



City Commission Agenda Item

Meeting Date: September 7, 2021
From: Larry Schwartz, City Attorney
Item: Uniform Public Offense Code for Kansas Cities, 37th Edition

Purpose: Consider first reading of an Ordinance adopting by reference the Uniform Public Offense Code for Kansas Cities, 37th Edition, prepared and published in book form in 2021 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 in the 37th edition of the UPOC published in 2021.

New Sections:

- 6.7.2 Trespassing on a critical infrastructure facility
- 7.1 Unlawfully tampering with electronic monitoring equipment
- 7.5 Distribution of unattributed applications for advance voting ballots
- 9.3 Violation of Executive Order under K.S.A. 48-925 mandating a curfew or prohibiting public entry

Changes:

- 3.2.1 Sexual Battery
- 5.5 Watercraft
- 6.2 Intent; Permanently Deprive
- 7.14 Electioneering
- 11.3 Commercialization of Wildlife

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