

AN ORDINANCE DEFINING CRIMINAL DAMAGE TO PROPERTY AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

NOW THERE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVEN, KANSAS:

Section 1. DEFINITION. Criminal Damage to Property. (a) Criminal damage to property is by means other than by fire or explosive:

(1) Intentionally injuring, damaging, mutilating, defacing, destroying, or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

(2) injuring, damaging, mutilating, defacing, destroying, or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

Section 2. PENALTY. Criminal damage to property is a class B nonperson misdemeanor if the property damaged is of the value of less than \$500 or is of the value of \$500 or more and is damaged to the extent of less than \$500.

Conviction of criminal damage to property shall be punishable by confinement in the county jail not to exceed six (6) months and/or a fine not to exceed \$1000.00.

Section 3. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED AND APPROVED THIS _____ day of _____, 1994.

Mayor

ATTEST:

City Clerk