

Published 8-20-15

ORDINANCE NO. 0-48-15

An ordinance relating to Chapter 1 General Provisions, amending Sections 1-12, Chapter 22 Miscellaneous Provisions and Offenses, amending Sections 22-34, 22-36, 22-38, 22-39, 22-73, 22-74, 22-76, 22-77, 22-79, 22-80, 22-88, 22-89, 22-90, 22-92, 22-95, 22-115, 22-116, 22-117, 22-120, 22-153, 22-154, 22-177, 22-204, 22-233, 22-235, 22-269, 22-270, 22-271, 22-342, 22-344, 22-345, 22-349, 22-350, 22-380, and Chapter 25 Parks and Recreation, amending Section 25-50, adding new sections to be numbered 22-97, 22-180 and 22-346, and repealing Sections 22-75, 22-178, 22-180, 22-181, 22-232, 22-234, 22-236, 22-346, and 22-347 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Chapter 1, General Provisions, Sections 1-12 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 1-12. - Liability for crimes of another.

- (a) A person is criminally responsible for an offense committed by another if such person, acting with the mental culpability required for the commission thereof, advises, hires, counsels or procures the other to commit the offense or intentionally aids the other in committing the conduct constituting the offense.
- (b) A person liable under subsection (a) of this section is also liable for any other offense committed in pursuance of the intended offense if reasonably foreseeable by such person as a probable consequence of committing or attempting to commit the crime intended.
- (c) A person liable under this section may be charged with and convicted of the offense although the person alleged to have directly committed the act constituting the offense:
 - (1) Lacked criminal or legal capacity;
 - (2) has not been convicted;
 - (3) has been acquitted; or
 - (4) has been convicted of some other degree of the offense or of some other offense based on the same act.

Section 2. That Chapter 22 Miscellaneous Provisions and Offenses, Sections 22-34, 22-36, 22-38, 22-39, 22-73, 22-74, 22-76, 22-77, 22-79, 22-80, 22-88, 22-89, 22-90, 22-92, 22-95, 22-115, 22-116, 22-117, 22-120, 22-153, 22-154, 22-177, 22-204, 22-233, 22-235, 22-269, 22-270, 22-271, 22-342, 22-344, 22-345, 22-349, 22-350, 22-380 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE II. - OFFENSES AGAINST PERSONS

Sec. 22-34. - Battery.

- (a) Battery is defined as:
 - (1) Knowingly or recklessly causing bodily harm to another person; or
 - (2) Knowingly causing physical contact with another person when done in a rude, insulting or angry manner.
- (b) A battery is a class B violation.

Sec. 22-36. - Endangering a child.

- (a) Endangering a child is knowingly and unreasonably causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health may be injured or endangered.
- (b) Nothing in this section shall be construed to mean a child is endangered for the sole reason the child's parent or guardian, in good faith, selects and depends upon spiritual means along through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child.
- (c) Endangering a child is a class A violation.

Sec. 22-38. - Contributing to a child's misconduct or deprivation.

- (a) As used in this section, the term "runaway" means a child under 18 years of age who is voluntarily absent from:
 - (1) The child's home without the consent of the child's parent or other custodian; or
 - (2) A court-ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee.
- (b) Contributing to a child's misconduct or deprivation is:
 - (1) Knowingly causing or encouraging a child under 18 years of age to become or remain a child in need of care as defined by the state code for the care of children;
 - (2) Knowingly causing or encouraging a child under 18 years of age to commit a traffic infraction or an act which, if committed by an adult, would be a misdemeanor or to violate the provisions of K.S.A. 41-727 or K.S.A. 74-8810(j);
 - (3) Failure to reveal, upon inquiry by a uniformed or properly identified law enforcement officer engaged in the performance of such officer's duty, any information one has

- regarding a runaway, with intent to aid the runaway in avoiding detection or apprehension; or
- (4) Knowingly causing or encouraging a child to violate the terms or conditions of the child's probation or conditional release pursuant to subsection (a)(1) of K.S.A. 38-2361, and amendments thereto.
 - (c) Contributing to a child's misconduct or deprivation is a class A violation.
 - (d) A person may be found guilty of contributing to a child's misconduct or deprivation even though no prosecution of the child whose misconduct or deprivation the defendant caused or encouraged has been commenced pursuant to the state code for care of children, state juvenile offenders code or state criminal code.

