

1 **BOARD BILL NO. 232 INTRODUCED BY: ALDERMAN FREEMAN**

2 **BOSLEY**

3 An ordinance pertaining to brick dealers as defined in Ordinance 67392, which
4 remains in full force and effect, and enacting a new ordinance regulating the hours of
5 operation for those who engage in brick dealing, and requiring that posted cameras record
6 transactions that take place in the business of brick dealing during all permitted business
7 hours of operation.

8 **WHEREAS**, the theft of bricks from structures in the City continues to increase;
9 and

10 **WHEREAS**, such thefts harm the public safety and welfare, in that such thefts
11 are done by persons who do not take precautions against the dangers of demolition; the
12 structures from which bricks are stolen are frequently left in a condition which is
13 dangerous; correction of such condition is an economic hardship on the owners, a danger
14 to the public, and entails additional expense to City agencies; and

15 **WHEREAS**, many brick thefts and/or sales of stolen bricks take place under
16 cover of darkness; and to assist the police in their efforts against brick thefts, and brick
17 rustling as defined in Ordinance 67392, it is necessary to regulate the business operating
18 hours of brick dealers, and to require the use of cameras by brick dealers to record
19 transactions that take place during the brick dealers' permitted hours of operation.

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

21 **SECTION ONE: DEFINITIONS** The definitions of Section Two of Ordinance
22 67392 are adopted and apply to this Ordinance.

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1 **SECTION TWO:** Any person or entity engaged in brick dealing as defined in
2 Ordinance 67392 will adhere to the following:

3 A. Proscribed hours of operation. Brick dealers will close brick yards or any area
4 where brick dealing is conducted and cease and desist from operating at 6:00 p.m.
5 on Friday of each week; no transactions are to be made after Friday at 6:00 p.m.;
6 Said brick dealers will cease operation from Friday at 6:00 p.m. of each week ,
7 and remain closed until the following Monday at 5:00 a.m.; and

8 B. Cameras required during permitted business hours. During all hours of operation,
9 brick dealers are to have operational camera or cameras on premises to record
10 clearly all transactions made during permitted business hours; brick dealers must
11 allow St. Louis Metropolitan Police Officers access to view said transactions, and
12 said transactions must be retained by the brick dealer for a period of thirty (30)
13 days.

14 **SECTION THREE:** All requirements of Section Two are in addition to any and
15 all of the requirements of Ordinance 67392, which remains in full force and effect.

16 **SECTION FOUR:** Brick Dealers Permit-Revocation. In addition to the penalties
17 provided by this ordinance, the Director of Public Safety shall have the power and
18 authority to revoke any permit issued under this ordinance. Such a permit may be
19 revoked only after the permittee shall have been notified in a notice addressed to him
20 at his mailing address as indicated on his brick dealer's permit application of the
21 violation complained of. Such notice shall also state that a hearing will be held before
22 the Director of Public Safety on a date certain, but not sooner than ten (10) days after
23 mailing of the notice, on the subject of revocation of the permit in questions. Such

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1 hearings shall be, and be conducted as, “contested cases” under Chapter 536, Revised
2 Statutes of Missouri as amended. In the event of revocation of a permit by the
3 Director of Public Safety under this section, such Director shall notify all licensing
4 authorities of the City, which shall proceed in the manner provided under this section
5 to initiate proceedings for revocation of any license relating or pertaining to business
6 activities of the brick dealer related to his business as a brick dealer, for example, a
7 demolition contractor’s license.

8 **SECTION FIVE** Penalty for Violation. Any brick dealer who shall conduct
9 business in violation of any of the provisions of this ordinance shall be subject to a
10 fine of not more than Five Hundred Dollars (\$500.00) or a term of imprisonment of
11 not more than Ninety (90) days, or any combination of both fine and imprisonment.

12 **SECTION SIX: SEVERABILITY CLAUSE.** The provisions of this ordinance
13 shall be severable. In the event that any provision of this ordinance is found by a
14 court of competent jurisdiction to be unconstitutional, the remaining provisions of this
15 ordinance are valid unless the court finds the valid provisions are so essentially and
16 inseparable connected with, and so dependant upon, the void provision that it cannot
17 be presumed that the Board of Aldermen would have enacted the valid provisions
18 without the void ones or unless the court finds that the valid provisions, standing
19 alone, are incomplete and incapable of being executed in accordance with the
20 legislative intent.

21 **SECTION SEVEN: EMERGENCY CLAUSE.** This being an ordinance for the
22 preservation of public peace, health, and safety, it is hereby declared to be an
23 emergency measure within the meaning of Sections 19 and 20 of Article IV of

- 1 Charter of the City of St. Louis and therefore shall become effective immediately
- 2 upon its passage and approval by the Mayor.

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