

Proposed by Legal Department

BILL NO. 4087

Introduced by Councilman Fowler

ORDINANCE NO. 4270

AN ORDINANCE AMENDING SECTION 220.255.A OF THE CODE OF ORDINANCES, CITY OF BLUE SPRINGS, MISSOURI, TO LOWER THE AGE AT WHICH A PERSON CAN BE HELD RESPONSIBLE FOR A DOMESTIC ASSAULT FROM 18 YEARS TO 17 YEARS

WHEREAS, the State of Missouri has enacted legislation that, for the purposes of domestic assault provisions, defines an "adult" as someone "seventeen (17) years of age or older or otherwise emancipated" rather than the previously enacted eighteen (18); and

WHEREAS, in order to conform to State law, it is necessary that the City's Domestic Assault provision be amended to lower the age at which an adult can be considered a victim of Domestic Assault from 18 to 17.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, AS FOLLOWS:

Section 1: That Section 220.255.A, of the Code of Ordinances, City of Blue Springs, Missouri, is hereby amended such that said subsection shall read as follows:

“SECTION 220.255: DOMESTIC ASSAULT

A. A person commits the crime of domestic assault if the act involves a family or household member or an adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, and:

1. The person attempts to cause or recklessly causes physical injury to such family or household member or an adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person; or

2. With criminal negligence the person causes physical injury to such family or household member or adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person by means of a deadly weapon or dangerous instrument; or

3. The person purposely places such family or household member or adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person in apprehension of immediate physical injury by any means; or

4. The person attempts to cause or recklessly causes physical injury to such family or household member or adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person; or

5. The person knowingly causes physical contact with such family or household member or adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person knowing the other person will regard the

contact as offensive; or

6. The person knowingly attempts to cause or causes the isolation of such family or household member or adult seventeen (17) years of age or older or otherwise emancipated who is or has been in a continuing social relationship of a romantic or intimate nature with the person by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation."

Section 2: That in all other respects, Section 220.255, of the Code of Ordinances, City of Blue Springs, Missouri, shall remain as presently enacted.

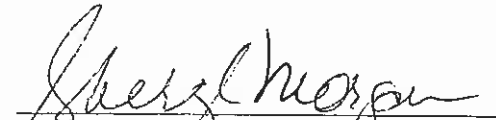
Section 3: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 19th day of October, 2009.



Carson Ross, Mayor

ATTEST:


Sheryl Morgan, Assistant City Clerk

1st reading October 19, 2009

2nd reading October 19, 2009