



Department Source: Law

To: City Council

From: City Manager & Staff

Council Meeting Date: October 16, 2017

Re: Amending Chapter 16 of the City Code Relating to Harassment and Peace Disturbance

Executive Summary

An ordinance has been prepared to amend Chapter 16 of the City Code to update harassment and peace disturbance provisions to be consistent and in conformance with state law.

Discussion

Neither the City's harassment nor peace disturbance ordinances have been updated since 1964. The City's harassment ordinance currently only prohibits conduct through telephonic means. Incidents have arisen where a victim was subject to some form of harassment but, due to the limiting nature of the current ordinance, no action could be taken by the Prosecutor's Office. The proposed amendment to Section 16-143 would reflect the current wording of Section 565.091 RSMo which broadens the scope of harassment and would require an intentional act for the purpose of causing emotional distress to another.

The City's current peace disturbance ordinance under Section 16-176.1 contains language that has been found to be unconstitutionally vague and mirrored previous versions of a state statute that has since been modified in response to a Missouri Supreme Court's ruling on vagueness. The proposed amendment to this ordinance would conform to current statutory language and the model penal code. The added language would assist both the public and law enforcement in determining what conduct constitutes a violation.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None

Strategic & Comprehensive Plan Impacts

[Strategic Plan Impacts:](#)

Primary Impact: Public Safety, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Passage of the ordinance to amend Chapter 16 of the City Code.