

COUNCIL BILL NO. 2019-001

ORDINANCE NO. 2019-024

AN ORDINANCE amending Chapter 82, Offenses and Miscellaneous Provisions, Article I, In General, by repealing Section 82-17, Misuse of the emergency telephone system; and enacting a new Section 82-17, Misuse of the emergency communications system; and containing an emergency clause.

WHEREAS, the Joplin Police Department has implemented a text to 911 system within its Emergency Communications Center; and

WHEREAS, Section 82-17, Misuse of the emergency telephone system, is limited to misuse of the emergency telephone system; and

WHEREAS, this amendment will make Section 82-17 applicable to misuse of the emergency communications system, including the emergency telephone and text systems.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 82, Offenses and Miscellaneous Provisions, Article I, In General, by repealing Section 82-17, Misuse of the emergency telephone system, and a new Section 82-17, Misuse of the emergency communications system, is enacted in lieu thereof, as follows:

“Sec. 82-17. - Misuse of the emergency communications system.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Emergency means any incident involving danger to life or property that calls for an emergency response dispatch of police, fire, EMS or other public safety organization.

Misuse of the emergency communications system means any act which improperly uses the emergency communications service, including but not limited to repeatedly calling or texting "911" for nonemergency situations, causing operators or equipment to be in use when emergency situations may need such operators or equipment.

Repeatedly means calling or texting the emergency communications service three or more times within a 30-day period.

(b) Misuse unlawful. It shall be unlawful for any person to misuse the emergency telephone service.

(c) Penalty for violation. Any person violating this section shall be punished upon conviction thereof as provided by section 1-5.

(Ord. No. 97-130, § 1, 8-18-97)

Cross reference— Emergency services, Ch. 50.”

Section 2. That the City hereby declares that this Ordinance, being an Ordinance dealing with the immediate preservation of the public peace, property, health, safety or morals, is considered an emergency within the meaning of Section 2.12(1) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, this Ordinance shall become effective immediately upon its passage. Specifically, this Ordinance deals with abuse of the emergency communications system.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 4th day of February 2019, by a vote of 9-0.

Gary L. Shaw, Mayor

ATTEST:

Barbara J. Gollhofer, City Clerk

APPROVED AS TO FORM:

Jordan L. Paul, Assistant City Attorney