

## **CHAPTER XI. PUBLIC OFFENSES**

- Article 1. Uniform Offense Code
- Article 2. Local Regulations
- Article 3. Nuisance Restrictions
- Article 4. Cemetery Regulations
- Article 5. Unauthorized Observation Regulations
- Article 6. City Curfew

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### **ARTICLE 1. UNIFORM OFFENSE CODE**

- 11-101. **INCORPORATING UNIFORM PUBLIC OFFENSE CODE.** There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Pawnee Rock, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2009, 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 copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Pawnee Rock, Kansas," 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 section, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. (Ord. 6; Ord. 18; Ord. 148; Ord. 271; Ord. 297; Code 2011)

## ARTICLE 2. ALCOHOL

- 11-201. POSSESSION OF ALCOHOL BY JUVENILE PROHIBITED. It is unlawful for any juvenile to have in his or her possession upon any street, highway, or public place within the corporate limits of the City of Pawnee Rock any cereal malt beverage as defined by § 3-101 of the City of Pawnee Rock Code. Possession of a cereal malt beverage or alcoholic liquor by a juvenile is unlawful whether the container is open or unbroken. Possession of a cereal malt beverage or alcoholic liquor by a juvenile is unlawful whether or not the juvenile is in the act of consuming the beverage. Any person violating 11-201 shall be deemed guilty of a misdemeanor, and upon the conviction shall be punished by a fine of not more than \$100.00 or by imprisonment in the city jail for not more than thirty days or by both fine and imprisonment. (Ord. 148; Code 2011).
- 11-202. TRANSPORTATION OF JUVENILE WITH BEER OR ALCOHOL PROHIBITED. It is unlawful for any person to drive or ride as a vehicular passenger upon any street, highway, or public place within the corporate limits of the City of Pawnee Rock while transporting an open container of cereal malt beverage. Any person violating 11-202 shall be deemed guilty of a misdemeanor, and upon the conviction shall be punished by a fine of not more than \$100.00 or by imprisonment in the city jail for not more than three (3) months, or by both fine and imprisonment. (Ord. 148; Ord. 149; Code 2011).
- 11-203 PUBLIC ALCOHOL CONSUMPTION. It is unlawful for any person to drink or consume alcoholic liquor upon the public streets, alleys, roads, or highways, in beer parlors, taverns, pool halls, or places to which the general public has access, whether or not an admission or other fee is charged or collected, or inside vehicles while upon the public streets, alleys, roads, or highways. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction will be punished by a fine of not less than \$50.00 or more than \$100.00, or by imprisonment for not more than three (3) months, or be both fined and imprisoned. (Ord. 149; Code 2011)
- 11-204 SPIKING BEVERAGES. It is unlawful for any person to spike a beverage with alcoholic liquor within the corporate limits of the city of Pawnee Rock. Any person violating 11-204 shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 and not more than \$50.00. (Ord. 95; Code 2011)

### **ARTICLE 3. NUISANCE RESTRICTIONS**

11-301. (Reserved)

#### **ARTICLE 4. CEMETARY REGULATIONS**

- 11-401. CEMETARY DRIVING. It shall be unlawful for any unauthorized person or persons to drive upon, over, or across any part of the Pawnee Rock Cemetery except in and upon the streets and alleys thereof. It shall be unlawful for any person to drive any vehicles in the Pawnee Rock Cemetery faster than fifteen (15) miles per hour. (Ord. 247; Code 2011).
- 11-402. TRESPASSING AND LOITERING. It shall be unlawful for any person to loiter in or trespass upon cemetery lots or graves. It shall be unlawful for any person, except authorized personnel, to enter into or be upon the cemetery grounds between sundown and sunrise without first obtaining permission. (Ord. 247; Code 2011).
- 11-403 FIREARMS. It shall be unlawful for any person to discharge any firearms or fireworks while in the cemetery. This section shall not apply to the discharge of firearms by military or members of Veterans Organizations, or to authorized persons while participating in memorial services or military funerals nor to law enforcement officers. (Ord. 247; Code 2011).
- 11-404 PENALTY. It shall be unlawful for any person to violate any of the provisions of Chapter 11, Article 4 of the Pawnee Rock City Code. Any person violating any provision of Chapter 11, Article 4 shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not less than twenty-five dollars (\$25.00) and not more than one hundred dollars (\$100.00) for each offense. (Ord. 247; Code 2011).

**ARTICLE 5. UNAUTHORIZED OBSERVATION REGULATIONS**

11-501. (Reserved)

## ARTICLE 6. CITY CURFEW

- 11-601. CURFEW FOR CHILDREN. It shall be unlawful for any child under the age of eighteen (18) years to wander, loaf, loiter, or play in, about, or upon any public street, alley, sidewalk, vacant lot, public place, or other place normally accessible to the general public for public use, whether on foot or in a vehicle, or by other means, after the hour of Ten (10) o'clock P.M. and before the hours of Six (6) o'clock A.M. unless accompanied by a parent, legal guardian, or other person exercising legal custody of such child; provided, however, that such prohibition shall not apply to those children under the age of eighteen (18) years of age who are en route by the most direct and accessible route between their homes and authorized places of employment, nor to those who are en route by the most direct and accessible route from a school-sponsored activity, authorized entertainment, or authorized place of activity for minors, to their residence. Further, the term "authorized" as used in this section shall denote prior authorization by a parent, legal guardian, or other person exercising custody.  
(Ord. 281; Code 2011).
- 11-602. CURFEW—PARENTAL RESPONSIBILITY. It shall be unlawful for any parent, legal guardian, or other person exercising legal custody of any child under the age of eighteen (18) years, to suffer, permit, or allow any such child to wander, lounge, loaf, loiter, or play in, about, or upon any public street, alley, sidewalk, vacant lot, public place, or other place normally accessible to the general public for public use, whether on foot or in a vehicle, or by other means, after the hour of Ten (10) o'clock P.M. and before the hours of Six (6) o'clock A.M. unless accompanied by a parent, legal guardian, or other person exercising legal custody of such child.  
(Ord. 281; Code 2011).
- 11-603 SUSPENSION OF CURFEW. The Chief of Police of the City of Pawnee Rock, Kansas, on specific occasions in response to requests submitted to the City of Pawnee Rock, or the Pawnee Rock Police Department, shall have the authority to suspend the house of curfew as stated in Chapter 11, Article 6.  
(Ord. 281; Code 2011).
- 11-604 PENALTY. Any person found guilty of violating Chapter 11, Article 6 of the Pawnee Rock City Code shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) and in addition to all applicable court fees and charges.  
(Ord. 281; Code 2011).