

## **CHAPTER XI. PUBLIC OFFENSES**

Article 1. Uniform Offense Code

Article 2. Local Regulations

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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 Oxford, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2013, 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. One copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Oxford, 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. 302; Code 2014)

## ARTICLE 2. LOCAL REGULATIONS

- 11-201. PUBLIC URINATION OR DEFECATION. Any person who shall urinate or defecate in or on (a) any public sidewalk, street, highway, alley or roadway, or (b) any other public or private property outside of public restrooms and other buildings containing toilet facilities in the city shall upon conviction, be punished as provided in section 1-116 of this code. (Ord. 119, Sec. 1)
- 11-202. POSSESSION OF CONTROLLED SUBSTANCES, OPIATES OR NARCOTIC DRUGS. Except as authorized by the Uniform Controlled Substances Act of Kansas, any person who shall possess, have under his or her control, deliver or distribute any controlled substance, opiate or narcotic drug in the city shall, upon conviction, be punished as provided in section 1-116 of this code. (Ord. 151, Sec. 1)
- 11-203. DEFINITION; MINOR. The word minor as used in this article shall mean any person under the age of 18 years, except a person 16 years of age or over who is or has been married. (K.S.A. 38-101; Ord. 199, Sec. 1)
- 11-204. CURFEW; HOURS DECLARED; EXCEPTION. It shall be unlawful for any minor to loiter, idle, wander, stroll or play in or upon the public streets, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places in the city between the hours of 11:00 p.m. and 6:00 a.m. of the following day except Fridays and Saturdays, when the hours shall be 12:00 midnight to 6:00 a.m., provided, however, that the provisions of this section shall not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other person having the care and custody of the minor. (Ord. 199, Sec. 2)
- 11-205. SAME; RESPONSIBILITY OF PARENT OR PERSON HAVING CUSTODY. It shall be unlawful for the parent, guardian or other person having custody of a minor to permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places, between the hours of 11:00 p.m. and 6:00 a.m. of the following day, except on Fridays and Saturdays, when the hours shall be 12:00 midnight to 6:00 a.m.; provided, however, that the provisions of this section shall not apply when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor. (Ord. 199, Sec. 3)

- 11-206. SAME; PENALTY. (a) Any minor violating the provisions of this article shall be dealt with in accordance with the provisions of the Kansas Juvenile Offenders Code.
- (b) Any parent, guardian or person in charge of a minor who shall permit such minor to violate the provisions of this article after having been notified of a prior violation by such minor shall be fined in an amount not less than \$25 nor more than \$100. (Ord. 199, Sec. 4)
- 11-207. LITTERING. (a) No person shall throw, place, or drop litter from a motor vehicle upon any public street or alley. No person shall throw, or deposit any litter upon any public or private property without the consent of the owner of said property. When litter is thrown or placed upon public or private property there shall be a rebuttable presumption that the owner of said property had not consented thereto.
- Litter shall include but is not necessarily limited to rubbish, garbage, and trash, including tree limbs, yard clippings, paper, metal, plastic, glass, eggs, tomatoes and similar items.
- (b) Littering is a Class C Misdemeanor and may be punished by a fine of up to \$500 and/or 30 days in jail.  
(Ord. 296; Code 2014)
- 11-208. PROHIBITION AGAINST DISTURBING THE PEACE. (a) It shall be unlawful for any person to make, continue, maintain, or cause to be made or continued any excessive, unreasonable, or unusually loud noise which annoys, disturbs, injures, or endangers the repose, health, peace, or safety of others within the city.
- (b) It shall be unlawful for any person to use, operate, or permit the use of operations of any electronic device, musical instrument, sound production or reproduction device in such manner as to disturb the peace, quiet, or comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing of persons who are in the room, vehicle, or chamber where such device is being operated and who are voluntary listeners thereto. Neighboring inhabitants shall include persons occupying nearby residences and include other tenants within multiple-unit dwellings.
- (c) No person shall be part of a gathering of people from which sound emanates of a sufficient volume so as to disturb the peace, quiet, or repose of nearby residents. A police officer may order all persons present at any location where a gathering or party exists in violation of this section to immediately disperse in lieu of being charged under this section. Failure to so disperse shall make such person equally responsible with the person in charge of the premises and/or the person causing the disturbance. The owners or tenants of the dwelling unit shall immediately abate the disturbance under this subsection and, upon their failure so to do, shall be in violation of this subsection.
- (d) Any person who shall violate the provisions of this section shall, upon conviction thereof, be guilty of a Class C Misdemeanor and punished by a fine of up to \$500 and/or 30 days in jail.  
(Ord. 298; Code 2014)