

AN ORDINANCE amending Sections of the Joplin City Code, upon recommendation of staff for the purpose of updating and reformatting the City Code.

WHEREAS, The City of Joplin is in the process of reformatting the City Code; and

WHEREAS, City Staff, in consultation with the Municipal Code Corporation, wishes to make certain technical corrections to the City Code prior to reformatting;

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

Section 1. Chapter 2 of the Joplin City Code, Administration, is hereby amended as follows:

- a. "That Section 2-28 be amended by deletion of the phrase 'reporters for the press', replaced by addition of the phrase 'members of the news media' in the second line."
- b. "That Section 2-101 be amended by the deletion of the word 'expired', replaced by addition of the word 'unexpired' in the sixth line."

Section 2. Chapter 4 of the Joplin City Code, Aircraft and airport, is hereby amended as follows:

- a. "That Section 4-3, Manager appointed a peace officer, be repealed."
- b. "That Section 4-52 be amended by deletion of the phrase 'limits of not less than one hundred thousand dollars (\$100,000.00) to any one person, three hundred thousand dollars (\$300,000.00) to two (2) or more persons injured in one accident and twenty-five thousand dollars (\$25,000.00) property damage.' in lines sixteen through twenty, and replaced by addition of the phrase 'a combined single limit of three million dollars (\$3,000,000.00) for bodily injury and property damage. '''

Section 3. Chapter 5 of the Joplin City Code, Alcoholic beverages, is hereby amended as follows:

"Section 5-16. Disorderly conduct.

It shall be unlawful for any licensee or employee of any place where intoxicating liquor is sold by the drink or where intoxicating or nonintoxicating beer is sold for consumption to allow any unlawful acts. Licensee or employee shall notify the police department of any violation that they are unable to immediately cause to

cease and shall immediately notify the police department of the occurrence of any assault or other violence."

Section 4. Chapter 6 of the Joplin City Code, Ambulances, is hereby amended as follows:

"That Section 6-46 be amended by deletion of the phrase, 'sums of not less than a hundred thousand dollars (\$100,000.00) for any one accident, three hundred thousand dollars (\$300,000.00) for any one person and ten thousand dollars (\$10,000.00) for property damage in any one accident.' in lines twelve through sixteen, and replaced by addition of the phrase, 'a sum of not less than five hundred thousand dollars (\$500,000.00) combined single limit for bodily injury or property damage.'"

Section 5. Chapter 7 of the Joplin City Code, Amusements, is hereby amended as follows:

- a. "That Section 7-42, Certain types declared nuisance, be repealed."
- b. "That Section 7-43, Automatic payoff device, be repealed."

Section 6. Chapter 9 of the Joplin City Code, Buildings, is hereby amended as follows:

- a. "That Section 9-43 be amended by deletion of the word 'surety' in the second line and replaced by addition of the phrase 'license and permit'; and be amended by deletion of the phrase 'in the amount of fifteen thousand dollars (\$15,000.00) for any one person; twenty-five thousand dollars (\$25,000.00) for any one accident or more; and five thousand dollars (\$5,000.00) for property damage.' in lines nine through thirteen and replaced by addition of the phrase 'with combined single limits of one hundred thousand dollars (\$100,000.00) coverage for bodily injury or property damage.'"
- b. "That Section 9-82 be amended by deletion of the phrase 'in any amount not less than twenty-five thousand dollars (\$25,000.00) to any one person, or fifty thousand dollars for any one accident, with respect to personal injuries, and for not less than ten thousand dollars (\$10,000.00) for damage to property in any one accident' in lines four through nine and replaced by addition of the phrase, in an amount not less than one hundred thousand dollars (\$ 100,000.00) combined single limits for bodily injury or property damage".
- c. "That Section 9-135 be amended by deletion of the word 'sufficient' in the seventh line and replaced by addition of the phrase, 'license and permit' .

