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Kearney, Mo. Ordinances, etc.

REVISED
ORDINANCES
of the
City of Kearney,
MISSOURI

Revised 1922

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INDEX

Contents	Page
Aldermen	3
Animals, Domestic	15
Assessor	6
Attorney, City	8
Automobiles	36
Bicycles	29
Breaches of the Peace	19
Cemetery	9
Cigarettes, etc	32
City Seal	3
Clerk, City	7
Collector	8
Commissioner of Streets	5
Concealed Weapons	29
Contagious Diseases	33
Court Procedure	17
Diseases, Contagious	33
Elections	30
Executions	17
Fire Limits	27
Fires	12
Infectious Diseases	33
Jail and Jailer	32
Judgments	17
Licenses	12
Marshal	4
Merchants License	14
Misdemeanors	19-25
Motor Vehicles	36
Nuisances	25
Obstructing Streets	22
Occupation Licenses	14
Officers, Appointment and Removal	4
Poll Tax	16
Public Safety	22
Revenue	11
Sanitation	33
Seal, City	3
Sidewalks, Construction and Repair	28
Streets and Commissioners	8
Streets, Obstruction of	22
Taxation	11
Tax, Poll	16
Tax Books	14
Treasurer	6
Vagrants	25
Walks, Construction and Repair	28
Wards, Boundaries	3
Weapons, Concealed	29

44-471
John A. Hooper Fund

Kearney, being that portion of the City of Kearney between Grove and Jefferson streets and fronting on Washington avenue, shall be known as the fire limits.

Sec. 2. No building shall be erected within the fire limits unless the same shall be constructed in conformity to the following provisions: All outside and party walls shall not be less than eight inches in thickness, and shall be made of stone, brick or other fire-proof materials; provided that outbuildings not exceeding ten feet square and twelve feet in height at the peak, and not less than fifteen feet from any other building, may be constructed of wood.

Sec. 3. No wooden building within the fire limits shall be enlarged or removed to any other lot within the same, nor shall any such building be moved into the fire limits.

Sec. 4. Whenever any wooden building shall be erected, enlarged or removed, or be in process of erection, enlargement or removal, contrary to the provisions of this ordinance, it shall be the duty of the Mayor to issue an order to the owner, occupier, builder or person in charge thereof, to have such building taken down or removed to some place outside the fire limits forthwith, and upon the refusal or neglect of such person to comply with the requirements of such order, within forty-eight hours after having received the same, the Mayor shall cause such building to be removed at the expense of the owner, to be recovered by suit in any court of competent jurisdiction.

Sec. 5. Any owner, builder or other person who shall own, build, enlarge or remove any wooden building, or aid in the erection or removal of any such wooden building within the fire limits, contrary with the provisions of this ordinance, or who shall own, remove or assist in removing any such building from without said limits into the same, contrary to any of the provisions of this ordinance, shall be subject to a fine of not less than five dollars or more than one hundred dollars, and a like fine for every forty-eight hours such person shall fail to comply with the provisions of this ordinance or continue in the violation thereof.

ORDINANCE NO. 28.—CONSTRUCTION AND REPAIR OF SIDEWALKS AND PAVING OF STREETS.

Section 1. The Board of Aldermen, whenever they deem it necessary, shall order the repair of sidewalks, streets, paving, curbing, guttering and macadamizing, or any part thereof, or reconstruction of same, in accordance with the provisions of law.

Sec. 2. Upon petition of ten citizens of the city, the Board of Aldermen shall have power, whenever they deem it necessary, to have sidewalks made, or new ones constructed in place of sidewalks condemned; plans and specifications therefor shall be made by the street commissioner, and filed with the city clerk, and the procedure for said improvement shall be as provided by statute.

Sec. 3. When the Board of Aldermen shall deem it necessary to pave, macadamize, gutter, curb or otherwise improve

any street, avenue, alley or other highway, they shall first, by resolution, declare such improvement necessary to be done, and the procedure shall be as specified in the statutes.

Sec. 4. The costs of the improvements specified in sections 1, 2 and 3 of this ordinance shall be paid in special tax bills in the manner provided by law.

Sec. 5. All improvements specified in sections 2 and 3 of this ordinance shall be ordered by special ordinance, which shall specify the kind and manner of the improvement, and the material to be used.

