CHAPTER XI. PUBLIC OFFENSES

Article 1. Uniform Offense Code
Article 2. Local Regulations
Article 3. Curfew

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 Arma, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2006, 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 Arma, 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. 558, Sec. 1; Code 2007)

11-102. EXCLUDED SECTIONS. The following sections of the Uniform Public Offense Code shall not be adopted:

Article 3.2.1 Sexual Battery
Article 3.6 Unlawful Restraint
Article 3.7 Mistreatment of Confined Persons
Article 3.9 Criminal Defamation
Article 3.10 Eavesdropping
Article 3.11 Unlawful Administration of a substance
Article 3.12 Breach of Privacy
Article 4 Sex offenses in entirety
Article 5 Offenses affecting children in entirety
Article 6.8 Littering
Article 6.11 Unlawful Manufacture or Disposal of False Tokens
Article 6.12 Serial Numbers
Article 6.16 Giving a Worthless check
Article 6.17 Criminal Use of a Financial Card
Article 6.18 Motor Vehicle Dealers; Selling Motor Vehicle Without a License
Article 6.19 Equity Skimming
Article 6.20 Computer Trespass/Computer Password Disclosure
Article 7.3 Escape from Custody
Article 7.6 Performance of Unauthorized Official Act
Article 7.7 Simulating Legal Process
Article 7.8 Tampering with Public Record

Article 7.9 Tampering with Public Notice
Article 7.10 False Signing of Petition
Article 7.11 False Impersonation
Article 7.13 Interference with Police Dogs
Article 7.14 Electioneering
Article 8 Denial of Civil Rights in entirety
Article 9.4 Riot
Article 9.8 Criminal Desecration
Article 9.9 Abusing Toxic Vapors
Article 9.10 Harassment by Telephone
Article 9.11 Picketing of Funerals
Article 9.12 Harassment by Tele-facsimile Communication
Article 10.1 Criminal Use of Weapons
Article 10.2 Drawing a Weapon Upon Another
Article 10.3 Criminal Disposal of Firearms
Article 10.3.1 Criminal Possession of a Firearm
Article 10.4 Confiscation, Disposition of Weapons
Article 10.13 Barbed Wire
Article 10.14 Operation of a Motorboat or Sailboat
Article 10.15 Operating a vessel under the influence of intoxicating liquor or drugs; penalties
Article 10.19 Sale of Medicines and Drugs Through Vending Machines
Article 10.20 Obtaining a Prescription only Drug by Fraudulent Means
Article 10.21 Knowingly employing an alien illegally within territory of U.S.
(Ord. 548, Sec. 1; Code 2006)

ARTICLE 2. LOCAL REGULATIONS

11-201. DISCHARGING FIREARMS; EXCEPTIONS; PENALTY. (a) It shall be unlawful for any person to discharge or fire any firearm within the corporate limits of the City of Arma, Kansas.

(b) The provisions of this section shall not apply to the discharging of firearms in any licensed shooting gallery or by a gunsmith in-his trade, or by officers of the law when necessary in the discharge of their official duties.

(c) Any person convicted of violating this ordinance shall be punished by a fine of not less than Two Hundred Fifty Dollars ($250.00) nor more than Five Hundred dollars ($500.00).
(Ord. 443, Secs. 1:2; Code 2007)

11-202. UNLAWFUL NOISE. It shall be unlawful for any person to make, continue or cause to be made or continued, or for any person in charge or control of any residence, office, premises or vehicle to allow such residence, office, premises or vehicle to be used by others to make, continue or case to be made or continued, any excessive, unnecessary or unusually loud noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the City. (Ord. 502, Sec. 2; Code 2007)

11-203. SAME; SPECIFIC NOISES PROHIBITED; STANDARDS. The following acts, among others, are declared to be loud, excessive and unnecessary noises in violation of this ordinance, but said enumeration shall not be deemed to be exclusive, namely:

(a) The playing, using, operating, or permitting to be played, used or operated, any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, repose, and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the residence, office, or vehicles, or upon the premises, in which such machine or devise is operated. The operation of any such set, instrument, phonograph, machine or device between the hours of twelve (12) o'clock A.M. and seven (7) o'clock A.M. in such a manner as to be plainly audible at a distance of one hundred (100) feet from the residence, office, premises or vehicle in or on which it is located shall be prima facie evidence of a violation of this section.

(b) Yelling, shouting, whistling or signing on the public streets, alleys or sidewalks, or while on a private or public parking area or parking lot so as to annoy or disturb the peace, quiet, comfort or repose of the persons in any residence, premises, office or hotel. Such yelling, shouting, hooting, whistling or singing between the hours of twelve (12) o'clock A.M. in such a manner as to be plainly audible at a distance of one hundred (100') feet from the boundary of said street, alley, sidewalk, parking area or parking lot shall be prima facie evidence of a violation of this section.
(Ord. 502, Sec. 3; Code 2007)

11-204. PENALTY. Every person who violates any section of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed one hundred ($100.00) dollars or be imprisoned for a period of time not to exceed ten (10) days, or by both such fine and imprisonment.
(Ord. 502, Sec. 4; Code 2007)

ARTICLE 3. CURFEW

11-301. PURPOSE. The governing body has found that there exists within the corporate limits of the City of Arma, a concern over persons under the age of sixteen years of age being out without adequate parental control or care on the streets and in the parks of the City of Arma. It is hereby deemed necessary by the governing body to require or cause of curfew to be invoked in the City of Arma.
(Ord. 531, Sec. 1; Code 2007)

11-302. DEFINITIONS. For the purpose of this ordinance, this ordinance shall be defined to apply to all persons who have not yet reached their sixteenth birthday.
(Ord. 531, Sec. 2; Code 2007)

11-303. PUBLIC OFFICERS; DUTIES. The public officers which shall be defined as the City of Arma, Police Department, are hereby authorized to exercise such powers as may be necessary to carry out the purposes of this ordinance, including the following:

(a) Placing those juveniles in violation of the ordinance under arrest;
(b) Accompanying the juveniles to their parental homes;
(c) Making a report and forwarding the report to the Crawford County Attorney's office for appropriate prosecution;

(Ord. 531, Sec. 3; Code 2007)

11-304. LIMITATIONS. No juveniles shall be outside of parental control or custody after 11:00 p.m. on any day. Outside of parental custody or control shall be defined as any time said juvenile is not at their residence, or should be upon the streets or property of the City of Arma. Juveniles may be at their alternative residence which shall be defined as any residence where persons over the age of eighteen are acting in the stead of the parents.
(Ord. 531, Sec. 4; Code 2007)

11-305. PENALTY. A violation of this ordinance shall be classified as a Class C violation. (Ord. 531, Sec. 5; Code 2007)