

BILL NO. 2876

ORDINANCE NO. _____

Sponsor: Pigg & Arnette

AMENDING CHAPTER 210 OF THE MUNICIPAL CODE TO ENACT A NEW SECTION ESTABLISHING REGULATIONS PROHIBITING PICKETING AND PROTEST ACTIVITIES AT FUNERALS

WHEREAS, the Board of Aldermen of the City of Pacific desire to protect persons paying respect to the deceased from harassment or emotional harm; and

WHEREAS, the Board of Aldermen deems it necessary to preserve the public health, peace, safety, and general welfare by enacting a new code provision prohibiting picketing and protest activities at funerals;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section One: Article III of Chapter 210, entitled "Offenses against Public Peace" is hereby amended by adding an entirely new Section 210.225 to read as follows:

SECTION 210.225: FUNERAL PROTESTS PROHIBITED, WHEN -- CITATION OF LAW -- DEFINITION

A. Every citizen may freely speak, write, and publish the person's sentiments on all subjects, being responsible for the abuse of the right, but no person shall picket or engage in other protest activities, nor shall any association or corporation cause picketing or other protest activities to occur within three hundred (300) feet of any residence, cemetery, funeral home, church, synagogue or other establishment during or within one (1) hour before or one (1) hour after the conducting of any actual funeral or burial service at that place.

B. As used in this Section, "*other protest activities*" means any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service.

C. As used in this Section, "*funeral*" and "*burial service*" mean the ceremonies and memorial services held in conjunction with the burial or cremation of the dead, but this Section does not apply to processions while they are in transit beyond any three hundred (300) foot zone that is established under Subsection (A) above.

D. Any person violating this Section shall be guilty of a municipal violation subject to penalty in accordance with Section 100.170. Each day the violation continues shall be deemed a separate offense.

Section Two: This Ordinance shall be in full force and effect on and after its passage and approval.

This Bill was passed and approved this 5th day of February, 2013, by the Board of Aldermen of the City of Pacific, Missouri after having been read by title or in full two times prior to passage.

Presiding Officer

Herbert C. Adams, Mayor

ATTEST:

City Clerk

City Clerk