

**AN ORDINANCE PROHIBITING TAMPERING
WITH CERTAIN PROPERTY
WITHIN THE CORPORATE LIMITS OF THE CITY
OF ARCADIA, MISSOURI,**

***BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF
ARCADIA, MISSOURI, as follows:***

SECTION ONE. TAMPERING WITH CERTAIN PROPERTY PROHIBITED.

A person commits the crime of tampering in the first degree if he:

(1) Tampers with property of another for the purpose of causing substantial inconvenience to that person or to another; or

(2) Tampers or makes connection with property of a utility; or

(3) Tampers with, or causes to be tampered with, any meter or other property of an electric, gas, or water utility belonging to the City of Arcadia, Missouri, the effect of which tampering is either:

(a) To prevent the proper measuring of electric, gas, or water service; or

(b) To permit the diversion of any electric, gas, or water service; or

(c) To permit the continuation of electric, gas, or water service after such service has been discontinued by the City of Arcadia for non-payment.

SECTION TWO. PRESUMPTION OF BENEFIT TO OWNER-WHEN.

In any prosecution under subdivision (3) of subsection 1, proof that a meter or any other property of a utility has been tampered with, and the person or persons accused received the use or direct benefit of the electric, gas, or water service, with one or more of the effects described in subdivision (3) of subsection 1, shall be sufficient to support an inference which the trial court may submit to the trier of fact, from which the trier of fact may conclude that there has been a violation of such subdivision by the person or persons who use or receive the direct benefit of the electric, gas, or water service.

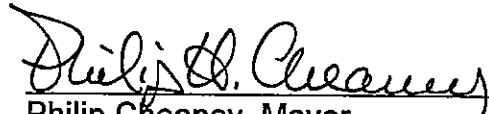
SECTION THREE. PENALTY.

Any person who shall violate any of the other terms and regulations of this ordinance, shall, upon conviction, be fined not less than ten dollars nor more than five hundred dollars.

SECTION FOUR. CONFLICTING ORDINANCES.

Any and all ordinances or parts of ordinances in conflict herewith, shall be, and the same are hereby repealed; and this ordinance shall be in full force and effect from and after its passage and approval.

WHEREUPON, this Ordinance was read three times and approved by vote of the Board of Aldermen of the City of Arcadia, Missouri, on this 11th day of February, 2002.


Philip Cheaney, Mayor

Attest:


Mary Johnson, City Clerk

