



# City Commission Agenda Item

**Meeting Date:** September 6, 2022

**From:** Larry Schwartz, City Attorney

**Item:** Uniform Public Offense Code for Kansas Cities, 38<sup>th</sup> Edition

**Purpose:** Consider first reading of an Ordinance adopting by reference the Uniform Public Offense Code for Kansas Cities, 38<sup>th</sup> Edition, prepared and published in book form in 2022 by the League of Kansas Municipalities. **(Roll Call Vote)**

**Background:**

The League of Kansas Municipalities has published the Uniform Public Offense Code (UPOC) since 1980. The UPOC is designed to provide a comprehensive public offense ordinance for Kansas cities and does not take effect in a city until the governing body has passed and published an ordinance incorporating it by reference. It generally mirrors Kansas statute and case law, and allows violations of those laws to be prosecuted in Arkansas City Municipal Court.

The following sections were added, modified, or deleted in the 38<sup>th</sup> edition of the UPOC published in 2022.

**New Section:**

10.30, 10.30.1, 10.30.2 Operating an Aircraft Under the Influence

**Changes:**

- 3.2.1 Sexual Battery
- 6.1 Theft
- 6.5 Criminal Deprivation of Property
- 6.18 Motor Vehicle Dealers; Selling Motor Vehicles Without a License
- 7.14 Electioneering
- 7.15 Intimidation of a Witness or Victim
- 9.9.5 Unlawful Possession of a Simulated Substance
- 11.8 Gambling

**Deleted Section:**

7.5 Distribution of Unattributed Applications for Advance Voting Ballots

**Commission Options:**

1. Approve the Ordinance on first reading so City Law mirrors State Law.

**Fiscal Impact:**

Amount:

Fund: Department: Expense Code:

Included in budget       Grant       Bonds       Other (explain)

**Approved for Agenda by:**

Randy Frazer, City Manager