinance a motor vehicle is defined as "every self-propelled vehicle which is designed for use upon a highway or other road maintained by the City of Chesterfield, St. Louis County or the State of Missouri.
3. Any person who violates this ordinance is guilty of a municipal ordinance violation.

Section Two.

Tampering with a Utility:

1. Any person who either individually or in association with one or more persons commits the offense of tampering if he/she:
2. Tamper with or causes to be tampered with, any meter or other property of an electric, gas, steam, or utility company, the effect of which tampering is either:
 - i. To prevent the proper measuring of the electric, gas, steam, or water service; or
 - ii. To permit the diversion of any electric, gas, steam or water service
3. In any prosecution under this section, proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, steam, or water service, with one or more of the effects described in 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 this section by the person who uses or receives the direct benefit of the electric, gas, steam or water service.

Section Three.

Tampering with Property:

1. Any person who either individually or in association with one or more persons commits the offense of tampering if he/she:
2. Tamper with the property of another for the purpose of causing substantial inconvenience to that person or to another.

Section Four.

Penalty for violation.

Every person convicted of a violation of any section of this chapter shall be punished by a fine of not less than one (\$1) dollar, nor more than one thousand (\$1,000) dollars, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

Section Five.

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

Approved (June 8, 2009)
[Signature]
MAYOR

[Signature]
PRESIDENTIAL OFFICER / ACTING MAYOR

ATTEST:

Judith A. Raggian
CITY CLERK

FIRST READING HELD: 5/4/09