

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE CREATING SECTION 12.01.019 OF THE INDEPENDENCE CITY CODE
FOR THE PROHIBITION OF STALKING

WHEREAS, Chapter 12, Article 1, of the Code of the City of Independence addresses offenses against the public peace; and,

WHEREAS, the State of Missouri sets forth conduct which it deems to constitute the crime of stalking in the second degree in Section 565.227 of the Missouri Revised Statutes; and,

WHEREAS, the City of Independence desires to add Section 12.01.019 to the Code of the City of Independence, to more closely mirror the prohibited conduct set forth in Section 565.227 of the Missouri Revised Statutes Section.

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

SECTION 1. Section 12.01.019 of the Independence City Code is hereby created to read as follows:

SEC. 12.01.019 – Stalking

- A. **Definitions. As used in this section, the following terms shall have the meaning indicated in this subsection.**
- a. **Course of conduct shall mean a pattern of conduct composed of two or more acts over a period time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct.**
- B. **Prohibited practice. A person commits the offense of stalking if they purposely, through their course of conduct, disturbs or follows with the intent to disturb another person.**
- C. **This section shall not apply to activities of federal, state, county, municipal law enforcement officers conducting investigations of violation of federal, state, county, or municipal law.**

SECTION 2. That all other parts and provisions of the City Code remain in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS _____ DAY OF _____, 2022, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council

of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.