Sec. 6. All special tax bills shall be signed by the Mayor and attested by the city clerk, and shall bear eight per cent per annum from the date of issue, and shall be issued under special ordinance authorizing their issue, and shall be registered by the city clerk.

Sec. 7. The Mayor and Board of Aldermen shall apportion to each lot its proportion of the costs of any street improvement in the manner provided by law.

Sec. 8. All special tax bills shall specify the resolution or ordinance under which the work was done, giving the title and date of adoption, and shall describe the property affected by the tax lien, and shall give the name of the owner of the property, if known, and if the owner cannot be ascertained, stating such fact, and shall describe the improvement for which the tax bill was issued.

ORDINANCE NO. 29.—BICYCLES

Section 1. It shall be unlawful for any person to ride upon the sidewalks of the City of Kearney upon any wheel vehicle commonly known and called a bicycle.

Sec. 2. The word "bicycle" as used in this ordinance shall include velocipede, unicycle, or any other vehicle of similar nature; and every person who shall ride upon the sidewalks upon any such bicycle shall be deemed guilty of a misdemeanor and fined in a sum not less than one nor more than twenty dollars. And any person who shall knowingly permit his or her child, ward or person under his or her control, who may be under the age of fourteen years, to so violate this ordinance shall be subject to a like fine.

ORDINANCE NO. 30.—CONCEALED WEAPONS

Section 1. Any person who shall, within the corporate limits of the City of Kearney, carry concealed upon or about his person, any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or into any school room or place where people are assembled for education, literary or social purposes, or to any election precinct, on any election day, or into any court room during the sitting of the court, or into any public assemblage of persons met for any lawful purpose, other than for militia drill or meetings called under the militia law of the State of Missouri, having upon or about his person any kind of fire arms, bowie

knife, dirk, dagger, slung shot or other deadly weapon, or shall, in the presence of one or more persons, exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon upon or about his person when intoxicated, or under the influence of intoxicating drinks, or shall directly or indirectly sell or deliver, loan or barter to any minor, any such weapon, without the consent of the parent or guardian of such minor, shall, upon conviction, be fined in any sum not less than fifty or more than two hundred dollars, or by imprisonment in the city prison or work house not less than five days nor more than six months, or by both such fine and imprisonment.

Sec. 2. Section 1 of this ordinance shall not apply to police officers, or to any person or officer whose duty it is to execute process or warrants, or to suppress breaches of the peace or make arrests, nor to persons moving or traveling peaceably through this state; and it shall be a good defense to the charge of carrying such weapon if the defendant shall show that he has been threatened with great bodily harm, or had good reasons to carry the same in the necessary defense of his person, home or property.

Sec. 3. Any person who shall, within the corporate limits of said city be found upon any street or alley, or upon premises not his own, without license from the owner or occupants thereof, having upon or about his person any kind of toy pistol which may be used for the purpose of discharging any missile by force of gunpowder, or explosive caps, or exploding percussion caps or powder, shall, upon conviction, be fined in any sum not less than one nor more than one hundred dollars.

ORDINANCE NO. 31.—ELECTIONS

Section 1. That a general election of city officers of the City of Kearney, Missouri, shall be held every two years; that the first general election hereafter to be held for such purposes shall be held on the first Tuesday in April, A. D. 1897; and all such elections shall be held at the places hereinafter designated or as may be hereafter provided by the Board of Aldermen of this city.

Sec. 2. Except as may be otherwise provided, any election specified in Section 1 hereof, shall be held in the two wards of said city, the legal voters, resident in each of said wards, having the right to cast their votes at such election in the ward in which they so reside, and not otherwise.

Sec. 3. Special elections shall be held and conducted in the same manner as general elections: Provided, that the Board of Aldermen may appoint a place in said city at which any special election shall be held, where each and all the legal voters of the city may cast their ballots without regard to the wards or their limits or boundaries: Provided, further, that any such special election shall apply only to an election of an officer or officers, or for a purpose to be voted for by the voters of the whole city, and where no ward officers are to be elected.

Sec. 4. Special elections for ward officers shall be held on the first Tuesday in April, of each year, and conducted in the