Section 7. Chapter 10 of the Joplin City Code, Cemeteries, is hereby amended as follows:

- a. "That Section 10-1. Supervision be amended by the deletion of the words 'of public works' and the addition of the words 'of parks and recreation' after the word 'director' in the second line."
- b. "That section 10-2. Price of lots, grave rights be amended by the deletion of subsection (d) and replace with the new subsection (d) to read as follows:

(d) Forest Park Cemetery.....\$250.00!"
- c. "That section 10-3. Cost of opening graves, be amended by the addition of the words 'and the cost of opening graves at Forest Park Cemetery shall be two hundred twenty-five dollars (\$225.00)' after the phrase 'shall be one hundred dollars (\$100.00).' in the second and third lines."
- d. "That section 10-4. Perpetual maintenance cemetery fund, shall be amended by the deletion of the phrase 'newly platted portion of' in the fourth line, and further amended by the addition of 'Forest Park Cemetery' after the words 'Memorial Cemetery and' in the fourth line and further amended by the deletion of the word 'of public works' and the addition of the words 'of parks and recreation' after the word director in the seventh line."
- e. "That section 10-5. Contracts for the sale of lots be amended by the deletion of the words 'of public works' and the addition of the words 'of parks and recreation' after the word 'the' in the first line and further amended by the deletion of the word 'sexton' in line eight and again in line nine in the second paragraph and the addition of the words 'cemetery supervisor' in both lines eight and nine in the second paragraph in place of the word 'sexton'."
- f. "That section 10-6. Powers and duties sexton generally, be amended by the deletion of the word 'sexton' in all places where it occurs in this section and the addition of the words 'cemetery supervisor' in all places where the word 'sexton' was deleted. In addition this section shall be amended by the deletion of the words 'of public works' and replaced by addition of the words 'of parks and recreation' after the word 'director' in the fourth line."
- g. "That section 10-7. Care of lots be amended by the deletion of the word 'sexton' and the addition of the words 'cemetery' after the words 'The city' in the seventh line and further amended by the deletion of the phrase 'Owners of lots or graves desiring special attention on same will be permitted to enter into a contract with the city sexton for such work, and all money received therefor shall be paid into the city treasury.'"

- h. "That section 10-8. Improvement of lots be amended by the deletion of the words 'of public words' and the addition of the words 'of parks and recreation' after the word 'director' in the first line and in addition amended by the deletion of the words 'Persons owning lots in city cemeteries and desiring them improved shall first obtain from the director of public works written permission to make the improvements.'"
- I. "That section 10-9. Exhuming or removing bodies be amended by the deletion of the word 'sexton' and the addition of the words 'cemetery supervisor' in line four after the 'city' and further amended by the deletion of the phrase 'except during the months from the first day of November to the first of April of any year, and' on lines eight and nine."
- j. "That section 10-12. Funeral processions be amended by the deletion of the word 'sexton' and be replaced by the addition of the words 'Cemetery supervisor' after the word 'city' in the second line."
- k. "That Section 10-16. Planting trees and shrubs be amended by the deletion of the word 'sexton' and the addition of the words 'cemetery supervisor' after the word 'city' in the fifth line and further amended by the deletion of the words 'of public works' and the addition of the words 'of parks and recreation.' after the word 'director' in the sixth line."

Section 8. Chapter 11 of the Joplin City Code, Emergency Preparedness/Civil Defense is hereby amended as follows:

- a. "That the title of Chapter 11 be amended by deletion of the words '/Civil Defense'."
- b. "That Section 11-1 be amended by the deletion of the words '/Civil Defense' in the first and second lines."
- c. "That Section 11-2 Establishment, be amended by the deletion of the words '/civil defense in the second line, the deletion of the words '/Civil Defense' in the third line and the deletion of the words 'Missouri Disaster Operation Plan' and replace them with 'State of Missouri Emergency Operations Plan'."
- d. "That Section 11-3 Direction and control, be amended by the deletion of the words 'civil defense' in the second line".
- e. "That Section 11-4 Composition, be amended by the deletion of the words 'Missouri Disaster Operations Plan' and replace them with 'State of Missouri Emergency Operations Plan'."
- f. "That Section 11-5 Function, be amended by the deletion of the words 'civil defense'

