

ORDINANCE NO. 318

AN ORDINANCE AMENDING TITLE VI OF THE CODE OF THE CITY OF LAKE QUIVIRA, KANSAS REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE QUIVIRA, KANSAS; INCORPORATING BY REFERENCE THE “2021 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” 37th EDITION, WITH AMENDMENTS THERETO; PROVIDING CERTAIN PENALTIES; AND REPEALING THOSE SECTIONS AMENDED HEREBY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAKE QUIVIRA, KANSAS:

SECTION 1. Section 3 of Article VI of the Code of the City of Lake Quivira, Kansas is hereby amended to read as follows:

Section 3. Adoption of Uniform Public Offense Code with Amendments.

A. 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 Lake Quivira, Kansas, that certain code known as the “2021 Uniform Public Offense Code,” 37th edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified, or changed. No fewer than one (1) copy of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Incorporated by Ordinance No. _____” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change 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.

B. Amendments to Uniform Public Offense Code. Reserved.

C. Omissions to Incorporated Uniform Public Offense Code.

Sections 3.1.1 (Domestic Battery); 3.8 (Violation of Protection from Abuse); 3.8.1 (Violation of a Protective Order); 3.13 (Stalking); 6.21 (Hunting on Posted Land); and 6.22 (Criminal Hunting) of the 2021 Uniform Public Offense Code for Kansas Cities, 37th Edition, are hereby omitted and deleted.”

SECTION 2. Repeal. Section 3 of Article VI of the Code of the City of Lake Quivira, Kansas as such section existed prior to the above amendment, is hereby repealed.

SECTION 3. Existing Sections. Except to the extent inconsistent with specific provisions of the Uniform Public Offense Code, as amended hereby, those sections of Article VI of the Code of the City of Lake Quivira, Kansas not heretofore repealed or repealed hereby shall remain in full force and effect.

SECTION 4. Severability. If any part or parts of this Ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this Ordinance. The Governing Body hereby declares that it would have passed the remaining parts of this Ordinance if it would have known that such part or parts thereof would be declared invalid.

SECTION 5. Savings Clause. Neither the adoption of this Ordinance, nor the future repeal or amendment of any section or part or portion thereof, shall in any manner affect the prosecution for violation of this Ordinance, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under this Ordinance, nor be construed as affecting any of the provisions of this Ordinance relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder shall continue in full force and effect.

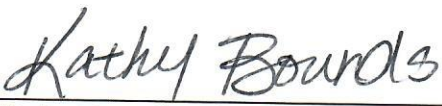
SECTION 6. Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in the official City newspaper, all as provided by law.

PASSED BY THE City Council the 4 day of October, 2021.


APPROVED BY THE Mayor the 4 day of October, 2021.


Brady Lilja, Mayor

ATTEST:


Kathy Bounds, City Clerk

APPROVED AS TO FORM:


Michelle D. Daise, City Attorney



Ordinance No. 318 Summary

On October 4, 2021, the Governing Body of the City of Lake Quivira, Kansas passed Ordinance No. 318 providing for the incorporation by reference of the “2021 Uniform Public Offense Code for Kansas Cities,” 37th Edition with amendments thereto, providing certain penalties and providing that certain sections of the Code of the City of Lake Quivira, Kansas be amended or repealed.

A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 10 Crescent Blvd. A copy of the Ordinance will also be available at www.cityoflakequivira.org for one week from the date of this publication.

This summary is hereby certified by Michelle D. Daise, City Attorney, as prescribed by K.S.A. 12-3007.

Dated the 4th day of October, 2021.

/s/ Michelle D. Daise

Michelle D. Daise, City Attorney