COUNCIL BILL NO. 2025-012 ORDINANCE NO.

AN ORDINANCE amending the criminal code of the City of Joplin Chapter 82 – Offenses and Miscellaneous Provisions, Article V. - Offenses Against Health and Safety, by enacting a new section prohibiting the displacement of transient individuals; and establishing a time for this ordinance to become effective.

WHEREAS, it is the desire of the City Council to amend the criminal code to address the unsanctioned displacement of transient individuals within the City of Joplin; and

WHEREAS, displaced transient individuals negatively affect the health and safety of the community through increases in crime, drug activity, and pollution; thereby straining public resources; and

WHEREAS, in order to preserve the already limited homelessness-related resources for the benefit of local residents experiencing homelessness; and

WHEREAS, finding that it is in the best interest of the City of Joplin to impose a penalty against persons causing the displacement of additional transient individuals within the city; and

WHEREAS, it is the desire of the City Council to address local residents experiencing homeless, while protecting such efforts from irresponsible individuals, organizations and governmental bodies contributing to the homelessness crisis by displacing transient individuals within 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 V. - Offenses Against Health and Safety, enact the following section:

"Sec. 82-213. Displacement of Transient Individuals Prohibited.

(a) No person, entity, or agent, whether government official or private party, from outside the city limits, shall knowingly cause the displacement of any non-local transient individual within the city of Joplin, either directly or indirectly, by providing one-way transport and drop off of said individual on public property, or private property that is accessible to the public, within the city of Joplin, when the person being transported and dropped off lacks a fixed, regular, and adequate nighttime residence.

(b) A person "lacks a fixed, regular, and adequate nighttime residence" within the meaning of subsection (a) when that person:

(1) Has a primary nighttime residence that is a public or private place not meant for habitation; or

(2) Lives in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or

(3) Is exiting any jail, institution, or health care facility, where they have resided for 365 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

(c) The prohibition contained in subsection (a) shall not be interpreted to prohibit the following authorized activities:

(1) Transporting a person to be booked into a jail; or

(2) Transporting a person to be treated at a hospital or other medical facility under emergency circumstances; or

(3) Transporting a person to reside at a shelter, temporary housing, or permanent housing, when the officer, agent, or employee has independently verified that the individual being transported has already been accepted to reside at the facility; or

(4) Transporting a person to attend a verified appointment with a health care provider, governmental or nonprofit social service provider; or

(5) Transporting a person to attend a verified court hearing.

(d) Penalty. A violation of this section is a misdemeanor punishable under Section 1-5.

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

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2025, by a vote of _____.

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Keenan T. Cortez, Sr., Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney