

1 (Published in the Topeka Metro News January 21, 2009)

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3 **ORDINANCE NO. 19208**

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5 AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending
6 City of Topeka Code § 50-64 concerning persons under arrest and
7 specifically repealing said original section.
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9 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

10 Section 1. That section 50-64, Persons under arrest; procedures; right to post
11 bond; release on personal recognizance, of The Code of the City of Topeka, Kansas, is
12 hereby amended to read as follows:
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14 **Persons under arrest; procedures; right to post bond; release on personal**
15 **recognizance.**

16 Any person arrested by a law enforcement officer shall be taken immediately by
17 the law enforcement officer to the police station of the city or the office in the city
18 designated by the municipal judge. At that time, the person shall have the right to post
19 bond for the person's appearance, in accordance with section 50-66 and section 50-67,
20 and amendments thereto. However, if the law enforcement officer has probable cause
21 to believe that such person may cause injury to oneself or others, or damage to
22 property, and there is no responsible person or institution to which the person might be
23 released, the person shall remain in the protective custody of the law enforcement
24 officer, in a city or county jail for a period not to exceed six hours, at which time such
25 person shall be given an opportunity to post bond for the person's appearance. While so
26 held in protective custody, the person shall be permitted to consult with counsel or other
27 persons on the person's behalf. Any person who does not make bond for the person's
28 appearance shall be placed in the city or county jail, to remain there until the person

29 makes bond for the person's appearance, or appears before the municipal court at the
30 earliest practical time, except that the person shall be released on the person's personal
31 recognizance to appear at a later date if the person has not made bond, has not
32 appeared before the municipal court within ~~18~~48 hours after arrest and if no warrant has
33 been issued for the person's arrest.

34 Section 2. That original section 50-64 of The Code of the City of Topeka,
35 Kansas, is hereby specifically repealed.

36 Section 3. This ordinance shall take effect and be in force from and after its
37 passage, approval and publication in the official City newspaper.

38 PASSED AND APPROVED by the City Council January 13, 2009.

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40 CITY OF TOPEKA, KANSAS
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46 William W. Bunten, Mayor

47 ATTEST:
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52 Brenda Younger, City Clerk