

ORDINANCE NO. 7859

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AMENDING ARTICLE VI OF CHAPTER 115 OF THE ST. PETERS CITY CODE; ENACTING A NEW SECTION 115.295; AND PROVIDING FOR THE DESIGNATION OF THE SPECIAL MUNICIPAL PROSECUTING ATTORNEY

WHEREAS, Section 479.120, RSMo., provides that "It shall be the duty of an attorney designated by the municipality to prosecute the violations of the municipality's ordinances before the municipal judges or before the associate circuit judges hearing the violations of that municipality's ordinances;" and

WHEREAS, pursuant to Section 115.240 of the St. Peters City Code, "The official prosecuting violations of the ordinances of the City of St. Peters in the Municipal Court of the City of St. Peters shall be called "The Municipal Prosecuting Attorney"; and

WHEREAS, pursuant to Section 115.290 of the St. Peters City Code authorizes the Municipal Prosecuting Attorney to designate not more than three (3) Assistant Municipal Prosecuting Attorneys; and

WHEREAS, from time to time, the Municipal Prosecuting Attorney requests assistance from the City Attorney for the prosecution of certain offenses; and

WHEREAS, the Board of Aldermen desire to establish the procedure pursuant to which the Municipal Prosecuting Attorney may enlist the assistance of the City Attorney;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI AS FOLLOWS:

SECTION NO. 1. That Article VI of Chapter 115 of the St. Peters City Code be and is hereby amended by enacting a new Section 115.295, to read as follows:

SECTION 115.295. Special Municipal Prosecuting Attorney.

The Municipal Prosecuting Attorney may, with the consent of the City Administrator, designate any one or more of the City Attorneys as Special Municipal Prosecuting Attorney to assist and, from time to time, act in the place, stead and with the authority of the Municipal Prosecuting Attorney. The Municipal Prosecuting Attorney shall, by appropriate written communication, provide the judge of the Municipal Court the name, home address, office address, and telephone numbers of all Special Municipal Prosecuting Attorneys. Nothing contained herein shall limit the authority of the Municipal Prosecuting Attorney to designate Assistant Municipal Prosecuting Attorneys pursuant to Section 115.290 of this Article.

SECTION NO. 2. Savings Clause

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

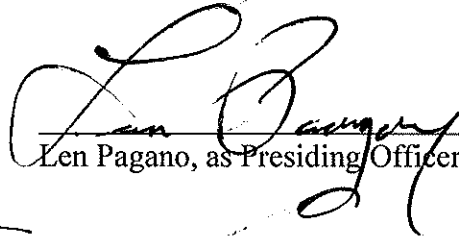
SECTION NO. 3. Severability Clause

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision, which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

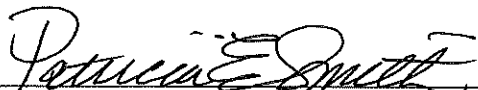
SECTION NO. 4. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of St. Peters, Missouri.

Read two times, passed, and approved this 28th day of September, 2023.





Len Pagano, as Presiding Officer and as Mayor

Attest: 

Patricia E. Smith, City Clerk