

# GENERAL ORDINANCES

OF THE

## CITY OF NEW FRANKLIN, HOWARD COUNTY, MISSOURI



### RULES OF BOARD OF ALDERMEN.

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*BE IT RESOLVED* By the Board of Aldermen of the City of New Franklin, Missouri, that the following be and they are adopted as rules for the government of said Board:

I. The regular meetings of the Board of Aldermen shall be held on the first Monday evening of each month, beginning at eight o'clock P. M. from the first day of April until the first day of October, and at seven o'clock P. M. from the first day of October until the first day of April of each year.

II. At the hour appointed for the meeting, the Mayor or in his absence the acting President of the Board shall call the meeting to order. Thereupon the City Clerk shall call the roll of the members and note the absentees and announce whether a quorum be present.

III. A majority of the members elected to the Board of Aldermen shall constitute a quorum for the transaction of business but when a quorum is lacking a less number may adjourn the meeting to a stated time.

IV. If the Mayor or any member of the Board of Aldermen shall absent himself from any meeting of the Board without a good excuse he shall forfeit the sum of one dollar, which amount shall be deducted from the next installment of his salary to fall due.

V. The business of the Board of Aldermen shall be conducted in the following order:

be so construed as to authorize the Mayor to remit any costs which may have accrued to any officer of said city by reason of any prosecution under the laws or ordinances of the city.

Sec. 6. When any vacancy shall happen in the office of Mayor by death, resignation, removal from the city, removal from office, refusal to qualify or from any other cause whatever, the acting president of the Board of Aldermen shall for the time being perform the duties of the Mayor with all the rights, privileges, powers and jurisdiction of the Mayor until such vacancy be filled or such disability be removed or in case of temporary absence until the Mayor returns.

Sec. 7. The Mayor shall receive a salary of one hundred dollars per year payable quarterly.

Approved January 6th, 1908.

#### AN ORDINANCE CONCERNING MISDEMEANORS.

*BE IT ORDAINED* By the Board of Aldermen of the City of New Franklin, Missouri, as follows:—

Section 1. If any person or persons shall within the corporate limits of the City of New Franklin wilfully disturb the peace of any neighborhood or of any family or of any person by loud and unusual noise or by offensive or indecent conversation or by threatening, quarreling, challenging or fighting, every person so offending shall upon conviction be adjudged guilty of a misdemeanor and punished by imprisonment in the City prison or work-house not exceeding six months or by fine not exceeding two hundred dollars or by both such fine and imprisonment.

Sec. 2. Every person who shall within the corporate limits of the City of New Franklin wilfully, maliciously or contemptuously disquiet or disturb any congregation or other assembly met for religious worship or when meeting at the place of worship or dispersing therefrom or any school or any other meeting or assembly of people met together for any lawful purpose whatever, by making a noise or by rude or indecent behavior or profane discourse within the place of assembly, or so near the same as to interrupt or disturb the order and solemnity thereof or shall wil-

Sec. 10. Whoever shall within the corporate limits of the City of New Franklin be found in a state of intoxication in any highway, street, thoroughfare or other public place or shall be so found in any private place to the annoyance of any person, shall be deemed guilty of a misdemeanor and upon conviction be fined not less than one nor more than twenty-five dollars.

Sec. 11. Every person who shall within the corporate limits of the City of New Franklin be found loitering around houses of ill-fame, gambling houses or places where liquors are sold or drunk, without any visible means of support or shall attend or operate any gambling device or apparatus or be engaged in practicing any trick or device to procure money or other thing of value or shall be engaged in any unlawful calling whatever and every able bodied married man who shall neglect to provide for the support of his family and every person found tramping or wandering from place to place without any visible means of support shall be deemed a vagrant and upon conviction thereof shall be punished by imprisonment in the City prison or work-house not less than twenty days or by fine not less than twenty dollars or by both such fine and imprisonment.

Sec. 12. Whoever shall within the corporate limits of the City of New Franklin appear in any public place in a state of nudity or in an indecent or lewd dress or make any indecent exposure of his or her person or be guilty of any indecent or lewd act or behavior or shall exhibit or perform any indecent or lewd play or other representation shall be deemed guilty of a misdemeanor.

Sec. 13. Every person who shall within the corporate limits of the City of New Franklin live in a state of open and notorious adultery and every man or woman, one or both of whom are married and not to each other, who shall lewdly and lasciviously abide and cohabit with each other and every person married or unmarried who shall be guilty of open, gross lewdness or lascivious behavior, or of any open and notorious act of public indecency, grossly scandalous shall on conviction be adjudged guilty of a misdemeanor and punished by imprisonment in the city prison

or work-house not exceeding one year or by fine not exceeding one thousand dollars or by both such fine and imprisonment.

