



City Commission Agenda Item

Meeting Date: November 5, 2024
From: Larry Schwartz, City Attorney
Item: Uniform Public Offense Code for Kansas Cities, 40th Edition

Purpose: An Ordinance adopting by reference the Uniform Public Offense Code for Kansas Cities, 40th Edition, prepared and published in book form in 2024, 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. LKM updates include changes made by the Kansas Legislature and generally mirrors Kansas statute and case law, allowing violations of those laws to be prosecuted in Arkansas City Municipal Court.

The following sections were modified in the 40th edition of the UPOC published in 2024. Details provided by LKM as listed in the Kansas Government Journal July-August 2024 Edition, article enclosed.

Changes:

- Section 9.1 Amended Disorderly Conduct
- Section 9.9.1 Amended Unlawful Possession of Marijuana and Tetrahydrocannabinols
- Section 9.9.2 Amended Possession of Drug Paraphernalia and Certain Drug Precursors
- Section 9.9.4 Amended Unlawful Possession of Controlled Substances

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 Not Budgeted

Approved for Agenda by:

Randy Frazer, City Manager