- in lines one and two, and the addition of the words ‘and Jasper County’ after the words ‘City of Joplin’.”
- g. “That Section 11-7 Responsibilities of coordinator, be amended by the deletion of the words ‘/civil defense’ in the third line of subsection (a) and the deletion of the words ‘/civil defense’ in the third and fourth lines of subsection (b).”
 - h. “That Section 11-8 Compensation of personnel, be amended by deleting the words ‘/civil defense’ in the second line.”
 - I. “That Section 11-9 Oath, be amended by deleting the words ‘/Civil Defense’ in the twenty-second and twenty-third lines.”
 - j. “That Section 11-10 Office, be amended by deleting the words ‘/civil defense’ in the second line.”
 - k. “That Section 11-12 Advisory board, be amended by deleting the words ‘/civil defense’ in the fifth line.”

Section 9. Chapter 13 of the Joplin City Code, Electricity, is hereby amended as follows:

- a. "That Section 13-73 be amended by deletion of the word 'surety' in the second line and replaced by addition of the phrase 'license and permit'."
- b. "That Section 13-74 be amended by deletion of the phrase 'of fifteen thousand dollars (\$15,000.00) for any one person, twenty-five thousand dollars (\$25,000.00) for any one accident or more, and five thousand dollars (\$5,000.00) for property damage.' and replaced by addition of the phrase 'not less than one hundred thousand dollars (\$100,000.00) combined single limits for bodily injury or property damage'."
- c. "Section 13-75. Worker's compensation insurance.
Each electrical contractor shall file a certificate showing that he has worker's compensation insurance, if, under the laws of the state he is required to carry such insurance."
- d. "That Section 13-111, Generally, be repealed."

Section 10. Chapter 14 of the Joplin City Code, Fire Prevention, is hereby amended as follows:

- a. “That Section 14-27(a) be amended by the addition of the words ‘Except that nothing

in this subsection shall apply to combustible liquids.' after the words 'as provided by the zoning ordinance.'”

- b. "That Section 14-29 be amended by deletion of the phrase 'F-2604.9.1', and replaced by addition of the phrase 'F-2603.9.1' in line one. This section shall be further amended by the deletion of the words 'Fire Chief' in the third line and the addition of the words 'Traffic Engineer. The Traffic Engineer shall keep the Fire Chief apprised of such routes at all times.' after the word 'the' in the third line."
- c. "That Section 14-30 be amended by the deletion of the words 'fire chief.' in the fourth line and the addition of the phrase 'Traffic Engineer. The Traffic Engineer shall keep the Fire Chief apprised of such routes at all times.' after the word the in the fourth line."
- d. "That Section 14-37 be amended by deletion of the phrase 'place of business selling, using or offering for sale any inflammable material not sealed in a container.' and the addition of the phrase 'fuel dispensing station. This shall include but is not limited to places of retail or wholesale business engaged in the sale of gasoline, diesel, propane or natural gas.' after the word 'any' in the eighth line."
- e. "That Section 14-40 be added as follows:

'Section 14-40. Fees

The Fire Department shall charge and collect a \$1.00 administrative fee for the following permits: burning, tent, blasting, and Underground Storage Tank to defray, in part the cost of issuing such permits'.”

- f. "That Section 14-41 be added as follows:

'Sec. 14-41. Fire Hydrants

- (a) It shall be unlawful for any person except the current provider of the public utility to paint any fire hydrant.
- (b) It shall be unlawful to obscure from view, damage, deface, obstruct, or restrict access to any fire hydrant.
- (c) It shall be unlawful for any person to utilize a fire hydrant for any purpose without prior approval from both the Fire Department and the current provider of the public utility.
- (d) Nothing in this section shall apply to the Fire Department.”

Section 11. Chapter 18 of the Joplin City Code, Housing, is hereby amended as follows:

- a. "That Section 18-11 be amended by addition of the words 'ancestry, handicap, familial status,' after the word 'religion,' in the fourth line."
- b. "That Section 18-12 Definitions be repealed and new Section 18-12 Definitions be adopted to read as follows:

Section 18-12. Definitions.

- (a) *Person.* Includes one or more individuals, corporations, partnerships, associations, organizations, legal representatives, mutual companies, joint-stock companies, trusts, trustees, trustees in bankruptcy, receivers, fiduciaries, or other organized groups of persons;
- (b) *Discrimination.* Any unfair treatment based on race, color, religion, national origin, ancestry, sex, handicap, or familial status.
- (c) *Dwelling.* Any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof;
- (d) *Familial status.* One or more individuals who have not attained the age of eighteen years being domiciled with:
 - (1) A parent or another person having legal custody of such individual; or
 - (2) The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.

- (e) *Handicap.* A physical or mental impairment which substantially limits one or more of a person's major life activities, a condition perceived as such, or a record of having such an impairment, which with or without reasonable accommodation does not interfere with occupying the dwelling in question. For purposes of this chapter, the term "handicap" does not include current illegal use of or addiction to a controlled substance; however, a person may be considered handicapped if that person:
 - (1) Has successfully completed a supervised drug rehabilitations program

and is no longer engaging in the illegal use of, and is not currently addicted to, a controlled substance or has otherwise been rehabilitated successfully and is no longer engaging in such use and is not currently addicted;

- (2) Is participating in a supervised rehabilitation program and is no longer engaging in illegal use of controlled substances; or
- (3) Is erroneously regarded as currently illegally using, or being addicted to, a controlled substance.

(State law reference - RSMo. 213.010)

- c. "That Section 18-13 be repealed and a new Section 18-13, Discriminatory housing practices, be adopted to read as follows:

'Section 18-13. Discriminatory housing practices.

- (1) It shall be an unlawful housing practice:
 - (a) To refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, to deny or otherwise make unavailable, a dwelling to any person because of race, color, religion, national origin, ancestry, sex, handicap, or familial status;
 - (b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, national origin, ancestry, sex, handicap, or familial status;
 - (c) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, national origin, ancestry, sex, handicap, or familial status, or any intention to make any such preference, limitation or discrimination;
 - (d) To represent to any person because of race, color, religion, national origin, ancestry, sex, handicap, or familial status that any dwelling is not available for inspection, sale, or rental when such dwelling is, in fact, so available;
 - (e) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, ancestry, sex, handicap, or familial status;

- (f) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:
 - (I) That buyer or renter;
 - (ii) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
 - (iii) Any person associated with that buyer or renter;
 - (g) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
 - (I) That person;
 - (ii) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or
 - (iii) Any person associated with that person.
- (2) For purposes of this chapter, discrimination includes:
- (a) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises, except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter's agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted;
 - (b) A refusal to make reasonable accommodation in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy such dwelling; or
 - (c) In connection with the design and construction of covered multifamily dwellings for first occupancy after March 13, 1991, a failure to design and construct those dwellings in such a manner that:
 - (I) The public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

- (ii) All the doors designed to allow such passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and
 - (iii) All premises within such dwellings contain the following features of adaptive design:
 - a. An accessible route into and through the dwelling;
 - b. Light switches, electrical outlets, thermostats, and other environmental controls in accessible locations;
 - c. Reinforcements in bathroom walls to allow later installation of grab bars; and
 - d. Usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space.
- (3) As used in this section, the term "covered multifamily dwelling" means:
- (a) Buildings consisting of four (4) or more units if such buildings have one (1) or more elevators, and
 - (b) Ground floor units in other buildings consisting of four (4) or more units.
- (4) Compliance with the appropriate requirements of the American National Standard for Buildings and Facilities providing accessibility and usability for physically handicapped people, commonly cited as "ANSI A1 17. 1 ", suffices to satisfy the requirements of this section.
- (5) Nothing in this chapter shall prohibit conduct against a person because such person has been convicted by any court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance, as defined by Missouri Statute section 195.010, RSMo.
- (6) Nothing in this chapter shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides

lodging which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

- (7) Nothing in this chapter, other than the prohibitions against discriminatory advertising in this section, shall apply to:
- (a) The sale or rental of any single family house by a private individual owner, provided the following conditions are met:
 - (I) The private individual owner does not own or have any interest in more than three (3) single family houses at any one time; and
 - (ii) The house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the business of selling or renting dwellings and without publication, posting or mailing of any advertisement. If the owner selling the house does not reside in it at the time of the sale or was not the most recent resident of the house prior to such sale, the exemption in this section applies to only one such sale in any twenty-four (24) month period; or
 - (b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence."

- d. "That Section 18-14 be repealed and a new Section 18-14, Discrimination in selling or renting, be adopted to read as follows:

Section 18-14. Discrimination in selling or renting.

It shall be unlawful to deny any person access to or membership or participation in any multiple listing service, real estate brokers' organization or other service organization, or facility relating to the business of selling or renting dwellings, on account of race, color, religion, national origin, ancestry, sex, handicap, or familial status."

- Section 12. Chapter 19 of the Joplin City Code, Licenses, is hereby amended as follows:

- a. "That Article IV, Pest Control, of Chapter 19, be repealed."
- b. "That Section 19-125 be amended by deletion of the phrase 'of not less than ten

thousand dollars (\$10,000.00) public liability and five thousand dollars (\$5,000.00) property damage insurance' and replaced by addition of the phrase 'not less than one hundred thousand dollars (\$100,000.00) combined single limits for bodily injury or property damage".

Section 13. Chapter 20 of the Joplin City Code, Market house, is hereby repealed.

Section 14. Chapter 21 of the Joplin City Code, Milk and milk products, is hereby amended as follows:

- a. "That Section 21-1, Standards adopted, be repealed."
- b. "That Section 21-2 be renumbered 21-1."
- c. "That Section 21-3 be renumbered 21-2."

Section 15. Chapter 23 of the Joplin City Code, Motor vehicles, is hereby amended as follows:

- a. "Section 23-21. Definitions.

Whenever in this article or any proceeding under this article, the following words or terms are used, they shall be deemed and taken to have the meanings ascribed to them as follows:

....
Motor vehicle. Any self-propelled vehicle not operated exclusively on tracks, except farm tractors.

...."

- b. "Section 23-51. Lighting equipment.

It shall be unlawful for any person to operate any vehicle on the streets of the city which is not equipped with lighting equipment as required by law; or to fail to use such equipment as required in such sections."

- c. "That Section 23-53, Warning devices, be amended by addition of the words 'or whistle' in the third line between 'forward,' and 'in good working order'."

- d. "Section 23-58. Tow lines

When one vehicle is towing another, the connecting device shall not exceed fifteen (15) feet. During the time that lights are required by this chapter, the required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is

connected to the towing vehicle by a center-locking ball located over or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. The provisions of this subsection shall not apply to wreckers towing vehicles or to vehicles secured to the towing vehicle by a fifth-wheel type connection."

Section 16. Chapter 24 of the Joplin City Code, Municipal Court, is hereby amended as follows:

"That Section 24-5(h) be amended by deletion of the phrase 'Section 590.110 RSMo. (1993)', replaced by addition of the phrase 'Section 590.140(l) RSMo. (1994)' in the fifth line."

Section 17. Chapter 26 of the Joplin City Code, Offenses, is hereby amended as follows:

a. "That Section 26-71, Indecent exposure of person, be repealed and that a new Section 26-71, Sexual misconduct, be adopted to read as follows:

'Sec. 26-71. Sexual misconduct.

- (a) It shall be unlawful for any person to expose his genitals in any public place.
 - (b) It shall be unlawful for any person in a public place to solicit, request or engage, whether for financial consideration or not, in any act defined in Section 26-74(b) of this chapter.
 - (c) It shall be unlawful for any person to solicit or request another person to engage in sexual conduct under circumstances in which he knows that his requests or solicitation is likely to cause affront or alarm.
- (State law reference - Secs. 566.093, 566.095 RSMo. (1994))."

b. "That Section 26-72, Mashing, be repealed and that a new Section 26-72, Urinating or defecating in a place open to public view, be adopted to read as follows:

'Sec. 26-72. Urinating or defecating in a public place

It shall be unlawful for any person, male or female to urinate or defecate in any public place not designated for such purposes.””

