

SECOND REGULAR SESSION

# HOUSE BILL NO. 1250

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DENISON (Sponsor), MUNZLINGER, WRIGHT (159), FISHER, JACKSON, SCHLOTTACH, WETER, JOHNSON (47), PARKER AND STEVENSON (Co-sponsors).

Read 1st time January 5, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3062L.01I

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### AN ACT

To repeal section 80.090, RSMo, and to enact in lieu thereof one new section relating to public roads.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 80.090, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 80.090, to read as follows:

80.090. Such board of trustees shall have power:

- (1) To pass bylaws and ordinances to prevent and remove nuisances;
- (2) To prevent, restrain and suppress bawdy-houses, gambling houses and other disorderly houses within the limits of such town, or any addition to said town, or any commons thereto attached;
- (3) To restrain and prohibit gambling;
- (4) To license, tax and regulate merchants, peddlers and auctioneers, and to regulate and prohibit the sale or giving away of intoxicating liquors under merchants' licenses in such towns; provided, that druggists and pharmacists may sell upon prescriptions, as is provided by law;
- (5) To provide for licensing and regulating and prohibiting dramshops and tippling houses, public shows, circuses, theatrical and other amusements, to the distance of one-half mile from the corporate limits of such town;
- (6) To prohibit the firing of firearms;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 14           (7) To prevent furious and unnecessary riding or driving of any horse or other animal  
15 within such town, or such part thereof as they may think proper;
- 16           (8) To establish night watches and patrols;
- 17           (9) To erect and maintain calaboooses, poorhouses and hospitals;
- 18           (10) To prevent the introduction and spreading of contagious diseases;
- 19           (11) To organize and maintain fire companies;
- 20           (12) To prevent and extinguish fires;
- 21           (13) To establish fire limits and to define the limits within which wooden buildings,  
22 stables, manufactories and other structures which may increase the danger of calamities from  
23 fires shall not be erected;
- 24           (14) To establish and provide for wells, cisterns and pumps;
- 25           (15) To regulate the construction of chimneys and flues thereof, and to appoint an  
26 inspector of chimneys and flues, and to define the duties and fix the compensation thereof;
- 27           (16) To establish and regulate markets;
- 28           (17) To erect and repair bridges and culverts;
- 29           (18) To erect, repair and regulate wharves and the rate of wharfage;
- 30           (19) To regulate the landing and stationing of steamboats, rafts and other watercraft;
- 31           (20) To provide for the inspection of lumber, building material and for provisions to be  
32 used or offered for sale in such town, or to be exported therefrom;
- 33           (21) To regulate the storage of gunpowder and other combustible materials;
- 34           (22) To regulate the slaughtering of animals;
- 35           (23) To license, tax, regulate and prohibit ball and tenpin alleys, billiards and pool tables,  
36 or other tables upon which games are played for pay or amusement;
- 37           (24) To license, tax, regulate and prohibit all other games for pay or amusement;  
38 provided, that no permission shall be given to bet money, property or other thing upon any game,  
39 or to license any such game;
- 40           (25) To license, tax and regulate wagons and teams, livery, sale and feed stables, and any  
41 vehicle or team kept or let for pay;
- 42           (26) To license, tax and regulate hay, grain and stock scales;
- 43           (27) To levy and collect taxes upon property and the licenses herein provided for;
- 44           (28) To borrow money for the improvement of such town, or to supply the same with  
45 water or gas;
- 46           (29) To open and form public squares, avenues, drains and sewers, and to keep the same  
47 cleaned and in order;
- 48           (30) To locate and lay out new streets and alleys;
- 49           (31) To establish the grade of streets and alleys;

50           (32) To determine and fix the width of sidewalks, and the material of which the same  
51 may be built; and

52           (33) To widen streets heretofore laid out in such town, and to appoint three  
53 commissioners to assess the damages done to property upon which such street or alley may be  
54 located, deducting from such damages the amount of benefit, if any, such street or alley, or the  
55 widening thereof, may be to the same; but all assessments so made by the commissioners shall  
56 be reported, as soon as may be, to the board of trustees, who may approve or reject the same; and  
57 all persons aggrieved by such assessment may, within fifteen days after receiving notice of such  
58 assessment, appeal therefrom to the next circuit court of the county, by giving notice of such  
59 appeal to said board of trustees at least fifteen days before the first day of the term to which said  
60 appeal is taken; and the circuit court, on such appeal, shall be possessed of the case and proceed  
61 therewith to final judgment, according to law. In all cases of assessment or appeal, the land to  
62 be used for or occupied by the street or alley may be taken possession of for the purpose of  
63 establishing and improving such street or alley, as soon as the amount of damages so assessed  
64 shall be tendered to the owner;

65           (34) Also to open, clear, regulate, grade, pave or improve the streets and alleys of such  
66 town; **provided, however, such power does not authorize maintenance of any obstruction,**  
67 **gate, or barricade on any state or county road;**

68           (35) To provide for lighting the streets and erecting lamps thereon;

69           (36) To regulate and prohibit the running at large of dogs, hogs, cattle and horses in the  
70 streets and alleys of such town, and to impose and collect tax on dogs not exceeding one dollar  
71 each;

72           (37) To impose and appropriate fines for forfeitures and penalties for breaking or  
73 violating their ordinances;

74           (38) To levy and collect taxes;

75           (39) To regulate the enclosure of any common field belonging to or within the limits of  
76 such town; and

77           (40) To pass such other bylaws and ordinances for the regulation and police of such town  
78 and commons thereto appertaining as they shall deem necessary, not repugnant to and contrary  
79 to the laws of the state.

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