Sec. 22-39. - Mistreatment of confined person.

- (a) Mistreatment of a confined person is knowingly abusing, neglecting or ill-treating any person, who is detained or confined by any law enforcement officer or by any person in charge of or employed by the owner or operator of any correctional institution.
- (b) Mistreatment of a confined person is a class A violation.

ARTICLE III. – OFFENSES AGAINST PROPERTY

Sec. 22-73. Theft.

- (a) Theft is any of the following acts done with intent to permanently deprive the owner of the possession, use, or benefit of the owner's property or services:
 - (1) Obtaining or exerting unauthorized control over property or services;
 - (2) Obtaining control over property or services by deception;
 - (3) Obtaining control over property or services by threat;
 - (4) Obtaining control over stolen property or services knowing the property or services to have been stolen by another; or
 - (5) Knowingly dispensing motor fuel into a storage container or the fuel tank of a motor vehicle at an establishment in which motor fuel is offered for retail sale and leaving the premises of the establishment without making payment for the motor fuel.
- (b) Theft of property or services of the value of less than \$1,000 is a class A violation, except as provided below.
 - (1) Property of the value of less than \$1,000 from three separate mercantile establishments within a period of 72 hours as part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct;
 - (2) Property of the value of less than \$1,000 if committed by a person who has been convicted of theft two or more times; and
 - (3) Property which is a firearm of the value of less than \$25,000.
- (c) As used in this section:
 - (1) **Conviction** or **convicted** includes being convicted of a violation of K.S.A. 21-3701 prior to its repeal, this section or a municipal ordinance which prohibits the acts that this section prohibits;
 - (2) **regulated scrap metal** means the same as in Supp. 50-6,109, and amendments thereto; and

- (3) **value** means the value of the property or, if the property is regulated scrap metal, the cost to restore the site of the theft of such regulated scrap metal to its condition at the time immediately prior to the theft of such regulated scrap metal, whichever is greater.

Sec. 22-74 Intent; Permanently Deprive

- (a) In any prosecution under this article, the following shall be prima facie evidence of intent to permanently deprive the owner or lessor of property of the possession, use or benefit thereof:
- (1) The giving of a false identification or fictitious name, address or place of employment at the time of obtaining control over the property;
 - (2) The failure of a person who leases or rents personal property and fails to return the same within ten days after the date set forth in the lease or rental agreement for the return of property, if notice is given to the person renting or leasing the property within seven days after receipt of the notice, in which case the subsequent return of the property within the seven-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section;
 - (3) Destroying, breaking or opening a lock, chain, key switch, enclosure or other device used to secure the property in order to obtain control over the property;
 - (4) Destruction of or substantially damaging or altering the property so as to make the property unusable or unrecognizable in order to obtain control over the property;
 - (5) The failure of a person who leases or rents from a commercial renter a motor vehicle under a written agreement that provides for the return of the motor vehicle to a particular place at a particular time, if notice has been given to the person renting or leasing the motor vehicle to return such vehicle within three calendar days from the date of the receipt or refusal of the demand. In addition, if such vehicle has not been returned after demand, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles; or
 - (6) The failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying:
 - a. The time and place to return the vehicle; and
 - b. That failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;
 - (7) Removing a theft detection device, without authority, from merchandise or disabling such device prior to purchase; or
 - (8) Under the provisions of Section 22-73(a)(5) or K.S.A. 21-5801(a)(5), and amendments thereto, the failure to replace or reattach the nozzle and hose of the pump used for the dispensing of motor fuels or placing such nozzle and hose on the ground or pavement.
- (b) In any prosecution in which the object of the alleged theft is a book or other material borrowed from the library, it shall be prima facie evidence of intent to permanently deprive the owner of the possession, use or benefit thereof if the defendant failed to return such book or material within 30 days after receiving notice from the library requesting its return, in which case the subsequent return

of the book or material within the 30-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section.

