

AN ORDINANCE AMENDING THE CITY CODE TO ADDRESS TAMPERING WITH THE PROPERTY OF ANOTHER.

WHEREAS, the City Council desires to amend the Code to add a prohibition on tampering with the property of another.

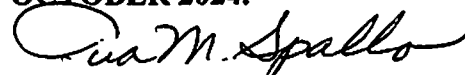
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1 That Title III, Offenses, is hereby amended to add a new Section 3.125.060, Tampering, to read as follows:

SECTION 3.125.060 Tampering.

- A. A person commits the offense of tampering if he or she:
 - 1. Tamperers with property of another for the purpose of causing substantial inconvenience to that person or to another; or
 - 2. Unlawfully enters or rides in or upon another's automobile, airplane, motorcycle, motorboat or other motor-propelled vehicle; or
 - 3. Tamperers with, or causes to be tampered with, any meter or other property of an electric, gas, or steam utility, the effect of which tampering is either:
 - a. To prevent the proper measuring of electric, gas, or steam service; or
 - b. To permit the diversion of any electric, gas, or steam service.
- B. In any prosecution under of subsection (A)(3) of this section, proof that a meter or any other property of a utility has been tampered with, and the person accused received the use or direct benefit of the electric, gas, or steam service, with one or more of the effects described in subsection (A)(3) of 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 such subdivision by the person who uses or receives the direct benefit of the electric, gas, or steam service.
- C. Every person who violates this section shall be deemed guilty of a misdemeanor and, upon conviction, may be punished as provided in section 1.100.140 of this Code.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14TH DAY OF OCTOBER 2024.



Tina M. Spallo, Mayor

ATTEST:


Kris Keller, City Clerk

First Reading: October 14, 2024

Second Reading: October 14, 2024



Request for Council Action

RES # City Clerk Only

BILL # 24-30

ORD # 4.683

Date: 10/7/2024

Department: Police

Meeting Date Requested: 10/14/2024

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Tampering Ordinance

Background: A common crime experienced by residents involves unauthorized persons tampering with the property of another. In the instances where property is stolen or damaged, current state and local laws allow for prosecution, however; there is not currently a mechanism for charging individuals who enter or remain on property or tamper with utilities at a municipal level. When crimes do not rise to the level of State charges being filed, a tampering Ordinance will allow for charging and adjudication through the City.

Budget Discussion: N/A.

Public/Board/Staff Input: This Ordinance was reviewed and approved by the City Prosecutor and City Attorney. Staff recommends approval and adoption of the proposed Ordinance.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor.

Fred Farris
Chief of Police

CW
City Attorney

Bob Baer
City Manager