

## *St. Louis City Ordinance 63775*

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 16

INTRODUCED BY ALDERMAN FREEMAN BOSLEY, SR.

An ordinance prohibiting the intentional defacement of buildings or structures, public or private, by application of paint, marker, or like substance, by whatever means; making unlawful the failure of a parent or guardian to use reasonable means to prevent a person under the age of eighteen from intentionally defacing a building or structure, public or private; providing a penalty and an emergency clause.

WHEREAS, the City has had and is now experiencing the intentional vandalism of public and private buildings and structures by defacement by wrongfully and maliciously applied paint and like foreign substances; and

WHEREAS, such damage is almost always committed by youths who are in the lawful custody of parents or others possessed with the right and the available capacity to regulate, control and stop such unlawful activity, and who fail and wrongfully neglect to take reasonable measures to obviate such delinquency; and

WHEREAS, in order to encourage the abatement of such destruction occasioned by such delinquency the following measures are adopted.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. No person shall, without the consent of the owner, write or scribble on the walls or other parts of public or privately owned buildings or structures, or mark the same with pictures or deface the same in any manner including but not limited to the application of paint, marker, or like substance.

SECTION TWO. For purposes of this ordinance the following definitions shall apply:

a. "Knowingly" shall be defined as knowledge which a parent or guardian should reasonably be expected to have concerning the activities of a juvenile in that person's legal custody.

b. "Parent" is any natural or adopted parent, any person having legal custody of a juvenile, or an adult who has assumed responsible custody and control of said juvenile.

**SECTION THREE.** It shall be unlawful for a parent to knowingly permit or allow a juvenile to write or scribble on the walls or other parts of public or private buildings, or mark the same with pictures or deface the same in any manner including but not limited to the application of paint, marker, or like substance. Any parent who has received a written warning under the provisions of Section Four of this ordinance shall be deemed to have reasonable knowledge concerning the activities of a juvenile for purposes of this section.

**SECTION FOUR.** On the first violation of Section One of this ordinance by a person under the age of eighteen (18) years, said person's parent shall receive a written warning from the St. Louis Metropolitan Police Department advising said parent that any subsequent violation of Section One by said minor shall constitute a violation of Section Three this ordinance by the parent.

**SECTION FIVE.** Penalty.

Upon conviction of a violation of this ordinance, punishment shall be imposed by a fine of not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment; provided further, the sentencing court may suspend imposition of judgment or sentence upon parole for the successful performance of supervised community public service of not less than forty (40) hours.

**SECTION SIX.** This ordinance being necessary for the immediate preservation of the public peace, health and safety, it is hereby declared to be an emergency measure and shall take effect upon approval or adoption.

<b>Legislative History</b>					
<b>1ST READING</b>	<b>REF TO COMM</b>	<b>COMMITTEE</b>	<b>COMM SUB</b>	<b>COMM AMEND</b>	<b>VOTE</b>
<b>04/16/96</b>	<b>04/16/96</b>	<b>PS</b>	<b>05/09/96</b>		
<b>2ND READING</b>	<b>FLOOR AMEND</b>	<b>FLOOR SUB</b>	<b>VOTE</b>	<b>PERFECTN</b>	<b>PASSAGE</b>

<b>05/10/96</b>				<b>05/17/96</b>	<b>05/24/96</b>
<b>ORDINANCE</b>	<b>VETOED</b>		<b>VETO OVR</b>		<b>EFFECTIVE</b>
<b>63776</b>					