

INTRODUCED BY:

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ALDERMAN WEGGE  
ALDERMAN LOCHMOELLER  
ALDERWOMAN HARTER**

**ALDERWOMAN PARKER TICE  
ALDERWOMAN SIMS  
ALDERMAN GOULD  
ALDERMAN ERGER**

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF BRENTWOOD; 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 PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE**

Be It Ordained By The Board Of Aldermen Of The City Of Brentwood As Follows:

**Section 1.** That pursuant to Section 71.943 of the Revised Statutes of Missouri, the codification of ordinances, as set out in Titles I through VI, each inclusive, of the "Code of Ordinances of the City of Brentwood" is hereby adopted and enacted as the "Code of Ordinances of the City of Brentwood"; which shall supersede all other general and permanent ordinances of the City passed on or before December 18, 2023, to the extent provided in Section 3 hereof.

**Section 2.** That all provisions of such Code shall be in full force and effect from and after the effective date of this ordinance as set forth herein.

**Section 3.** That all ordinances of a general and permanent nature of the City adopted on final passage on or before December 18, 2023, and not included in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except those which may be specifically excepted by separate ordinance, and except the following which are hereby continued in full force and effect to the same extent as if set out in length in this Code, unless specifically repealed by separate ordinance:

- a. Ordinances promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds or notes of the City or any other evidence of the City's indebtedness, or authorizing any contract or obligation assumed by the City;
- b. Ordinances levying taxes or making special assessments;
- c. Ordinances appropriating funds or establishing salaries and compensation, and providing for expenses;
- d. Ordinances granting franchises or rights to any person, firm or corporation;
- e. Ordinances relating to the dedication, opening, closing, naming, establishment of grades, improvement, altering, paving, widening or vacating of streets, alleys, sidewalks or public places;
- f. Ordinances authorizing or relating to particular public improvements;
- g. Ordinances respecting the conveyances or acceptance of real property or easements in real property;

- h. Ordinances dedicating, accepting or vacating any plat or subdivision in the City or any part thereof, or providing regulations for the same;
- i. Ordinances annexing property to the City;
- j. All zoning and subdivision ordinances not specifically repealed and not included herein;
- k. Ordinances establishing TIF districts or redevelopment districts;
- l. Ordinances relating to traffic schedules (i.e. stop signs, parking limits, etc.);
- m. All ordinances relating to personnel regulations (i.e. pensions, retirement, job descriptions and insurance, etc.);
- n. Ordinances authorizing the establishment of industrial development corporations;
- o. Ordinances establishing tax rates for the City.
- p. Ordinances promising or guaranteeing the payment of money for the City or authorizing the issue of any bonds of the City or any evidence of the City's indebtedness or any contract or obligation assumed by the City.
- q. Ordinances levying annual taxes.
- r. Ordinances conferring any right or franchise.
- s. Ordinances adopted for purposes which have been consummated.
- t. Ordinances pertaining to the compensation of any City Officer or employee or any personnel policy.
- u. Ordinances pertaining to any retirement, disability or other pension or benefit accrued or accruing to any person.
- v. Ordinances annexing territory to the City.
- w. Ordinances naming, renaming, opening, accepting or vacating streets or alleys in the City.
- x. Ordinances pertaining to the adoption or amendment of the Comprehensive Plan.
- y. Any ordinance which is temporary, although general in effect, or special, although permanent in effect.
- z. Ordinances rezoning specific property.

That the repeal provided for in this Section shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

That the repeal provided for in this Section shall not affect 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, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.

The above ordinances are on file in the City Clerk/Administrator's office.

**Section 4.** That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the Board of Aldermen to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances of the City of Brentwood" shall be understood and intended to include such additions and amendments.

