
ORDINANCE 112 ORDINANCE PROHIBITING DISTRUPTIVE INTOXICATION

Section 112.01: DECLARATION. It is the policy of the City of St. Joseph to provide for the safety, health and welfare of the public while prohibiting certain harmful conduct of intoxicated persons.

Section 112.02: DEFINITIONS

Subd. 1: Public Place. Includes a building or place controlled by the City, a school, a place of worship, any public street, including public sidewalk, alley, walk or other publicly owned lands. Public place excludes the premises of a licensed alcohol establishment.

Subd. 2: Intoxicated Person. A person who is presently impaired, mentally or emotionally, as a result of the presence of alcohol, drugs or a controlled substance in the person's body. Evidence of an intoxicated person may include, but is not limited to, any combination of the following indicators:

- a) odor of intoxicants on the breath,
- b) bloodshot, watery eyes,
- c) dilated pupils,
- d) stumbling or staggering,
- e) slurred speech,
- f) failure of Standardized Field Sobriety Test,
- g) failure of Drug Recognition Protocol,
- h) alcohol concentration of .08 or more

Subd. 3: Public Disruption. Conduct by an individual to include loud, boisterous yelling, urinating in public, lewd or combative conduct, or disobeying a police officer's lawful command.

Section 112.03: DISTRUPTIVE INTOXICATION: No person, while intoxicated, in a public place shall conduct him or herself so as to be a danger to themselves or others and/or engage in a public disruption.

CHAPTER X – NUISANCES & OFFENSES

Section 112.04: SOBRIETY TESTING. No person shall be cited under this section without first have been offered and failed the Standardized Field Sobriety Test or a Portable Breath Test (PBT); however, a person incapable and/or having refused Field Sobriety Testing or a PBT may still be cited under the criteria set forth in section 112.02 Subd 2.

Section 112.05: PENALTIES: Any Possessor of property at which a public nuisance occurs shall be guilty of a misdemeanor.

History: 112.00 01-17-13 New

RESOLUTION 2013-006
RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF
Ordinance 112
(Disruptive Intoxication)

RECITALS:

WHEREAS, on January 17, 2013, the City Council for the City of St. Joseph amended Ordinance 74, entitled "Disruptive Intoxication"; and

WHEREAS, the City of St. Joseph desires to publish the Ordinance by Summary Publication; and

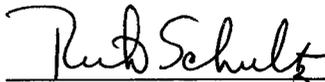
WHEREAS, the intent of the proposed amendment is to provide for the safety, health and welfare of the public while prohibiting certain harmful conduct of intoxicated persons.

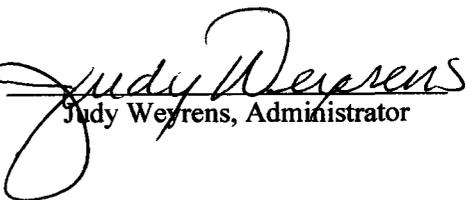
THEREFORE, IT IS HEREBY RESOLVED:

1. The City Council has reviewed the proposed Summary Publication and finds that the summary of the Ordinance clearly informs the public of the intent and effect of the Ordinance.
2. The City of St. Joseph directs the City Administrator to publish the Ordinance by Summary Publication.

Adopted this 17th day of Jan, 2013, by a vote of 4 in favor and 1 opposed.

CITY OF ST. JOSEPH

By 
Rick Schultz, Mayor

By 
Judy Weyrens, Administrator

**Resolution 2013-005
ORDINANCE 112
DISRUPTIVE INTOXICATION**

The City Council for the City of St. Joseph, HEREBY ORDAINS:

The creation of Ordinance 112 Disruptive Intoxication which reads as follows:

Section 112.01: DECLARATION. It is the policy of the City of St. Joseph to provide for the safety, health and welfare of the public while prohibiting certain harmful conduct of intoxicated persons.

Section 112.02: DEFINITIONS

Subd. 1: Public Place. Includes a building or place controlled by the City, a school, a place of worship, any public street, including public sidewalk, alley, walk or other publicly owned lands. Public place excludes the premises of a licensed alcohol establishment.

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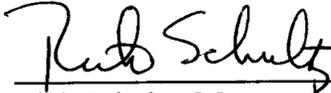
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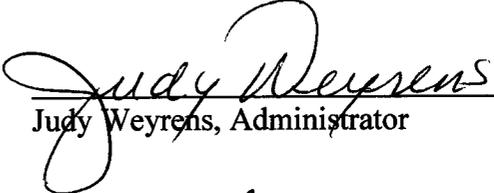
Section 112.04: SOBRIETY TESTING. No person shall be cited under this section without first have been offered and failed the Standardized Field Sobriety Test or a Portable Breath Test (PBT); however, a person incapable and/or having refused Field Sobriety Testing or a PBT may still be cited under the criteria set forth in section 112.02 Subd 2.

Section 112.05: PENALTIES: Any Possessor of property at which a public nuisance occurs shall be guilty of a misdemeanor.

This Ordinance was approved by the majority of the City Council on this 17th day of _____, 2013 and shall become effective on March 1, 2013 after duly being published.



Rick Schultz, Mayor



Judy Weyrens, Administrator

This amendment was published in the St. Joseph Newsleader on March 1, 2013.