- (c) In a prosecution for theft as defined in Sec. 22-73 and amendments thereto, and such theft is of services, the existence of any of the connections of meters, alterations or use of unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service, caused by tampering, shall be prima facie evidence of intent to commit theft of services by the person or persons using or receiving the direct benefits from the use of the electricity, natural gas, water, telephone service or cable television service passing through such connections or meters, or using the electricity, natural gas, water, telephone service or cable television service which has not been authorized or measured.
- (d) As used in this section:
 - (1) "Notice" means notice in writing and such notice in writing will be presumed to have been given three days following deposit of the notice as registered or certified matter in the United States mail, addressed to such person who has leased or rented the personal property or borrowed the library material at the address as it appears in the information supplied by such person at the time of such leasing, renting or borrowing, or to such person's last known address; and
 - (2) "tampering" includes, but is not limited to:
 - (a) Making a connection of any wire, conduit or device, to any service or transmission line owned by a public or municipal utility, or by a cable television service provider;
 - (b) defacing, puncturing, removing, reversing or altering any meter or any connections, for the purpose of securing unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service;
 - (c) preventing any such meters from properly measuring or registering;
 - (d) knowingly taking, receiving, using or converting to such person's own use, or the use of another, any electricity, water or natural gas which has not been measured; or any telephone or cable television service which has not been authorized; or
 - (e) causing, procuring, permitting, aiding or abetting any person to do any of the preceding acts.

Sec. 22-76. Criminal deprivation.

- (a) Criminal deprivation of property is obtaining or exerting unauthorized control over property with intent to deprive the owner of the temporary use thereof, without the owner's consent but not with the intent of depriving the owner permanently of the possession, use or benefit of such owner's property.
- (b) Criminal deprivation of property that is a motor vehicle upon a first or second conviction is a Class A violation. Upon a first conviction of this paragraph, a person shall be sentenced to not less than 30 days nor more than one year's imprisonment and fined not less than \$100. Upon a second conviction of this paragraph, a person shall be sentenced to not less than 60 days nor more than one year's imprisonment and fined not less than \$200. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served the minimum mandatory sentence as provided herein. The mandatory provisions of this subsection shall not apply to any persons where such application would result in a manifest injustice.
- (c) Criminal deprivation of property other than a motor vehicle or a firearm is a Class A violation. Upon a second or subsequent conviction of this subsection, a person shall be sentenced to not less than 30 days imprisonment and fined not less than \$100, except that the provision of this subsection relating to a second or subsequent conviction shall not apply to any person where such application would result in a manifest injustice.

Sec. 22-77. Criminal trespass.

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - (1) *Health care facility* means any licensed medical care facility, certificated health maintenance organization, licensed mental health center, or mental health clinic, licensed psychiatric hospital or other facility or office where services of a health care provider are provided directly to patients.
 - (2) *Health care provider* means any person:
 - a. Licensed to practice a branch of the healing art;
 - b. Licensed to practice psychology;
 - c. Licensed to practice professional or practical nursing;
 - d. Licensed to practice dentistry;
 - e. Licensed to practice optometry;
 - f. Licensed to practice pharmacy;
 - g. Registered to practice podiatry;
 - h. Licensed as a social worker; or
 - i. Registered to practice physical therapy.
- (b) Criminal trespass is defined as:
 - (1) Entering or remaining upon or in any land, nonnavigable body of water, structure, vehicle, aircraft or watercraft, other than railroad property, by a person who knows such person is not authorized or privileged to do so; and:
 - a. Such person enters or remains therein in defiance of an order not to enter or to leave such premises or property personally communicated to such person by the owner thereof or other authorized person;
 - b. Such premises or property are posted as provided in K.S.A. 32-1013, and amendments thereto, or in any other manner reasonably likely to come to the attention of intruders, or are locked or fenced or otherwise enclosed, or shut or secured against passage or entry; or
 - c. Such person enters or remains therein in defiance of a restraining order issued by a court of competent jurisdiction and the restraining order has been personally served upon the person so restrained; or
 - (2) Entering or remaining upon or in any public or private land or structure in a manner that interferes with access to or from any health care facility by a person who knows such person is not authorized or privileged to do so and such person enters or remains thereon or therein in defiance of an order not to enter or to leave such land or structure personally communicated to such person by the owner of the health care facility or other authorized person.
- (c) Criminal trespass is a class B violation.
- (d) Upon a conviction of a violation of subsection (b)(1)(c), a person shall be sentenced to not less than 48 consecutive hours of imprisonment, which must be served either before or as a condition of any grant of probation or suspension, reduction of sentence or parole.
- (e) This section shall not apply to:
 - (1) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees who enter upon lands, waters, and other premises in the marking of a survey.
 - (2) Railroad property as defined in K.S.A. 21-5809, and amendments thereto, or nuclear generating facility as defined in K.S.A. 66-2302, and amendments thereto.

