

AN ORDINANCE AMENDING THE OSAGE BEACH CODE OF ORDINANCES TRAFFIC CODE, CHAPTER 300 GENERAL PROVISIONS, SECTION 300.100 DEFINITIONS BY ADDITION OF TWO SUBSECTIONS TO THE DEFINITION OF EMERGENCY VEHICLE.

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

Section 1. That a Section 300.010 of the Osage Beach Code of Ordinances be and is hereby amended to read as follows:

**EMERGENCY VEHICLE**

Is a vehicle of any of the following types:

1. A vehicle operated by the State Highway Patrol, the State Water Patrol, the Missouri Capitol Police, or a State Park Ranger, those vehicles operated by enforcement personnel of the State Highways and Transportation Commission, Police or Fire Department, Sheriff, Constable or Deputy Sheriff, Federal Law Enforcement Officer authorized to carry firearms and to make arrests for violations of the laws of the United States, Traffic Officer or Coroner or by a privately owned emergency vehicle company;
2. A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;
3. Any vehicle qualifying as an emergency vehicle pursuant to Section 307.175, RSMo.;
4. Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;
5. Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;
6. Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of Chapter 44, RSMo.;
7. Any vehicle operated by an authorized employee of the Department of Corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;
8. Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of Sections 260.500 to 260.550, RSMo.
9. Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle; or

10. Any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving chemical, biological, or radioactive materials or in support of official requests from the state of Missouri involving unknown substances, hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the governor.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. The Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval of the Mayor.

READ FIRST TIME: April 5, 2018

READ SECOND TIME: April 19, 2018

I hereby certify that the above Ordinance No. 18.19 was duly passed on April 19, 2018, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:	6	Nays:	0
Abstain:	0	Absent:	0

This Ordinance is hereby transmitted to the Mayor for his signature.

April 20, 2018  
Date

  
Cynthia Lambert, City Clerk

Approved as to form:

  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 18.19.

Apr. 1 24 2018  
Date

ATTEST:

  
John Olivari, Mayor

  
Cynthia Lambert, City Clerk