

CHAPTER 375: PROCEDURE ON ARREST

SECTION 375.010: FORMS AND RECORDS OF TRAFFIC CITATIONS AND ARRESTS

A. The Village shall provide books containing uniform traffic tickets as prescribed by Supreme Court Rule No. 37.46. Said books shall include serially numbered sets of citations in quadruplicate in the form prescribed by Supreme Court Rule.

B. Such books shall be issued to the Police Department charged with enforcing the Village Code or his/her duly authorized agent, a record shall be maintained of every book so issued and a written receipt shall be required for every book. The judge or judges hearing Village ordinance violation cases may require that a copy of such record and receipts be filed with the court.

SECTION 375.020: PROCEDURE OF POLICE OFFICERS

Except when authorized or directed under State law to immediately take a person before the Municipal Judge for the violation of any traffic laws, a Police Officer who halts a person for such violation other than for the purpose of giving him/her a warning or warning notice and does not take such person into custody under arrest, shall issue to him/her a uniform traffic ticket which shall be proceeded upon in accordance with Supreme Court Rule Number 37.

SECTION 375.030: UNIFORM TRAFFIC TICKET TO BE ISSUED WHEN VEHICLE ILLEGALLY PARKED OR STOPPED

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of the Village or by State law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a uniform traffic ticket or other citation for the driver to answer to the charge against him within seven (7) days during the hours and at a place specified in the traffic ticket.

SECTION 375.050: POLICE MAY REMOVE VEHICLE—WHEN

A. Duly appointed law enforcement officers are authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a

garage designated or maintained by the police department, or otherwise maintained by the Village under the circumstances hereinafter enumerated:

- (1.) When any vehicle is left unattended upon any roadway, bridge, viaduct, or causeway, where such vehicle constitutes an obstruction to traffic;
 - (2.) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide its custody or removal;
 - (3.) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- B. Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefore and of the place to which such vehicle has been removed. In the event any such vehicle is stored in public garage, a copy of such notice shall be given to the proprietor of such garage.
- C. Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three (3) days, then and in the event the officer shall immediately send or cause to be sent a written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle, date, time, and place from which removed, the reason for such removal, and the name of the garage or place where the vehicle is stored.

SECTION 375.060: ACCEPT LICENSE IN LIEU OF BAIL

- A. Any law enforcement officer of the Village of Wardsville is hereby authorized, in their discretion, to accept the chauffeur's or operator's license, issued by the State of Missouri, of any person arrested and charged with violation of an

ordinance of the Village of Wardsville in lieu of any other security for his or her appearance in court to answer any such charge.

B. The aforementioned license shall not be deposited in the following instances:

(1.) Driving while intoxicated

(2.) Driving under the influence of intoxicating liquor or drugs

(3.) Leaving the scene of an accident

(4.) Driving while license is suspended or revoked

(5.) Any charge made because of a motor vehicle accident in which a death has occurred

C. The deposit of the license in lieu of other security shall be under, and subject to, the provisions of Section 544.045 RSMo.

SECTION 375.070: SEAT BELTS

A. Definitions- As used in this ordinance, the term 'passenger car' means every motor vehicle designed for carrying ten (10) persons or less and used for the transportation of persons; except that the term 'passenger car' shall not include motorcycles, motorized bicycles, motor tricycles and trucks.

B. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front-seat passenger of a 'passenger car' manufactured after January 1, 1968, operated on a street or highway within this village shall wear a properly-adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements; except that a child less than four (4) years of age shall be protected according to the standards set forth in Section 210.104, RSMo. Each driver of a motor vehicle transporting a child four (4) years of age or more, but less than sixteen (16) year of age in the front seat of the motor vehicle, shall secure the child in a properly-adjusted and

fastened safety belt. No person shall be stopped, inspected or detained solely to determine compliance with this ordinance. The provisions of this ordinance shall not be applicable to persons who have a medical reason for failing to have a safety belt fastened about his or her body.

Each person who violates the provisions of Paragraph 2 of Section 375.070 shall be guilty of a misdemeanor for which a fine not to exceed ten and No/100 (\$10,000) Dollars may be imposed. No court costs shall be imposed on any person pursuant to Section 302.302, RSMo, for a violation of this ordinance.