Sec. 22-79. - Criminal damage to property.

- (a) Criminal damage to property is by means other than by fire or explosive:
 - (1) Knowingly damaging, , 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) Damaging, defacing, destroying, or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.
- (b) Criminal damage to property is a class B violation if the property damaged is of the value of less than \$1,000.00 or is of the value of \$1,000.00 or more and is damaged to the extent of less than \$1,000.00.

Sec. 22-80. - Tampering with a traffic signal.

- (a) Tampering with a traffic signal is knowingly manipulating, altering, destroying or removing any light, sign, marker, railroad switching device or other signal device erected or installed for the purpose of controlling or directing the movement of motor vehicles, railroad trains, aircraft or watercraft.
- (b) Tampering with a traffic sign is a class C violation.
- (c) Any person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for violating sections 22-73 (Theft) and 22-88 (Theft of Lost or Mislaid Property).

Sec. 22-88. Theft of property lost, mislaid or delivered by mistake.

- (a) Theft of property lost, mislaid or delivered by mistake is obtaining control of property of another by a person who:
 - (1) Knows or learns the identity of the owner thereof;
 - (2) fails to take reasonable measures to restore to the owner lost property, mislaid property or property delivered by a mistake; and
 - (3) intends to permanently deprive the owner of the possession, use or benefit of the property.
- (b) As used in this section, "property delivered by mistake" includes, but is not limited to, a mistake as to the:
 - (1) Nature or amount of the property; or
 - (2) identity of the recipient of the property.
- (c) Theft of property lost, mislaid or delivered by mistake of a value of less than \$1,000 is a class A violation.

Sec. 22-89. - Tampering with a landmark.

- (a) Tampering with a landmark is doing any of the following acts with intent to fraudulently alter a boundary:
 - (1) Removing any monument of stone or other durable material established or created for the purpose of designating the corner of or any other point upon the boundary of any lot or tract of land, of the state, or any legal subdivision thereof;
 - (2) Defacing or altering marks upon any tree, post or other monument made for the purpose of designating any point on such boundary;
 - (3) Cutting down or removing any tree, post or other monument upon which any such marks have been made for such purpose with intent to destroy such marks;

- (4) Defacing or altering any inscription on any such marker or monument; or
- (5) Altering, removing, damaging or destroying any public land survey corner or accessory without complying with the provisions of K.S.A. 58-201 1.
- (b) Tampering with a landmark is a class C violation. Upon a conviction for this offense, the convicted party or parties shall be responsible for the cost of restoring the landmark to its original condition.

Sec. 22-90. - Criminal desecration.

- (a) Criminal desecration is:
 - (1) Knowingly obtaining or attempting to obtain unauthorized control of a dead body or remains of any human being or the coffin, urn or other article containing a dead body or remains of any human being;
 - (2) Recklessly by means other than by fire or explosive:
 - a. Damaging, defacing or destroying the flag, ensign or other symbol of the United States, of this state, or of any of its political subdivisions in which another has a property interest without the consent of such other person;
 - b. Damaging, defacing or destroying any public monument or structure;
 - c. Damaging, defacing or destroying any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or
 - d. Damaging, defacing or destroying any place or worship.
- (b) Criminal desecration, as described in subsections (a)(2)(b), (a)(2)(c) or (a)(2)(d) of this section, is a class A violation if the property is damaged to the extent of less than \$1,000. Upon a conviction for this offense, the convicted party or parties shall be responsible for the cost of restoring the object to its original condition.
- (c) Criminal desecration as described in subsections (a)(1) or (a)(2)(a) is a Class A violation.

Sec. 22-92. - Trespassing on railroad property.

