

## CHAPTER XI. PUBLIC OFFENSES

- Article 1. Uniform Offense Code  
Article 2. Local Regulations

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### ARTICLE 1. UNIFORM OFFENSE CODE

- 11-101. 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 LaHarpe, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 1991, 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 three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of LaHarpe, Kansas," 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 section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. (Code 1992)
- 11-102. OMISSION. Section 10.13 of Article 10 of the Uniform Public Offense Code relating to Barbed Wire is hereby omitted and deleted. (Ord. 1673, Sec. 2)

### ARTICLE 2. LOCAL REGULATIONS

- 11-201. CURFEW. (a) Except as hereinafter provided it shall be unlawful for any person under 18 years of age to be upon any street, alley, avenue, or other public place within the city between the hour of 10:00 p.m., and daylight the next morning, either on foot or by use of transportation, unless in the custody of or attended by some adult person having the right and proper custody of such younger person.
- (b) Except as hereinafter provided it shall be unlawful for any parent, guardian or other person having the care, custody and control of any person under 18 years of age, to allow or permit such younger person to be upon any street, alley, avenue or other public place within the city between the hour of 10:00 p.m., and daylight the next morning, either on foot or by use of transportation, unless such young person shall then be in the custody of or

attended by some adult person having the right and proper custody of such younger person.

(c) There are specifically excepted from (a) and (b) of this section any person on the way to his or her home by the shortest feasible route from any picture show, school, scout, religious, fraternal, public meeting or similar gathering.

(Ord. 1608, Secs. 1:3)

(Published In *The Iola Register*, September 21, 2017)

## **GENERAL ORDINANCE 1798**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LAHARPE, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," 34th EDITION, 2017, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING PRIOR PUBLIC OFFENSE ORDINANCES.

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

**SECTION 1. INCORPORATING UNIFORM PUBLIC OFFENSE ORDINANCE:** There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LaHarpe, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," 34th Edition, 2017, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, part or portions as are hereafter omitted, deleted, modified or changed. No fewer than three (3) copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance 1798," 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. The police department, municipal judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Uniform Public Offense Ordinance, similarly marked, as may be deemed expedient.

**SECTION 2. AMENDED AND SUPPLEMENTAL PROVISIONS:** The adopted "Uniform Public Offense Code for Kansas Cities," 34th Edition of 2017, is hereby amended and supplemented by adding thereto the following new Article:

ARTICLE 1 shall be amended as follows:

**Section 1**

**1.1 Definitions...**

**Smoking; Definitions**

- (a) **Access Point** means the area with a 20 foot radius outside of any doorway, open window or air intake leading into a building or facility that is not exempted pursuant to subsection (d) of section 10.24.

ARTICLE 14. ADDITIONAL PROVISIONS and by adding and amending thereunder the following sections:

**Section 14.1. Window Peeping.**

Window peeping is (1) the entry upon private property by any person, other than the lawful occupant of such property, for the purpose of looking or peeping into any window, door, skylight or other opening in a house, room or building upon such



property, or (2) to loiter in a public street, alley, parking lot or other public place for the purpose of wrongfully observing the actions of occupants of any house, room or building situated upon private property, when done by a person other than the lawful occupants thereof.

Window peeping is a Class C violation.

**Section 14.2. Making Loud and Unnecessary Noise.**

Making loud and unnecessary noise is causing, or continuing, any unnecessary or unusual noise which annoys, injures or endangers the comfort, repose, health and safety of others, including through the use of a loudspeaker or a sound amplifier, unless the making or continuing of such noise is necessary for the protection and preservation of property or the health and safety of some individual. Nothing in this paragraph shall prevent the playing of bells or chimes by electronic means by any religious organization.

Making loud and unnecessary noise is a Class C violation.

**SECTION 3. DELETED SECTIONS:** Sections 3.1.1;5.5; 6.16; 6.17; 6.19; 10.1(a) (5); 10.14; and 10.15 of the Uniform Public Offense Code are hereby omitted and deleted.

**SECTION 4. REPEAL:** All Ordinances and parts of Ordinances in conflict herewith are hereby repealed accordingly.

**SECTION 5. EFFECTIVE DATE:** This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

**PASSED** by the Council and **SIGNED** by the Mayor this 13 day of September 2017.



Attest:

(Seal)

By: Michelle Altis  
Michelle Altis, City Clerk

CITY OF LAHARPE, KANSAS  
By: Ella Mae Crowell  
Ella Mae Crowell, Mayor