BILL NO. 456 ORDINANCE NO. 456

AN ORDINANCE ENACTING A DRIVING WHILE INTOXICATED ORDINANCE AND A DRIVING WITH EXCESSIVE BLOOD ALCOHOL CONTENT ORDINANCE; SETTING FORTH VIOLATIONS AND PROVIDING FOR THE ENFORCEMENT AND PUNISHMENT OF VIOLATIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WOOD HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1. It shall be unlawful for any person to operate a motor vehicle within the city limits of the City of Wood Heights, Missouri, in an intoxicated condition.

Section 2. It shall be unlawful for any person to operate a motor vehicle within the city limits of the City of Wood Heights, Missouri, with ten-hundredths of one per cent or more by weight of alcohol in such person's blood.

Section 3. As used in this Ordinance, the term drive, driving, operates or operating means physically driving or operating or being in actual physical control of a motor vehicle.

Section 4. As used in this Ordinance, a person is in an intoxicated condition when such person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof.

Section 5. As used in this Ordinance, per cent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

Section 6. Upon the trial of any person for violation of this Ordinance, the amount of alcohol in the person's blood at the time of the act alleged as shown by chemical analysis of the person's blood, breath, saliva or urine is admissible in evidence. If there was ten-hundredths of one per cent or more by weight of alcohol in the person's blood, this shall be prima facia evidence that the person was intoxicated at the time the specimen was taken. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated.

Section 7. Any person violating any of the provisions of this Ordinance relating to driving while intoxicated or driving with excessive blood alcohol content shall upon conviction be fined in an amount not to exceed Five Hundred Dollars ($500.00) or imprisoned for not more than ninety (90) days, or by both such fine and imprisonment.

Section 8. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

READ three times and PASSED by the Board of Aldermen this 6 day of Dec, 1983.

Mayor

Attest:

City Clerk

APPROVED by the Mayor this 6 day of Dec., 1983.

Mayor

Attest:

City Clerk