Section 18. Chapter 27 of the Joplin City Code, Parks and Recreation is hereby amended as follows:

- a. "That Section 27-2. Supervision be amended by the deletion of the words 'Newburger Building' and the addition of the words 'Carver Nursery School' in the second line after the word 'Stadium' and that the section be further amended by the deletion of the words 'director of public works' and the addition of the words 'director of parks and recreation' after the words 'and supervision of the' in the third line."
- b. "That Section 27-5. Fees and charges at Schifferdecker Golf Course is hereby amended as follows:
 1. That subsection (a) be amended by the deletion of the words 'six dollars and seventy-five cents (\$6.75)' and the addition of the words 'seven dollars and fifty cents (\$7.50)' after the word 'be' in the first line and further amended by the deletion of the words 'seven dollars and seventy-five cents (\$7.75)' and the addition of the words 'eight dollars and fifty cents (\$8.50)' after the word 'be' in the fourth line.
 2. That subsection (b) be amended by the deletion of the words 'four dollars and seventy-five cents (\$4.75)' and the addition of the words 'five dollars and twenty-five cents (\$5.25)' after the word 'be' in the second line, and further amended by the addition of the words 'six dollars and twenty-five cents (\$6.25)' after the word 'be' in lines four and five.
 3. That subsection (d) be amended by the deletion of the words 'three dollars and seventy-five cents (\$3.75)' and the addition of the words 'four dollars and twenty-five cents (\$4.25)' after the word 'be' in the third line.
 4. That subsection (e) be amended by the deletion of the words 'four dollars and seventy-five cents (\$4.75)' and the addition of the words 'five dollars and twenty-five cents (\$5.25)' after the word 'be' in the second line.
 5. That subsection (g) be amended by the deletion of the words 'four dollars and seventy-five cents (\$4.75)' and the addition of the words 'five dollars and twenty-five cents (\$5.25)' after the word 'at' in the second line.
 6. That subsection (I) be amended by the deletion of the words 'thirteen dollars (\$13.00)' and the addition of the words 'fourteen dollars (\$14.00)' after the word 'be' in the first line."
- c. "That section 27-9. Charges for the use of the city swimming pools be amended by the deletion of the words 'an ten-pass swimming pool cards shall be nine dollars and

- fifty cents (\$9.50)' in the second and third lines and further amended by the deletion of the words 'and a ten-pass swimming pool card for children shall be seven dollars (\$7.00)'."
- d. "That section 27-83. Fees established be amended by the addition of subsection (d) to read as follows:
 '(d) The cancellation of an event less than thirty (30) days prior to the event shall result in the forfeiture of all fees.'"
 - e. "That section 27-84(2), (b), (ii) be amended by the deletion of the words 'three hundred thousand dollar (\$300,000.00)' and the addition of the words 'one million dollar (\$1,000,000.00)' after the word "A" in the first line."
 - f. "That section 27-87(d) shall be repealed and new Section 27-87(d) be adopted to read as follows:
 '(d) The city shall require a two hundred fifty dollar (\$250.00) deposit when entering into a lease of Memorial Hall. Said deposit shall apply to the cost of ticket printing for event at Memorial Hall.'"
 - g. "That section 27-95. Supervision, be amended by the deletion of the words 'director of public works' and the addition of the words 'director of parks and recreation' after the word 'the' in the third line."
 - h. "That section 27-96. Admission fee at municipal pools, be amended by the deletion of the words 'fifty cents (\$0.50)' and the addition of the words 'seventy-five cents (\$0.75)' after the word 'at' in the second line and further amended by the deletion of the words 'seventy-five cents (\$0.75)' and the addition of the words 'one dollar (\$1.00)' after the phrase 'and under and' in the third line."

Section 19. Chapter 30 of the Joplin City Code, Plumbing, is hereby amended as follows:

"That Section 30-74 be amended by the deletion of the phrase 'of fifteen thousand (15,000) inhabitants or more in the state' in the third and fourth lines."

Section 20. Chapter 35 of the Joplin City Code, Sewers, is hereby amended as follows:

"That Section 35-103 Revenue Sources, be amended by the deletion of the number '\$0.555' in section (c) subsection (1), and replace it with of the number '\$0.0555' in section (c) subsection (1)."

Section 21. Chapter 36 of the Joplin City Code, Solid wastes, is hereby amended as follows:

"That Section 36-4(7) be amended by deletion of the word 'provision' in the eighth line, and replaced by the addition of the phrase 'subsection (7)'".

Section 22. Chapter 37 of the Joplin City Code, Streets and sidewalks, is hereby amended as follows:

- a. "That Section 37-43 Bond be amended by the deletion of the phrase 'one thousand dollars (\$1,000.00)' in the seventh and ninth lines and replace by addition of the phrase 'five thousand dollars (\$5,000.00)'."
- b. "That Section 37-66 License and bond be repealed and new section 37-66 License, bond and insurance be adopted to read as follows:

'Sec. 37-66 License, bond and insurance

As a guarantee to the city that all of the requirements of this article shall be complied with in all respects, and that the city shall be saved harmless from all claims for damage or injury to person or property every person desiring to obtain such permits shall, before being granted any permit, execute a license and permit bond in the sum of five thousand dollars (\$5,000.00) to the city conditioned that all requirements as herein set forth including the guarantee to save the city harmless, will be faithfully and promptly carried out; such bond shall be issued yearly and subject to the approval of the city attorney. The sureties of such bond may either be personal or surety companies. Should any bond be successfully attacked for any reason another bond of five thousand dollars (\$5,000.00) with the same conditions shall be give before any other permit shall be granted to such person whose bond shall have been attacked.

Any person described under section 37-61 of this article shall carry insurance in an amount not less than one-hundred thousand dollars (\$100,000.00) combined single limits for bodily injury or property damage.””

- c. "That Section 37-67 Duty to refill, tamp and guard be repealed and new section 37-67 Duty to refill, tamp and guard be adopted to read as follows:

'Sec. 37-67. Duty to refill, tamp and guard.

All persons to whom permits shall have been issued for making excavations regulated by this article, shall refill and properly tamp the same as hereinafter prescribed, and when such cutting and such connections or repairs or installation of such pipes, or other things as recited in this article shall have been made and the refilling and tamping shall have been completed, the person to whom the permit was issued shall notify the director of public works of such completion in writing, and the person to whom the permit shall be issued shall be responsible and held liable for any damages that may result during the progress of such work and shall remain responsible for any damages until such time as the street superintendent or his authorized contractor begins work on the final finished surface of the excavation. The person to whom such permit shall be issued shall observe all ordinances in respect to making such excavations and keeping the same properly barricaded until such time as the street superintendent or his authorized contractors begins

work on the final finished surface of the excavation, and in addition to such barricade keep a proper number of amber lights on the same at night, and also with the understanding that the person to whom the permit shall be issued shall fully and faithfully complete the refilling and tamping of such excavation in accordance with the specifications therefor as hereinafter provided so that the public travel over the same will be safe and free from accident.””

- d. “That Sec. 37-68. Repair of streets generally be amended by the deletion of the phrase ‘pay for refilling and retamping with proper material if such work and materials have to be done and furnished by the street superintendent’ beginning in the fifteenth and replaced by the addition of the words ‘refill and retamp said excavation with proper material if such work and materials are required before the street superintendent or his authorized contractor can begin work on the final finished surface of the excavation. Should the permit holder fail to make said repair, the permit holder shall pay for refilling and retamping with proper material if such work and material are required and the work is performed by the street superintendent or his authorized contractor.’ after the word “to” in the fifteenth line.””

Section 23. That the Municipal Code Corporation is hereby authorized to re-number certain sections of the Code, as is required by this ordinance.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 2ND day of DECEMBER, 1996.



Mayor

ATTEST:



Barbara Lynn Hogelin
Deputy City Clerk

APPROVED AS TO FORM:



Ron D. Barr
City Attorney

EFFECTIVE 20 DAYS FROM DATE