

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 200 POLICE DEPARTMENT; SECTION 200.040 POWERS AND DUTIES OF CHIEF OF POLICE AS SET FORTH.

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

Section 1. Within the City Code there are hereby enacted amendments as set forth below with new material set out in **RED** follows:

Section 200.040. Powers and Duties of Chief of Police.

- A. The Police Chief shall perform all duties required by law.
- B. The Police Chief shall be a conservator of the peace and shall be active and vigilant in the preservation of good order within the City. He/she shall have power at all times to make or order an arrest, with proper process, for any offense against the laws of the City or of the State, and to keep the offender in the City or County Jail or other proper place to prevent his/ her escape until a trial can be had before the Municipal Judge or other proper officer, unless such offender shall give a good and sufficient bond for his/her appearance for trial. The Police Chief shall also have power to make arrests without process, in all cases in which any offense against the laws of the City or of the State shall be committed in his/her presence.
- C. The Police Chief is authorized to cooperate with other law enforcement or public safety agencies (including local, state, and/or federal agencies or multi-agency task forces) to carry out his or her duties. Such cooperation may be memorialized in an appropriate Memorandum of Understanding with such other agencies at the discretion of the Police Chief, provided that such Memorandum not commit the City to any obligation which would: (a) leave the City with inadequate provision for public safety; (b) commit funds or resources of such value that would exceed the Police Chief's budgeted spending authority; or (c) otherwise circumvent the City's budget process or financial controls. Such Memoranda shall be in a form approved by the City Attorney.

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. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: April 17, 2025

READ SECOND TIME: May 1, 2025

I hereby certify that Ordinance No.25.35 was duly passed on May 1, 2025, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:	5	Nays:	0
Abstentions:	0	Absent:	1

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

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

C. Bradbury
Cole Bradbury, City Attorney

I hereby approve Ordinance No.25.35.

Michael Harmison
Michael Harmison, Mayor

May 1, 25
Date

Tara Berreth
Tara Berreth, City Clerk