

ORDINANCE NO.4266

AN ORDINANCE RELATING TO PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF WELLINGTON, KANSAS; INCORPORATING BY REFERENCE THE "2019 UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 35th EDITION," WITH CERTAIN CHANGES AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AND REPEALING ORDINANCE NO. 4225 OF SAID CITY.

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

SECTION I

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporation limits of the City of Wellington, Kansas, that certain code known as the "2019 Uniform Public Offense Code for Kansas Cities, 35th 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 hereinafter modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped, "Official Copy as Adopted by Ordinance No. 4266," with all sections or portions thereof intended to be changed clearly marked to show any such change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION II

SAME, AMENDMENT. Section 10.6 of the 2019 Uniform Public Offense Code for Kansas Cities, 35th Edition, is amended to read as follows:

"10.6 Air Gun, Air Rifle, Slingshot, BB Gun, Paint Ball Gun or Bow and Arrow. (a) The unlawful operation of an air gun, air rifle, BB gun or paint ball gun is the shooting, discharging or operating of any air gun, air rifle, slingshot, BB gun, or paint ball gun within the city, except within the confines of a building or other structure from which projectiles cannot escape, and except for special events sponsored by established and recognized organizations held in those areas of the city's public park system that are not frequently frequented by persons, if such event is (1) conducted in such a manner as to guard against and prevent injury to persons participating in the event as well as any other person or persons and damage to property; (2) approved in writing prior to the event by the Park Board and the Police Department of the city; (3) supervised by a person over the age of twenty-one (21) years; and (4) a certificate of insurance in a form satisfactory

to the city, showing that the city is properly insured for all claims for injuries to persons and damage to property resulting from the special event, is filed with the city.

(b) The operation of a bow and arrow is the shooting, discharging or operating any bow and arrow within the city, except when shot, discharges or operated as a part of a physical education program in the regular curriculum of a public school, if said program is supervised by a qualified archer who a member of the school faculty, is conducted on school-owned property in areas not commonly frequented by people in the presence of the supervisor and in a manner as to guard against and prevent injury to persons participating in the program and to others, or except in the confines of a building or other structure from which arrows can not escape.

(c) Violation of this section is a Class C misdemeanor punishable of a fine up to \$500.00 and/or 30 days in jail.”

### SECTION III

REPEALED. Ordinance No. 4225 of the City of Wellington, Kansas is hereby repealed.

### SECTION IV

EFFECTIVE. This ordinance shall take effect and be in force from and after its passage and approval and after is publication in the official city newspaper, as provided by law.

PASSED by the Council this 20th day of August, 2019.

APPROVED by the Mayor.

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Shelley R. Hansel, Mayor

(SEAL)

ATTEST

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Carol S. Mericle, City Clerk

FORM APPROVED:

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Shawn R. DeJarnett, City Attorney