

CHAPTER XI. PUBLIC OFFENSES

| | | | |
|-------------|--------------------------|------------|-------|
| Article 1. | Uniform Offense Code | Article 2. | Local |
| Regulations | | | |
| Article 3. | Domestic Violence Policy | | |

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 Valley Falls, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2005 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 Valley Falls, 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.
(Ord. 11-116, Sec. 1; Code 2006)

City of
VALLEY FALLS

Incorporated May 17, 1869

ORDINANCE NO. 11-107

An ordinance regulating public offenses within the corporate limits of the City of Valley Falls, Kansas; Incorporating by reference the “UNIFORM PUBLIC OFFENSE CODE OF KANSAS CITIES,” Edition of 2011.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS;

SECTION 1. INCORPORATED UNIFORM PUBLIC OFFENSE CODES.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Valley Falls, Kansas, that certain code known as the “Uniform Public Offense Code,” Edition of 2011 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Uniform Public Offense Code shall be marked “Official Copy as Adopted by Ordinance No. 11-107” 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. REPEAL. Ordinance No. 11-106 is repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the Valley Falls Vindicator, the official city paper of the City of Valley Falls, Jefferson County, Kansas.

PASSED BY THE CITY COUNCIL THE 7th DAY OF SEPTEMBER, 2011.

APPROVED BY THE MAYOR THIS 7th DAY OF SEPTEMBER, 2011.

Charles Stutesman
MAYOR

ATTEST:

Millie C. Bickford
CITY CLERK

CITY OFFICE
421-B MARY STREET - VALLEY FALLS, KANSAS 66088-1200
PHONE 785-945-6612 – FAX 785-945-3341
vfcity@giantcomm.net

ARTICLE 2. LOCAL REGULATIONS

- 11-201. **BLASTING.** It shall be unlawful for any person to blast or cause to be blasted within the city, rocks or other material without having the same covered by wood or sheet metal of sufficient weight, length and thickness and so placed as to effectively prevent fragments of rock or other material blasted from ascending into the air. (Code 1983)
- 11-202. **CURFEW.** (a) It shall be unlawful for any person under 18 years of age to loiter, lounge, loaf, wander, joyride, or play in or upon any public street, alley, public park, square or municipal parking lot or any sidewalk appurtenant thereto within the city after the hour of 12:00 midnight and before the hour of 6:00 a.m.
(b) The provisions of subsection (a) shall not apply to any person under the age of 18 whose parent or legal guardian has renounced his or her right to the care, custody and earnings of that person or to any person under the age of 18 who is legally married.
(Ord. 11-104, Sec. 1; Code 2006)
- 11-203. **SAME; EXCEPTIONS.** The curfew restrictions set out in 11-202 shall not apply under the following circumstances:
(a) When the person under 18 years of age is accompanied by his or her parent or guardian;
(b) When the person under 18 years of age is attending a church or school function or other activity organized or sponsored by and under the supervision of a church or school or sponsored by parents or while returning home from any such function or activity by way of the most direct route;
(c) When the person under 18 years of age is going to or from a place of lawful employment by way of the most direct route;
(d) When the person under 18 years of age is engaged in normal travel through, to or from the city to another destination.
(Ord. 11-104, Sec. 2; Code 2006)
- 11-204. **SAME; VIOLATIONS.** (a) Any police officer finding a person under 18 years of age in violation of section 11-203 shall ascertain the name and address of the minor and warn the minor that he or she is in violation of the curfew and shall direct the minor to proceed at once to his or her home or usual place of abode.
(b) If any minor refuses to heed the warning or direction by any police officer or refuses to give his or her correct name and address, he or she shall be taken to the police department and the parent, guardian or other adult having the care and custody of the minor shall be notified to come and take charge of the minor.
(Ord. 11-104, Sec. 3; Code 2006)
- 11-205. **SAME; PERMITTING VIOLATION OF CURFEW.** It shall be unlawful for a parent, guardian or other person lawfully entitled to the care, custody or control of any person under 18 years of age to knowingly suffer or permit such person to

violate sections 11-202:205 and the penalty for the first violation is \$10.00, the second violation is \$15.00, and the third violation is \$100.00.
(Ord. 11-104, Sec. 4; Code 2006)

11-206.

DISTURBING THE PEACE. (a) It shall be unlawful for any person to make, continue, maintain or cause to be made or continue any excessive, unreasonable or unusually loud noise which disturbs, injures, endangers the repose, health, peace or safety of other people of ordinary sensitivity within the vicinity of the noise.

(b) It shall be unlawful for any person to use, operate, or permit the use or operation of any electronic device, radio, receiving set, television, musical instrument, phonograph or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, or repose of neighboring inhabitants of ordinary sensitivity.

(c) No person shall participate in or be in any party or gathering of people from which sound emanates at a sufficient volume so as to disturb the peace, quiet or repose of neighboring inhabitants of ordinary sensitivity. A police officer may order all such persons present at any such party or gathering to immediately disperse from the vicinity of any such party or gathering in lieu of being charged under this article; provided, however, owners or tenants are not required to leave their own dwelling unit. Owners or tenants residing in the dwelling unit where the party or gathering occurs shall, upon request of a police officer, cooperate fully in abating the disturbance and failure to do so shall be in violation of this article.

(d) For the purposes of this article, the term neighboring inhabitants includes those persons in single family dwellings, multiple family dwellings, boarding house rooms, hotel rooms or motel rooms within the vicinity of the noise.
(Ord. 11-107, Sec. 1; Code 2006)

11-207.

SAME; EXEMPTIONS. The requirements of this article shall not apply to the following, provided that all equipment is in repair and operated properly:

- (a) Emergency work necessary to restore property to a safe condition or to protect a person and property from eminent danger;
- (b) Emergency vehicles;
- (c) Alarm systems;
- (d) Trash and waste pickup operations;
- (e) Aircraft or railroads;
- (f) Noise resulting from the activities of a temporary duration planned by school, governmental or community groups;
- (g) Air conditioners and lawn care equipment;
- (h) Construction operations; and,
- (i) Church bells.

(Ord. 11-107, Sec. 2; Code 2006)

ARTICLE 3. DOMESTIC VIOLENCE POLICY

11-301.

INCORPORATION; DOMESTIC VIOLENCE POLICY. It is hereby incorporated by reference for the purpose of controlling domestic violence in the City of Valley Falls, Kansas, that the policy called, 'Jefferson County Sheriff's Office Domestic Violence Policy" be adopted by the City of Valley Falls. Not less than three copies of the ordinance shall be marked and stamped as official copy as adopted by Ordinance No. 11-103 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 and the municipal judge and all administrative departments of the city charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such standard ordinance similarly marked as may be deemed expedient. (Ord. 11-103, Sec. 1; Code 2005)