

25-06  
AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE City OF Twin Oaks, COUNTY OF St. Louis, STATE OF MISSOURI; 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 ORDINANCE SHALL BECOME EFFECTIVE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

**Section 1. Approval, Adoption and Enactment of Code.**

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 Twin Oaks, County of St. Louis, State of Missouri," is hereby adopted and enacted as the "Code of Ordinances of the City of Twin Oaks"; which shall supersede all other general and permanent ordinances of the City passed on or before February 5, 2025, to the extent provided in Section 3 hereof.

**Section 2. When Code Provisions Effective.**

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. Repeal of Legislation Not Contained in Code; Legislation Saved From Repeal; Matters Not Affected By Repeal.**

- A. All ordinances of a general and permanent nature of the City adopted on final passage on or before February 5, 2025, and not included in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except those which may be specifically excepted by separate ordinance, and except the following which are hereby continued in full force and effect, unless specifically repealed by separate ordinance:
1. 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.
  2. Ordinances levying taxes or making special assessments.
  3. Ordinances appropriating funds or establishing salaries and compensation, and providing for expenses.
  4. Ordinances granting franchises or rights to any person, firm or corporation.
  5. Ordinances relating to the dedication, opening, closing, naming, establishment of grades, improvement, altering, paving, widening or vacating of streets, alleys, sidewalks or public places.
  6. Ordinances authorizing or relating to particular public improvements.

7. Ordinances respecting the conveyances or acceptance of real property or easements in real property.
  8. Ordinances dedicating, accepting or vacating any plat or subdivision in the City or any part thereof, or providing regulations for the same.
  9. Ordinances annexing property to the City.
  10. All zoning and subdivision ordinances not specifically repealed and not included herein.
  11. Ordinances establishing TIF districts or redevelopment districts.
  12. Ordinances relating to traffic schedules (e.g., stop signs, parking limits, etc.).
  13. All ordinances relating to personnel regulations (e.g., pensions, retirement, job descriptions and insurance, etc.).
  14. Ordinances authorizing the establishment of industrial development corporations.
  15. Ordinances establishing tax rates for the City.
- B. 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.
  - C. 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.

#### **Section 4. Amendments To Code.**

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 Twin Oaks" shall be understood and intended to include such additions and amendments.

#### **Section 5. Violations and Penalties.**

- 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. 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.
- C. 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.
- D. Minor Traffic Violations as set out in City Code Section 100.220.
- E. Municipal Ordinance Violations as set out in City Code Section 100.220.

#### **Section 6. Applicability of General Penalty.**

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. Filing of Copy of Code; Codes To Be Kept Up-To-Date.**

A copy of such Code shall be kept on file in the office of the City Clerk, preserved in loose-leaf 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. Altering or Tampering With Code; Violations and Penalties.**

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 Twin Oaks to be misrepresented thereby. Any person violating this Section shall be punished as provided in Section 5 of this ordinance.


#### **Section 9. Severability.**

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. Effective Date. This ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 7<sup>th</sup> DAY OF MAY 2025.

  
\_\_\_\_\_  
Russ Fortune, Mayor

Attest:  
  
\_\_\_\_\_  
April Milne, City Clerk

Journal of "ayes" and "nays"  
Final Passage

Board Member	Votes	
	Aye	Nay
Alderman Eisenhower	<u>  X  </u>	<u>      </u>
Alderman Krewson - <i>absent</i>	<u>      </u>	<u>      </u>
Alderman Stoeckl	<u>  X  </u>	<u>      </u>
Alderman Crawford	<u>  X  </u>	<u>      </u>

**City of Twin Oaks**  
**2024 Statutory Updates Incorporated During Supplement # 18**

The Sections of the Code noted in the table below have been updated with the 2024 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.

**NOTE:** As indicated below, we added a new Section 210.845, which is derived from Section 571.031, RSMo. Subsection 3(3) of Section 571.031, RSMo., includes provisions allowing municipalities to adopt certain restrictions regarding the discharge of firearms near occupied structures (see the wording underlined below). This may refer to the restriction in Subsection 3(8) of Section 571.031, RSMo. The City may want to review Section 571.031, RSMo., with the City's attorney and determine whether any revisions are needed to Section 210.845.

*(3) To lawfully take wildlife during an open season established by the department of conservation. Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure.*

<b>Section/Subsection of the Code</b>	<b>Description of the Revision</b>	<b>Pursuant to RSMo. Section</b>
120.020	A new Subsection (A)(15), regarding allegations of improper government activities, was added and subsequent Subsections were renumbered.	610.021
210.830	A new definition of "school" was added.	571.010
210.845	A new Section was added regarding unlawful discharge of a firearm within a municipality and its exceptions.	571.031
210.1250	A new Section was added regarding criminal mischief.	569.200
370.160	In Subsection (E), the reference to "Subsection (B) of this Section" was revised to refer to "Subsection (C) of this Section" to reflect statutory provisions.	N/A
380.140	Subsection (A) was revised to include new provisions regarding voluntary suspension of motor vehicle registration.	303.025