

(Published at www.belaireks.gov on October, _____, 2024.)

ORDINANCE NO. _____

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF BEL AIRE, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES (40TH EDITION), AS PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES IN 2024, WITH CERTAIN MODIFICATIONS; REPEALING ORDINANCES 447, 474, and 487; REPEALING ALL OTHER CONFLICTING ORDINANCES; AND AMENDING CHAPTER 6, ARTICLE 1, SECTION 6.1.1. OF THE CODE OF THE CITY OF BEL AIRE, KANSAS.

WHEREAS, pursuant to K.S.A. 12-3009 *et seq.*, and K.S.A. 12-3301 *et seq.*, all as amended, the City of Bel Aire, Kansas (the "City") desires to incorporate by reference the Uniform Public Offense Code for Kansas Cities (40th Edition), as published by the League of Kansas Municipalities in 2024 (the "UPOC"), with certain deletions, modifications and additions, as set forth in the Code of the City of Bel Aire, Kansas (the "Code"); and

WHEREAS, the governing body of the City finds it advisable to incorporate the UPOC by reference and to amend the Code, to reflect incorporation of the UPOC.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELAIRE, KANSAS:

SECTION 1. The City hereby incorporates by reference the Uniform Public Offense Code for Kansas Cities (40th Edition), as published by the League of Kansas Municipalities in 2024, with the certain deletions and modifications as set forth in the Code. Accordingly, Section 6.1.1. of the Code is hereby amended to read, as follows:

"Section 6.1.1. UNIFORM PUBLIC OFFENSE CODE INCORPORATED.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Bel Aire, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," 40th Edition, 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 one (1) copy of said Uniform Public Offense Code shall be marked "Official Copy as Adopted by Ordinance No. _____,"

41 with all sections or portions thereof intended to be omitted or changed clearly marked
42 to show any such omission or change and to which shall be attached a copy of this
43 ordinance, and filed with the city clerk to be open to inspection and available to the
44 public, during City Hall's business hours. The Police Department, Municipal Judge,
45 Municipal Prosecutor, City Attorney, City Clerk, and all administrative departments of
46 the City charged with enforcement of the Code shall be supplied, at the cost of the City,
47 such number of official copies of such Uniform Public Offense Code similarly marked,
48 as may be deemed expedient."
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50 SECTION 2. Ordinances No. 447, 474, and 487 are repealed in their entirety. All
51 ordinances or parts of ordinances in conflict herewith are repealed. All other ordinances
52 or parts of other ordinances in conflict herewith are repealed. However, any section of
53 an existing ordinance not in conflict herewith is not repealed and remains in full force
54 and effect.
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56 SECTION 3. This Ordinance also repeals Ordinance No. 496, but solely to the
57 extent Ordinance No. 496 incorporated a previous version of the UPOC. Any remaining
58 provisions of Ordinance No. 496 shall remain in full force and effect.
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60 SECTION 5. Effective Date. This ordinance shall take effect and be in full force
61 from and after its adoption by the governing body of the City, approval by the Mayor
62 and publication once in the official city newspaper.
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79 Passed by the Governing Body of the City of Bel Aire, Kansas on the _____ day of
80 October, 2024.

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82 Approved by the Mayor on the _____ day of October, 2024.

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84
85 CITY OF BEL AIRE, KANSAS
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89
90 (seal)

Jim Benage, Mayor

91
92 ATTEST:
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96 _____
97 Melissa Krehbiel, City Clerk
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100 Approved as to Form Only:
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104 _____
105 Maria A. Schrock, City Attorney