

CHAPTER 11 PUBLIC OFFENSES

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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 St. Francis, Kansas, that certain code known as "Uniform Public Offense Code, Edition of 2015", prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 598," 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.
(Ord. 498, passed 08-24-2015; Code 2015)

ARTICLE 2 LOCAL REGULATIONS

11-201 RADIO, TELEVISION; DISTURBANCE, INTERFERENCE- It shall be unlawful for any person knowingly, to use or operate any wire, wires or mechanisms that conduct or consume electricity and which emit uncontrolled or undirected electrostatic energy audible on the radio or television receiving sets constantly or intermittently for 10 seconds or less duration if reoccurring more often than at 10 minute intervals.
(Code 1978, 5-403; Code 2015)

11-202 CLIMBING WATER TOWER- Any person who shall climb the water tower shall, on conviction, be deemed guilty of violating this section and shall be fined in a sum not to exceed \$100 or be imprisoned in the city jail not to exceed 10 days or both such fine and imprisonment at the discretion of the court: Provided, that this section shall not apply to any one in the employ of the city or by the authority of the city council, city superintendent or to any one in case of necessity for the protection of the city's interests.
(Code 1978, 16-115; Code 1994; Code 2004; Code 2015)

ARTICLE 3 RESISTING ARREST

- 11-301 RESISTING ARREST PROHIBITED- It is unlawful to prevent or attempt to prevent a police officer, acting under of his official authority, from effecting an arrest of the actor or another by:
- (a) Using or threatening to use physical force or violence against the peace officer or another; or
 - (b) Using any other means which creates a substantial risk of causing bodily injury to the peace officer of another.
- (Ord. 487 passed 9-2-1997; Code 2003; Code 2015)
- 11-302 PEACE OFFICER DEFINED- The term peace officer as used in this ordinance means a law enforcement officer in uniform or, if out of uniform, one who has identified himself or herself by exhibiting his or her credentials as such law enforcement officer to the person whose arrest is attempted.
- (Ord. 487 passed 9-2-1997; Code 2003; Code 2015)
- 11-303 PEACE OFFICER ACTING UNDER COLOR OF HIS OFFICIAL AUTHORITY- It is no defense to a prosecution under this section if the peace officer was attempting to make an arrest which in fact was unlawful, if he or she was acting under color of his or her official authority or in attempting to make the arrest he or she was not resorting to unreasonable or excessive force giving rise to the right of self-defense. A peace officer acts "under color of official authority" when, in the regular course of assigned duties, he or she is called upon to make, and does make, a judgment in good faith based upon surrounding facts and circumstances that an arrest should be made by him or her.
- (Ord. 487 passed 9-2-1997; Code 2003; Code 2015)
- 11-304 PENALTY- A person convicted of a violation of this ordinance shall be punished by a fine of not less than \$500.00 nor more than \$1,000.00 and by confinement in jail of not less than three (3) days nor more than 30days.
- (Ord. 487 passed 9-2-1997; Code 2003; Code 2015)

ARTICLE 4 INTERFERENCE WITH POLICE OFFICER, EMERGENCY MEDICAL SERVICES PROVIDER OR RESCUE SPECIALIST

- 11-401 INTERFERENCE PROHIBITED- It shall be unlawful for any person to knowingly interfere with any peace officer, emergency medical services provider or rescue specialist by using or threatening to use, violence, force, physical interference or an obstacle to obstruct, impair or hinder the enforcement of the penal law or the preservation of the peace by a peace officer, acting under color of his or her official authority; or to knowingly obstruct, impair, or hinder the administration of medical treatment or emergency assistance by an emergency

medical service provider or rescue specialist acting under color of his official authority.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)

11-402 PEACE OFFICER DEFINED- The term peace officer as used in this ordinance means a peace officer in uniform or, if out of uniform, one who has identified himself or herself by exhibiting his or her credentials as a police officer.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)

11-403 EMERGENCY MEDICAL SERVICE PROVIDER DEFINED- The term Emergency Medical Service Provider as used in this ordinance means a member of a public or private emergency medical service agency, whether that person is a volunteer or receives compensation for services rendered as such emergency medical provider.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)

11-404 RESCUE SPECIALIST DEFINED- The term Rescue Specialist as used in this ordinance means a member of a public or private rescue agency or fire department, whether that person is a volunteer or receives compensation for services rendered as such rescue specialist.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)

11-405 ACTING UNDER COLOR OF OFFICIAL AUTHORITY DEFINED- A peace officer, emergency medical services provider or rescue specialist is acting under color of his official authority when, based upon the surrounding facts and circumstances, the person in good faith determines that he or she is to perform his duties and responsibilities as a peace officer, emergency medical services provider or rescue specialist.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)

11-406 PENALTY- A person convicted of this ordinance shall be punished by a fine of not more than \$500.00 or a definite term of confinement in the city or county jail not to exceed 30 days or both.

(Ord. 488 passed 9-2-1997; Code 2003; Code 2015)