CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
Council Bill No. 2026-007 - AN ORDINANCE repealing and replacing the Joplin City Code, Chapter 82 - Offenses and Miscellaneous Provisions, Article III - Offenses Against Public Peace; Division I. - Generally; and specifically, Section 82-74 - Harassment; and establishing a time for such ordinance to become effective.

MEETING DATE
June 1, 2026

ATTACHMENTS
Council Bill No. 2026-007

REVIEWED BY
City Attorney, Peter Edwards; Chief of Police, Richard Pearson; and City Manager, Nicholas Edwards.

SUMMARY
This council bill repeals antiquated ordinance language and replaces the language to comport with the statutory misdemeanor violation of RSMo. 565.091. *Harassment, second degree*.

BACKGROUND
The antiquated language found in 82-74 unnecessarily limits harassment to communications "in writing or by telephone." The statutory language that replaces 82-74 is broad in its scope to encompass any form of harassment, either in person, by phone, or in writing. The statutory language also provides a definition of "emotional distress" as stated in RSMo. 565.002(7).

FUNDING SOURCE
N/A

RECOMMENDATION
Staff recommends this Council Bill be approved on First Reading.

COUNCIL BILL NO. 2026-007 ORDINANCE NO. _____

AN ORDINANCE repealing and replacing the Joplin City Code, Chapter 82 - Offenses and Miscellaneous Provisions, Article III - Offenses Against Public Peace; Division I. - Generally; and specifically, Section 82-74 - Harassment; and establishing a time for such ordinance to become effective.

WHEREAS, the Harassment ordinance was last updated in 1999, by Ordinance No. 99-205; and requires replacement in order to comport with state statute; and

WHEREAS, the City Council finds that updating the Joplin City Code is necessary for the protection of the public health, safety, and welfare of the City of Joplin.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Chapter 82 - Offenses and Miscellaneous Provisions, Article III - Offenses Against Public Peace; Division I. - Generally; Section 82-74, *Harassment*, be repealed and replaced as follows:

"Sec. 82-74. - *Harassment.*

1. ~~(a)~~ A person commits the ~~ordinance violation~~ offense of harassment if he or she, ~~for the purpose of frightening or disturbing another person,~~ without good cause, engages in any act with the purpose to cause emotional distress to another person.

~~(1) Communicates in writing or by telephone a threat to commit a crime against the personal or real property of the other person, or assault any person;~~

~~(2) Makes a telephone call or communication in writing and uses coarse language offensive to one of reasonable sensibility;~~

~~(3) Makes a telephone call anonymously; or~~

~~(4) Makes repeated telephone calls.~~

~~(b) Any person who commits the ordinance violation of harassment, upon conviction, may be punished, upon conviction, in accordance with section 1-5.~~

2. The term "emotional distress" means something markedly greater than the level of uneasiness, nervousness, unhappiness, or the like which are commonly experienced in day-to-day living.

3. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violations of federal, state, county, or municipal law.

4. Any person having been found guilty of violating this section shall be punished as provided in section 1-5 of this Code of Ordinances."

Section 2. That this Ordinance shall be in full force and effect twenty (20) days and after its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2026, by a vote of _____.

_____
Brian "Rob" O'Brian, III, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney