

An Ordinance

Adopting and Enacting a New Code of Ordinances of the City of Joplin, Missouri; establishing the same; providing for the repeal of certain ordinances not included therein, except as herein expressly provided; providing for the manner of amending such Code of Ordinances; providing a penalty for the violation thereof; providing an effective date of 12:01 a.m., April 1, 1998, for said new Code of Ordinances, and containing an emergency clause.

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

Section 1. That the Code of Ordinances, consisting of Chapters 1 to 126, each inclusive, is hereby adopted and enacted as the "Code of the City of Joplin, Missouri," and shall be treated and considered as a new and original comprehensive Ordinance which shall supersede all other general and permanent ordinances of the City passed on or before November 17, 1997, to the extent provided in Section 2. hereof.

Section 2. That all provisions of such Code shall be in full force and effect from and after 12:01 a.m., April 1, 1998, and all Ordinances of a general and permanent nature of the City of Joplin enacted on final passage on or before November 17, 1997, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after 12:01 a.m., April 1, 1998, except as hereinafter provided. No Resolution of the City, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in Section 2. hereof shall not affect the following:

- (a) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this Ordinance;
- (b) Any Ordinance promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds of the City or any evidence of the City's indebtedness, or any contract or obligation assumed by the City;
- (c) The Administrative Ordinances of the City, not in conflict or inconsistent with

the provisions of such Code;

- (d) Any Ordinance fixing salaries of officers or employees of the City;
- (e) Any appropriation Ordinance;
- (f) Any right or franchise granted by the City Council of the City to any person, firm or corporation;
- (g) Any Ordinance dedicating, naming, establishing, locating, re-locating, opening, closing, paving, widening, vacating, etc., any street or public way in the city;
- (h) Any Ordinance establishing and prescribing the street grades of any street in the City;
- (i) Any Ordinance providing for local improvements or assessing taxes therefor;
- (j) Any Ordinance dedicating or accepting any plat or subdivision in the City or providing regulations for the same;
- (k) Any Ordinance annexing property to the City;
- (l) Any Zoning Ordinance of the City or amendment thereto;
- (m) Any Subdivisions Ordinance of the City or amendment thereto;
- (n) Any Ordinance prescribing traffic regulations for specific locations, prescribing through streets, parking limitations, parking prohibitions, one-way traffic, limitations on loads of vehicles or loading zones, not inconsistent with such Code;
- (o) Any Ordinance fixing utility rates and charges;
- (p) Any Ordinance enacted after November 17, 1997, nor shall such repeal be construed to revive any Ordinance or part of an Ordinance which is repealed by this Ordinance.

Section 4. That whenever in such Code an act is prohibited or is made or declared

to be unlawful or an offense or a misdemeanor by the city council, or whenever in such Code the doing of any act is required or the failure to do any act is declared to be unlawful by the city council and no specific penalty is provided therefor, the violation of any such provisions of such Code shall be punished as provided in Section 1-5 of such Code.

Section 5. That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the City Council to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of the City of Joplin, Missouri," shall be understood and intended to include such additions and amendments.

Section 6. That in case of the amendment by the City Council of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-5 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended unless such penalty is specifically repealed therein.

Section 7. That three (3) copies of such Code shall be kept on file in the office of the City Clerk, preserved in loose-leaf form or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk, or someone authorized by said officer, to insert in their designated places all Amendments and all Ordinances or Resolutions which indicate the intention of the City Council to make the same a part of such Code when the same have been printed or reprinted in page form and to extract from such Code all provisions which from time-to-time may be repealed by the City Council. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or alter by additions or deletions any part or portions of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Joplin to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 1-5 of the "Code of the City of Joplin, Missouri."

Section 9. That all Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10. That this Ordinance dealing with the immediate preservation of public

health and safety is an emergency within the meaning of Section 2.12(1) of the Home Rule Charter of the City of Joplin, Missouri, and, as such, shall be in full force and effect immediately from and after its adoption and approval.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 16th day of March 1998, by a 9 – 0 vote.

Earl Carr  
Mayor

ATTEST: Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM: Chuck Brown, City Attorney