

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 215.020 BY ADDING ONE NEW SUBSECTION DEFINING ANY ABANDONED ICEBOX FREEZER, REFRIGERATOR, AIRTIGHT OR SEMI AIRTIGHT CONTAINERS AS A NUSIANCE.

WHEREAS, any abandoned icebox, freezer, refrigerator, airtight or semi-airtight container creates a hazard to the safety of persons and property in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That currently existing Section 215.020.17 is hereby repealed and a new section is hereby enacted and numbered as Section 215.020.17 to read as follows:

17. a. No person shall leave outside of any building or dwelling, or in any place accessible to any child or to the general public any abandoned, unattended, or discarded icebox, refrigerator, freezer, airtight container, semi-airtight container, or any other container of any kind which has an airtight door or lock which may not be released for opening from the inside of the icebox, refrigerator, freezer or container.

b. No person shall leave outside of any building or dwelling or in any place accessible to any child or to the general public any abandoned, unattended, or icebox, refrigerator, freezer, airtight container, semi-airtight container, or any other container of any kind which has an airtight snap lock or other device thereon without first removing the snap lock or doors from the icebox, refrigerator freezer or container. Any icebox, refrigerator or other container, with or without these doors, so found, may be impounded by any officer of the city.

Section 2. That currently existing Section 215.020.18 is hereby repealed and a new section is hereby enacted and numbered as Section 215.020.18 to read as follows:

18. Every act or thing done or made, permitted, allowed or continued on any property, public or private, by any person to the damage or injury of any of the inhabitants of this City and not hereinbefore specified.

Section 3. That a new Section 215.020.19 is hereby enacted and numbered as Section 215.020.19 to read as follows:

19. All such nuisances set forth in this Section shall be subject to abatement by the City at the expense of the property owner, person causing the nuisance or both, as set forth in Section 215.040 of this Code.

Section 4. Severability.

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgement or decree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 5. Repeal of ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 6. That this Ordinance shall be in full force and effect from and after the date of its final passage.

READ FIRST TIME: June 18, 2015    READ SECOND TIME: July 16, 2015

I hereby certify that the above Ordinance No. 15.51 was duly passed on July 16, 2015.

Ayes:	6	Nays:	0
Abstentions:	0	Absent:	0

This Ordinance is hereby transmitted to the Mayor for her signature.

July 16, 2015  
Date

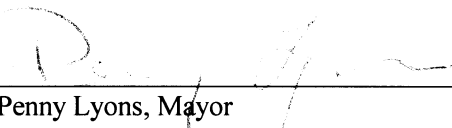
  
\_\_\_\_\_  
Diann Warner, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 15.51.

July 16, 2015  
Date

  
\_\_\_\_\_  
Penny Lyons, Mayor

ATTEST:

  
\_\_\_\_\_  
Diann Warner, City Clerk