

(Published in the Topeka Metro News March 28, 2011)

ORDINANCE NO. 19536

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 9.05.080, concerning adoption of the 2010 Uniform Public Offense Code and specifically repealing said original section.

WHEREAS, Ordinance No. 19514, passed and approved on February 15, 2011, adopted the 2010 Uniform Public Offense Code; and

WHEREAS, the definitions section was excluded from adoption; and

WHEREAS, the City desires to include the definitions section in the adoption of the 2010 UPOC.

BE IT ORDAINED BY THE GOVERNING BODY THE CITY OF TOPEKA:

Section 1. That section § 9.05.080, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

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 Topeka, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except Sections ~~1.1 ("Definitions"), 4.3 ("Prostitution"), 4.4 ("Promoting Prostitution"), 4.5 ("Patronizing A Prostitute"), 9.11 ("Picketing of Funerals") and 11.11 ("Cruelty to Animals")~~, which are specifically deleted and omitted. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as adopted by Ordinance No. ~~19514~~ 19536," 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 said ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

The Uniform Public Offense Code, Edition of 2010, is hereby further amended by adding the following exception to Section 10.6:

Exception: Operation of a bow and arrow is permitted in accordance with the provisions set forth in TMC 6.05.070.

Section 2. That original § 9.05.080 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

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

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on March 22, 2011.

CITY OF TOPEKA, KANSAS

William W. Buntten, Mayor

ATTEST:

Brenda Younger, City Clerk