Sec. 14. If any person shall carry concealed upon or about his person any deadly or dangerous weapon or shall go into any church or place where people are assembled for religious worship or into any school room or place where people are assembled for educational, literary or social purpose or to any election precinct on any election day or into any court room during the sitting of the court or into any other public assemblage of persons met for any lawful purpose, other than for militia drills or meetings called under the militia law of this state, 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 he shall upon conviction be punished by a fine not less than fifty nor 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. 15. The next preceding section shall not apply to police officers nor to any officer or person 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 defence to the charge of carrying such weapon if the defendant shall show that he has been threatened with great bodily harm or had good reason to carry the same in the necessary defense of his person, home or property.

Sec. 16. Any person other than a sheriff, marshal or other officer in the discharge of his official duty who shall within the corporate limits of the City discharge or fire off any gun, pistol or fire arms of any description shall be deemed guilty of a misdemeanor; provided that the marshal shall have authority in proper cases to grant anyone permission to discharge his firearms.

Sec. 17. Every person who shall within the corporate limits of the City, either labor himself or compel or permit his ap-

prentice or servant or any other person under his charge or control to labor or perform any work other than the household offices of daily necessity or charity on the first day of the week commonly called Sunday, shall be deemed guilty of a misdemeanor and upon conviction fined not exceeding fifty dollars; provided that this section shall not apply to any person who is a member of a religious society by whom any other than the first day of the week is observed as a Sabbath so that he observes such Sabbath.

Sec. 18. Every person who shall within the corporate limits of the City expose to sale any goods, wares or merchandise on the first day of the week commonly called Sunday shall on conviction be adjudged guilty of a misdemeanor and fined not exceeding fifty dollars; provided however that nothing in this section shall be construed to prevent the sale of any drugs or medicines, provisions or other articles of immediate necessity.

Sec. 19. Every person who shall within the corporate limits of the City be convicted of horse-racing, cock-fighting or playing at card or a game of any kind on the first day of the week commonly called Sunday shall be deemed guilty of a misdemeanor and fined not exceeding fifty dollars.

Sec. 20. Every person who shall within the corporate limits of the City play foot ball, base ball, basket ball or other such game on the first day of the week, commonly called Sunday shall on conviction be deemed guilty of a misdemeanor.

Sec. 21. Every person who shall within the corporate limits of the City stick up or put up or cause to be stuck up or put upon any wall, fence or other object in any street, avenue, alley or other public place any indecent or obscene printed or written advertisement or bill or picture or indecent, obscene or profane words or writing of any kind shall be deemed guilty of a misdemeanor and upon conviction fined not exceeding twenty-five dollars.

Sec. 22. Every female person who shall within the corporate limits of the City lodge in or resort to any bawdy house, house of ill-fame or assignation house or shall lease, rent or hire any

Sec. 52. If any person shall torture, torment, deprive of necessary sustenance, cruelly beat, mutilate, cruelly kill or overdrive any domestic animal or shall unnecessarily fail to provide same with proper food, drink, shelter or protection from the weather or shall cruelly abandon the same to die or shall carry or cause the same to be carried on any vehicle or otherwise in an unnecessarily cruel and inhuman manner, he shall be deemed guilty of a misdemeanor; and the owner of any such animal who shall cause or knowingly permit the same to be treated in any such manner as specified in this section, shall be deemed guilty of a misdemeanor and upon conviction under this section shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year or by both such fine and imprisonment.

Sec. 53. Whenever any offense is declared by any section of this ordinance to be a misdemeanor and no punishment is prescribed therefor by such section, the offender shall be punished by a fine not exceednig one hundred dollars or by imprisonment in the city prison or work-house not exceeding three months or by both such fine and imprisonment.

Sec. 54. This Ordinance shall take effect and be in force from and after its passage.

Approved November 11th, 1907.

#### AN ORDINANCE CONCERNING NUISANCES.

*BE IT ORDAINED* By the Board of Aldermen of the City of New Franklin, Missouri, as follows:—

Section 1. If any person or persons shall put any dead animal, carcass or part thereof, the offal or any other filth in any well, spring, brook, branch, creek, pond or lake within the corporate limits of the city of New Franklin, every person so offending, shall, on conviction thereof, be fined in any sum not less than ten nor more than one hundred dollars.

Sec. 2. If any person shall remove or cause to be removed and placed in or near any public road, highway, street, avenue,