

(Published In *The Iola Register*, August __, 2015)

GENERAL ORDINANCE 3449

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF IOLA, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," 31st EDITION OF 2015, 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 IOLA, 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 Iola, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," 31st Edition of 2015, 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 (3) copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance **3450** 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," 31st Edition of 2015, 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; 6.19; 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 24TH day of August 2015.



(Seal)

Roxanne Hutton

Roxanne Hutton, City Clerk

CITY OF IOLA, KANSAS

By _____

Joel Wicoff, Mayor

A handwritten signature in black ink, appearing to read "Joel Wicoff", is written over a horizontal line.