

AN ORDINANCE INCREASING COURT COSTS  
AN ORDINANCE PROHIBITING PARTICIPATING IN A DRAG RACE IN THE CITY  
LIMITS OF THE CITY OF SELIGMAN

Whereas, the Aldermen of the City of Seligman, Missouri desire to enact an Ordinance defining the criminal offenses of participating in or unlawfully viewing a drag race within the city limits in the City of Seligman and providing for a penalty for its violation.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SELIGMAN, AS FOLLOWS:

**SECTION ONE:** Terms used in this ordinance are defined as follows:

1. "Drag race" means the operation of two or more motor vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more motor vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such motor vehicle or motor vehicles within a certain distance or time limit.

2. "Race" means the use of one or more motor vehicles in competition, arising from a challenge to demonstrate superiority of a motor vehicle or driver and the acceptance or competitive response to that challenge, either through a prior arrangement or in immediate response, in which the competitor attempts to outgain or outdistance another motor vehicle, to prevent another motor vehicle from passing, to arrive at a given destination ahead of another motor vehicle or motor vehicles, or to test the physical stamina or endurance of drivers over long-distance driving routes. A race may be prearranged or may occur through a competitive response to conduct on the part of one or more drivers which, under the totality of the circumstances, can reasonably be interpreted as a challenge to race.

3. "Spectator" means any person who is knowingly present at and views a drag race, when such presence is the result of an affirmative choice to attend or participate in the race. For purposes of determining whether or not an individual is a spectator, finders of fact shall consider the relationship between the racer and the individual, evidence of gambling or betting on the outcome of the race, and any other factor that would tend to show knowing attendance or participation.

**SECTION TWO:** A person commits the offense of participating in a drag racing if he or she drives any motor vehicle, including any motorcycle, in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, or exhibition of speed or acceleration or for the purpose of making a speed record on any highway, roadway, or parking lot.

**SECTION THREE:** A person commits the offense of participating in a drag race if he or she is a spectator as defined herein; or participates in, coordinates, facilitates, or collect moneys at any location for any such race, competition, contest, test, or exhibition; or knowingly rides as a passenger in any such race, competition, contest, test, or exhibition; or purposefully causes the movement of traffic to slow or stop for any such race, competition, contest, test, or exhibition.

**SECTION FOUR:** If any provision of this ordinance is held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the

invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**SECTION FIVE:** Any person who violates the provisions of this ordinance, shall, upon conviction, be subject to a fine of not less than \$50.00 nor more than \$500.00.

**SECTION SIX:** This ordinance shall be in full force and effect from and after its passage and approval.

**SECTION SEVEN:** Said approval being effective the \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

PASSED AND ADOPTED by the following vote:

\_\_\_\_\_  
Mayor of Seligman

ATTEST

\_\_\_\_\_  
City Clerk

BE IT REMEMBERED that the above Ordinance was adopted upon its second reading by the following votes:

ALDERMAN \_\_\_\_\_ VOTES \_\_\_\_\_

ALDERMAN \_\_\_\_\_ VOTES \_\_\_\_\_

ALDERMAN \_\_\_\_\_ VOTES \_\_\_\_\_

ALDERMAN \_\_\_\_\_ VOTES \_\_\_\_\_