

BOARD BILL NO. 169 INTRODUCED BY ALDERMAN CRAIG SCHMID

1 An Ordinance pertaining to impeding and interfering with pedestrian and vehicular
2 traffic; repealing Section One, part 827.280, of Ordinance 57831, codified as Section 17.16.270
3 of the Revised Code of the City of St. Louis, and enacting in lieu thereof new provisions
4 pertaining to the interference of pedestrian and vehicular traffic; containing a severability clause,
5 penalty clause and an emergency clause.

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

7 **SECTION ONE: FINDINGS.**

- 8 1. The City of St. Louis is authorized to regulate the use of public highways, streets,
9 boulevards, sidewalks, alleys, parks, public grounds, squares, wharves, bridges, viaducts,
10 subways, and tunnels, pursuant to Article I, Section 1 (14) of the Charter of the City of
11 St. Louis. Further, the City of St. Louis is authorized “[t]o define and prohibit, abate,
12 suppress and prevent or license and regulate all acts, practices, conduct, business,
13 occupations, callings, trades, uses of property and all other things whatsoever detrimental
14 or liable to be detrimental to the health, morals, comfort, safety, convenience or welfare
15 of the inhabitants of the city and all nuisances and causes thereof.” Charter of the City of
16 St. Louis, Article I, Section 1 (25). Moreover at Article I, Section 1 (33) of the Charter of
17 the City of St. Louis, the City is empowered to “do all things whatsoever expedient for
18 promoting or maintaining the comfort, education, morals, peace, government, health,
19 welfare, trade, commerce or manufactures of the city or its inhabitants.”
- 20 2. The residents of, visitors to, businesses owners of, and taxpayers within the City of St.
21 Louis have an interest in protecting themselves from the health and safety problems
22 associated with having their reasonable movement as pedestrians or while in vehicles

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1 obstructed, impeded, interfered, hindered or delayed or being solicited for a ride,
2 employment, business or contributions while in their vehicles.

3 3. Current law has not been determined to sufficiently address the interest of the public and
4 the health and safety problems associated with interfering with pedestrian and vehicular
5 traffic, because the current law has been found not to define clearly what behavior is
6 proscribed as impeding and interfering with pedestrian and vehicular traffic.

7 **SECTION TWO.** Section One, part 827.280, of Ordinance 57831, codified as Section
8 17.16.270 of the Revised Code of the City of St. Louis is hereby repealed.

9 **SECTION THREE. DEFINITIONS.**

10 As used herein:

11 1. **Public Place** means a street; roadway; sidewalk; alley; highway; bridge; overpass;
12 passageway; driveway entrance; entrance or exit to a parking lot or garage; bus stop; park;
13 median; and property (whether public or private) that is immediately adjacent to a street,
14 roadway, sidewalk, alley, highway, bridge, overpass, passageway, driveway entrance, entrance
15 or exit to a parking lot or garage, bus stop, park, or median.

16 2. **Public Building** means any structure that has a business license from the City of St.
17 Louis; conducts governmental business on behalf of the United States of America, State of
18 Missouri or City of St. Louis, or other authorized governmental entity; non-profit entity;
19 restaurants, banks, shops, gyms, financial institutions, libraries, museums, hotels and other
20 entities that invite the public as customers, patrons or visitors; place of employment; schools;
21 medical facilities; places of worship; and residential property of more than 4 dwelling units.

22 3. **Private Building** or **Private Place** means any residential property or lot of fewer than
23 5 dwelling units.

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1 **SECTION FOUR**

2 1. Enacted in lieu are the following new provisions:

3 17.16.275 Impeding and Interfering with Pedestrian and Vehicular Traffic.

4 A. No person, or persons congregating with another or others, shall stand or otherwise
5 position himself or herself in any public place in such a manner as to obstruct, impede, interfere,
6 hinder or delay the reasonable movement of vehicular or pedestrian traffic.

7 B. No person, or persons congregating with another or others, shall stand or otherwise
8 position himself or herself in any entrance, exit, corridor or passage of any public building in
9 such a manner as to obstruct, impede, interfere, hinder or delay the reasonable movement of
10 vehicular or pedestrian traffic.

11 C. No person, or persons congregating with another or others, shall stand or otherwise
12 position himself or herself at the entrance or exit to a private building, including driveway,
13 entrance to a garage and entrance to a parking pad, in such a manner as to obstruct, impede,
14 interfere, hinder or delay the reasonable movement of vehicular or pedestrian traffic.

15 D. No person, or persons congregating with another or others, shall for the purpose of
16 selling or offering for sale goods or services; or soliciting a ride, employment, business, or
17 contributions from vehicular traffic:

18 1. stand or otherwise position himself or herself in any public place;

19 2. stand or otherwise position himself of herself at the entrance or exit to a private
20 building or public building, including the driveway, entrance/exit to a garage and entrance/exit to
21 a parking pad.

22 E. No person, or persons, shall place any signs or pictures on any public place or public
23 building without the express written authority of the Commissioner of Streets of the City of St.

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1 Louis (if it is a City of St. Louis public place or public building), or Missouri Department of
2 Transportation (if it is a State public place or public building), United States of America (if it is a
3 United States public place or public building) or owner of any public building or private
4 building.

5 F. No person who has committed an act or acts within the description of subparagraphs
6 A through D above, upon being given an order by a police officer, state trooper, marshall, ranger,
7 firefighter, Missouri authorized security guard, or other authorized law enforcement or
8 emergency response personnel to disperse, clear, or otherwise move, shall fail or refuse to obey
9 such order. Such failure or refusal shall constitute the separate offense of failure to obey a
10 dispersing order by a police officer, state trooper, marshall, ranger, firefighter, Missouri
11 authorized security guard, or other authorized law enforcement or emergency response
12 personnel.

13 G. Any person violating any of the provisions of this Ordinance shall, for each such
14 violation, be guilty of a Class A misdemeanor and upon conviction shall be subject to a fine of
15 no less than one hundred dollars (\$100) and not more than five hundred dollars (\$500) or by
16 imprisonment for not more than ninety days, or by both fine and imprisonment.

17 **SECTION THREE. Severability Clause.**

18 The provisions of this section are severable. If any provision of this ordinance is declared
19 invalid, that invalidity shall not affect other provisions of the ordinance which can be given
20 effect without the invalid provision.

21 **SECTION FOUR. Emergency Clause.**

22 The passage of this ordinance being deemed necessary for immediate preservation of the public
23 peace, health and safety, an emergency is hereby declared to exist within the meaning of Section

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1 20 of Article IV of the Charter, and this ordinance shall be in full force and effect immediately
2 upon its passage and approval by the Mayor

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