

1 **BOARD BILL NO. 95 FS as amended** **INTRODUCED BY ALDERMAN**
2 **JEFFREY BOYD, ALDERMAN KENNETH ORTMANN, ALDERWOMAN**
3 **JONES-KING, ALDERMAN GREGORY CARTER, ALDERMAN FRANK**
4 **WILLIAMSON, ALDERWOMAN DIONNE FLOWERS, ALDERWOMAN**
5 **JENNIFER FLORIDA**

6 An ordinance pertaining to cruising and that no person age sixteen (16) or older,
7 shall engage in cruising, as defined, on any highway, roadway, roadway within the
8 boundaries of any city park, or alleyway of the City of St. Louis, prohibiting cruising,
9 establishing temporary designated areas, and containing exceptions, penalty clause,
10 severability clause and emergency clause.

11 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

12 **SECTION ONE. Definition.** "Cruising" is defined as the repetitive driving of any
13 motor vehicle past a police established traffic control point, on three (3) or more
14 occurrences, within a two (2) hour period on any highway, roadway, roadway within the
15 boundaries of any city park, or alleyway of the City of St. Louis in a manner and under
16 circumstances manifesting a "purpose" of unnecessary, repetitive driving in such area.
17 Among the circumstances which may be considered in determining whether such purpose
18 is manifested are that such person or any other person present in the vehicle attempts to
19 gain the attention of other motorists or pedestrians or engages them in conversation,
20 whether by hailing, arm waving, horn blowing, or another action or device; that such
21 person or any other person present in the vehicle enters or exits the vehicle directly from
22 or to another vehicle driven in or parked in close proximity to the designated area; that
23 such person or any other person present in the vehicle violates state or city traffic
24 regulations or city ordinances; or that such person has declared his or her purpose for
25 driving to be that of cruising. The violator's conduct must be such as to demonstrate a

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1 specific intent to cruise. No citation shall be made for a violation of this section unless
2 the police officer first affords an opportunity to explain such conduct; and no person shall
3 be convicted of violating this section if it appears at trial that the explanation given was
4 true and disclosed a lawful purpose, not unnecessary, repetitive driving. Lawful
5 purposes include traveling to a specific destination by a person whose residence address
6 is in the designated area or by a person whose business or employment requires driving in
7 the designated area, and operating an official emergency or police vehicle in the
8 designated area.

9 "Traffic control point" is defined as a clearly identified reference point on a
10 designated street, as determined and marked from time-to-time by the Police Department
11 for the purpose of enforcing this ordinance.

12 **SECTION TWO.** Cruising Prohibited. It shall be unlawful for any person to engage in
13 cruising. For the purposes of this section, a police officer may issue a citation to any
14 person engaged in cruising, including the passenger(s), whom are sixteen (16) years of
15 age or older.

16 **SECTION THREE.** Temporary Designated Areas

17 The Chief of Police or his or her designee may establish temporary designated
18 areas where cruising is prohibited where one or more of the following conditions exist or,
19 are reasonably anticipated to exist at these locations:

- 20 1. Dangerous and continuous traffic congestion during afternoon, evening and night
- 21 hours.
- 22 2. Excessive levels of noise or air pollution caused by traffic congestion.
- 23 3. Obstruction of streets, sidewalks or access to parking lots caused by vehicular traffic.

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1 4. Interference with the use of property or conduct of business by vehicular traffic.

2 5. Obstruction of access to and through the public way for emergency vehicles by
3 vehicular traffic.

4 6. Loud, disruptive, dangerous or unruly behavior directly related to vehicular traffic.

5 Prior to establishing a temporary designated area, the chief of police or his or her
6 designee shall file a written plan, approved by the chief of police, with the district captain
7 or captains responsible for the areas in which the designated area is to be located. A copy
8 of the final plan shall also be provided to the City Director of Public Safety and the
9 Aldermen affected by this designation five (5) days prior to the date on which the
10 designated area takes effect.

11 The plan shall contain the following information:

12 1. The boundaries of the designated area.

13 2. The date(s) and times during which the designated area will be in effect.

14 3. A statement enumerating the problem or problems that require the creation of the
15 designated area.

16 4. Any instructions given to enforcement officers concerning the designated area.

17 5. The location of the signs to be posted.

18 6. The location of Traffic Control Points

19 Every temporary designated area shall be posted with sufficient signs to provide notice of
20 the prohibition against cruising seven (7) days prior to establishment of such area. Such
21 signs shall include the times, days and location of the cruising prohibition. These signs
22 shall be of such size and shape as shall be deemed appropriate by the Director of Public
23 Safety.

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1 **SECTION FOUR. Exceptions.** Official emergency vehicles, residents residing
2 within the boundaries of the temporary designated area traveling to a specific destination,
3 taxicabs for hire and other commercial or passenger vehicles being driven for business
4 purposes are exempted from the provisions of this section.

5 **SECTION FIVE. Penalty.** Any person who violates the provisions of Section
6 Two of this ordinance may first be given a written or verbal warning by the attending
7 police officer and thereafter shall be subject to a fine of not less than \$100.00 for a first
8 offense, not less than \$200.00 for a second offense committed within a six month period,
9 and not less than \$300.00 and not more than \$500.00 for a third or subsequent offense
10 committed within a one-year period. The Court may, in lieu of a fine, impose not less
11 than twenty (20) hours of community service for the first offense; not less than sixty (60)
12 hours of community service for the second offense.

13 **SECTION SIX. Severability Clause.** If any provision, clause, sentence,
14 paragraph or word of this ordinance or the application thereof to any person, entity or
15 circumstances shall be held invalid, such invalidity shall not affect the other provisions of
16 this ordinance which can be given effect without the invalid provisions or application,
17 and to this end the provisions of this ordinance are declared severable.

18 **SECTION SEVEN. Emergency Clause.** This being an ordinance for the
19 preservation of public peace, health, and safety, it is hereby declared to be an emergence
20 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City
21 of St. Louis and therefore shall become effective immediately upon its passage and
22 approval by the Mayor.

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