

## ORDINANCE NO. 1006

### AN ORDINANCE INCORPORATING THE UNIFORM PUBLIC OFFENSE CODE BY REFERENCE

An ordinance regulating public offenses within the corporate limits of the City of Lansing, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," 34th Edition of 2018 and repealing Ordinance No. 982 and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith.

Be it ordained by the Governing Body of the City of Lansing, Kansas:

#### **SECTION 1.**

##### 12-101. INCORPORATING UNIFORM PUBLIC OFFENSE CODE.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Lansing, Kansas, that certain code known as the "Uniform Public Offense Code," 34th Edition of 2018, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "official Copy as Adopted by Ordinance No. 1006," and to which shall be attached a copy of this ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.

#### **SECTION 2. MODIFICATIONS.**

Article 5: Section 5.7 of said Uniform Public Offense Code, relating to selling/giving/furnishing tobacco products to a minor, is hereby declared to be and is omitted and deleted.

Article 6: Section 6.8 of said Uniform Public Offense Code, relating to criminal littering, is hereby amended to read as follows:

##### Criminal Littering

(a) Criminal littering is recklessly depositing or causing to be deposited any object or substance into, upon or about:

(1) Any public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts; or

(2) Any private property without the consent of the owner or occupant of such property.

(b) Criminal littering is an unclassified offense punishable:

(1) Upon a first conviction by a fine of not less than \$250 nor more than \$1,000;

(2) Upon a second conviction by a fine of not less than \$1,000 nor more than \$2,000; and

(3) Upon a third or subsequent conviction by a fine of not less than \$2,000 nor more than \$4,000.

(c) The provisions of Standard Traffic Ordinance Section 112.1, Littering from a motor vehicle, are excepted from the application of this section.

### **SECTION 3. REPEAL.**

Chapter 12, Article IV – Drugs and Drug Paraphernalia of the Code of the City of Lansing Kansas, 2017, adopted as part of Ordinance No. 991, is hereby repealed.

Ordinance No. 982 is hereby repealed and all other ordinances and parts of ordinances of the City of Lansing in conflict herewith are hereby repealed.

**SECTION 4. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in The Leavenworth Times.

**PASSED AND APPROVED** by the Governing Body of the City of Lansing, Kansas, on this 16<sup>th</sup> day of August 2018.

{SEAL}

Attest:



  
Sarah Bodensteiner, City Clerk



Michael W. Smith, Mayor

APPROVED AS TO FORM:



Catalina Thompson, City Prosecutor

Published: *Leavenworth Times*

Date Published: 8/21/2018

**CITY OF LANSING**

**FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE**

**Ordinance No. 1006: An Ordinance Incorporating the Uniform Public Offense Code by Reference.**

Pursuant to K.S.A. 12-3007 and the laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

**Ordinance No. 1006 Summary:**

On August 16, 2018, the City of Lansing, Kansas, adopted Ordinance No. 1006, incorporating by reference the Uniform Public Offense Code officially known as the Uniform Public Offense Code for Kansas Cities, 34th Edition of 2018 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. A complete copy of this ordinance may be obtained or viewed at the office of the city clerk, City Hall, 800 First Terrace, Lansing, KS 66043 and is also available at [www.lansing.ks.us](http://www.lansing.ks.us). This summary certified by Catalina Thompson, City Prosecutor.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: 8/17, 2018.



Catalina Thompson, City Prosecutor