**Section 5.**

- a. Whenever in this Code or any other ordinance of the City, or in any rule, regulation, notice or order promulgated by any officer or agency of the City under authority duly vested in him/her or it, any act is prohibited or is declared to be unlawful or an offense, misdemeanor or ordinance violation or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, misdemeanor or ordinance violation, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the City or County Jail not exceeding three (3) months, or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense, except that imprisonments may be in the City prison or workhouse instead of the County Jail.
- b. Whenever any provision of the Revised Statutes of Missouri or other Statute of the State limits the authority of the City to punish the violation of any particular provision of these ordinances or rules, regulations or orders promulgated pursuant thereto to a fine of less amount than that provided in this Section or imprisonment for a shorter term than that provided in this Section, the violation of such particular provision of these ordinances or rules, regulations or orders shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized, or by both such fine and imprisonment.
- c. Whenever any provision of the Revised Statutes of Missouri or other Statute of the State establishes a penalty differing from that provided by this Section for an offense similar to any offense established by these ordinances, rules, regulations or other orders of the City, the violation of such City law, ordinance, rule, regulation or order shall be punished by the fine or imprisonment established for such similar offense by such State law.
- d. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.
- e. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

**Section 6.** That in case of the amendment by the Board of Aldermen of any Section of such Code for which a penalty is not provided, the general penalty as provided in Section 5 of this ordinance 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 a copy of such Code shall be kept on file in the office of the City Clerk, preserved in looseleaf 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 Board of Aldermen to make the same 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 Board of Aldermen. This copy of such Code shall be available for all persons desiring to examine the same.

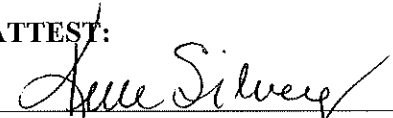
**Section 8.** That it shall be unlawful for any person to change or alter by additions or deletions any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Brentwood to be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

**Section 9.** It is hereby declared to be the intention of the Board of Aldermen that the Sections, paragraphs, sentences, clauses and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or Section of this ordinance or the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of this ordinance or the Code hereby adopted.

**Section 10.** This ordinance and the Code adopted hereby shall become effective April 1, 2024.

**PASSED by the Board of Aldermen of the City of Brentwood this 1st day of April 2024.**

  
David A. Dimmitt, Presiding Officer

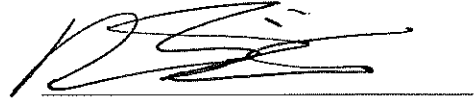
**ATTEST:**  
  
Kelle Silvey, Deputy City Clerk



**BILL NO. 6493**

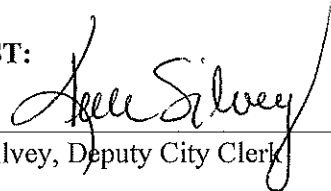
**ORDINANCE NO. 5120**

**APPROVED** by the Mayor of the City of Brentwood this 1st day of April 2024.



David A. Dimmitt, Mayor

**ATTEST:**

  
Kelle Silvey, Deputy City Clerk

1st Reading: April 1, 2024

2nd Reading: April 1, 2024



City of Brentwood  
2023 Statutory Updates Incorporated During Supplement # 26

The Sections of the Code noted in the table below have been updated with the 2023 statutory material. The City’s attorney may want to review these changes to confirm these revisions are necessary. All revised Sections will be in effect following the City’s adoption of the Code.

<b>Section/Subsection of the Code</b>	<b>Description of the Revision</b>	<b>Pursuant to RSMo. Section</b>
145.020	A new Subsection (A)(16) regarding certain law enforcement and/or public safety agency information was added and subsequent Subsections were renumbered. In former Subsection (A)(16) [now (A)(17)], we deleted “which is or appears to be terrorist in nature and.”	610.021
215.610	Additional provisions were added to Subsection (G) of this Section setting out an exception to certain weapons regulations for certain school officers and school protection officers.	571.030
215.1040	Subsection (A) of this Section was revised to read in part, “...or utility regulated under Chapter 386 or 393, RSMo., including <u>twisted pair copper telecommunications wiring of pair or greater existing in 19, 22, 24, or 26 gauge burnt wire, bleachers, guardrails...</u> ”	407.302
215.1570	We added this Section regarding “drug masking products.”	579.041