- (a) Trespassing on railroad property is:
 - (1) Entering or remaining on railroad property, without consent of the owner or the owner's agent, knowing that it is railroad property; or
 - (2) Recklessly causing in any manner the derailment of a train, railroad car or rail-mounted work equipment.
- (b) Violation of subsection (a) of this section which results in a demonstrable monetary loss, damage or destruction of railroad property, when such loss is valued at less than \$1,500.00, upon conviction, shall be considered a class A violation.
- (c) Subsection (a) of this section shall not be construed to interfere with the lawful use of a public or private crossing.
- (d) Nothing in this section shall be construed as limiting a representative or member of a labor organization which represents or is seeking to represent the employees of the railroad from conducting such business as provided under the Railway Labor Act (45 USC §141 et seq.) and other federal labor laws.
- (e) As used in this section, the term "railroad property" includes, but is not limited to, any train, locomotive, railroad car, caboose, rail-mounted work equipment, rolling stock, work equipment, safety device, switch, electronic signal, microwave communication equipment, connection, railroad track, rail, bridge, trestle, right-of-way or other property that is owned, leased, operated or possessed by a railroad company.

Sec. 22-95. - Criminal use of a financial card.

- (a) Criminal use of a financial card is any of the following acts done with intent to defraud and to obtain money, goods, property or services:
 - (1) Using a financial card without the consent of the cardholder;
 - (2) Using a financial card, or the number or description thereof, which has been revoked or canceled; or
 - (3) Using a falsified, mutilated, altered or nonexistent financial card or number or description thereof.
- (b) For the purposes of this section:
 - (1) Financial card means identification card, plate, instrument, device or number issued by a business organization authorizing the cardholder to purchase, lease or otherwise obtain money, goods, property or services or to conduct other financial transactions; and
 - (2) Cardholder means the person or entity to whom or for whose benefit a financial card is issued.
- (c) For the purposes of subsection (a)(2), a financial card shall be deemed canceled or revoked when notice in writing thereof has been received by the named holder thereof as shown on such financial card or by the records of the company.
- (d) Criminal use of a financial card is a class A violation if the money, goods, property or services obtained within a seven-day period are of value of less than \$1,000.00.

ARTICLE IV.- OFFENSES AGAINST PUBLIC PEACE

Sec. 22-115. - Disorderly conduct.

- (a) Disorderly conduct is one or more of the following acts that the person knows or should know will alarm, anger or disturb others or provoke an assault or other breach of the peace:
 - (1) Brawling or fighting;
 - (2) Disturbing an assembly, meeting or procession not unlawful in character; or
 - (3) Using fighting words or engaging in noisy conduct tending reasonably to arouse alarm, anger or resentment in others.
- (b) As used in this section, fighting words means words that by their very utterance inflict injury or tend to incite the listener to an immediate breach of the peace.
- (c) Disorderly conduct is a class C violation.

Sec. 22-116. - Unlawful assembly; remaining at an unlawful assembly.

- (a) An unlawful assembly is
 - (1) The meeting or coming together of not less than five persons with the intent to engage in conduct constituting:
 - (a) Disorderly conduct, as prohibited in section 22-115; or
 - (b) a riot, as defined by section 22-117; or
 - (2) When a lawful assembly of not less than five persons, agreeing to engage in such conduct constituting disorderly conduct or riot.
- (b) Unlawful assembly is a class B violation.

- (c) Remaining at an unlawful assembly is intentionally failing to depart from the place of an unlawful assembly after being directed to leave by a law enforcement officer.
- (d) Remaining at an unlawful assembly is a class A violation.

Sec. 22-117. - Riot.

- (a) Riot is five or more persons acting together and without lawful authority engaging in any:
 - (1) Use of force or violence which produces a breach of the public peace; or
 - (2) Threat to use such force or violence against any person or property if accompanied by power or apparent power of immediate execution.
- (b) Riot is a class A violation.

Sec. 22-120. - Giving a false alarm.

- (a) Giving a false alarm is:
 - (1) Transmitting in any manner to the fire department a false alarm of fire, knowing at the time of such transmission that there is no reasonable ground for believing that such fire exists; or
 - (2) Making a call in any manner for emergency service assistance, including police, fire, medical or other emergency service provided under K.S.A. 12-5301 et seq., and amendments thereto, knowing at the time of such call that there is no reasonable ground for believing such assistance is needed.
- (b) Giving a false alarm is a class A violation.
- (c) An offender who violates the provisions of this section may also be prosecuted for, convicted of, and punished for interference with law enforcement.

ARTICLE V. - OFFENSES AGAINST PUBLIC SAFETY

Sec. 22-153. - Creating a hazard.

- (a) Creating a hazard is recklessly:
 - (1) Storing or abandoning in any place accessible to children a container which has a compartment of more than 1½ cubic-foot capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside and failing to remove the door, lock, lid or fastening device on such container;
 - (2) Being the owner or otherwise having possession of property upon which a cistern, well or cesspool is located and failing to cover the same with protective covering of sufficient strength and quality to exclude human beings and domestic animals therefrom; or
 - (3) Exposing, abandoning or otherwise leaving any explosive or dangerous substance in a place accessible to children.
- (b) Creating a hazard is a class B violation.

Sec. 22-154. - Throwing stones, bricks, wood, etc., generally.

- (a) It is unlawful to recklessly throw, push, pitch or otherwise cast any rock, stone or other object, matter or thing onto a street, road, highway, railroad right-of-way, alley, or upon any vehicle, engine or car or any train, locomotive, railroad car, caboose, rail-mounted work equipment or rolling stock thereon. Any person violating this section is guilty of a Class B violation.
- (b) Any person violating subsection (a) of this section who damages any vehicle, engine or car or any train, locomotive, railroad car, caboose, rail-mounted work equipment or rolling stock lawfully on the street, highway or railroad right-of-way by the thrown or cast rock, stone or other object is guilty of a class A violation.

Sec. 22-177 - Unlawful use of weapons.

- (a) Unlawful use of weapons is knowingly:
 - (1) Selling, manufacturing, purchasing, carrying or possessing any bludgeon, sandclub, metal knuckles or throwing star;
 - (2) Carrying or possessing with the intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, or any other dangerous or deadly weapon or instrument of like character;
 - (3) Carrying or possessing on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;
 - (4) Setting a spring gun;
 - (5) Discharging or firing any air rifle, pellet gun or BB gun within the city limits while on the streets, alleys or public places;
 - (6) Discharging any gun, revolver, pistol, or firearm of any description within the city;
 - (7) Selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;
 - (8) Selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;
 - (9) Selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;
 - (10) Possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;
 - (11) Possessing any firearm by any person, other than a law enforcement officer in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;
 - (12) Refusing to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

- (13) Possession of any pistol, revolver or other firearm concealed on one's person if such person is under 21 years of age, except when on such person's land or in such person's abode or fixed place of business.
- (b) Subsections (a)(1) and (a)(2) of this section shall not apply to or affect any of the following:
 - (1) Law enforcement officers or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officers;
 - (2) Wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crimes, while acting within the scope of their authority;
 - (3) Members of the armed services or reserve forces of the United States or the state national guard while in the performance of their official duty;
 - (4) Manufacture of, transportation to, or sale of weapons to persons authorized under subsections (b)(1)—(b)(3) of this section to possess such weapons;
- (c) Subsection (a)(5) and (a)(6) of this section shall not apply to the discharge of firearms in any licensed shooting gallery, by a gunsmith in carrying on his trade, or by any officer of the law in the discharge of his official duties.
- (d) Subsection (a)(11) of this section shall not apply to:
 - (1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;
 - (2) Possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;
 - (3) Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student;
 - (4) Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or
 - (5) Possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law.
- (e) Subsection (a)(9) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. Supp. 75-7c26, and amendments thereto.
- (f) Unlawful use of weapons is a class A violation.

ARTICLE VI. – OFFENSES AGAINST PUBLIC MORALS

Sec. 22-204. Selling, Giving or Furnishing cigarettes or tobacco products to a minor.

- (a) It shall be unlawful for any person to:
 - (1) Sell, furnish or distribute to any person under the age of 18 years any cigarettes, electronic cigarettes, or tobacco products; or
 - (2) Buy any cigarettes, electronic cigarettes, or tobacco products for any person under 18 years of age.
- (b) It shall be a defense to a prosecution under subsection (a) of this section if:
 - (1) The defendant is a licensed retail dealer, or employee thereof, or a person authorized by law to distribute samples;
 - (2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, or tobacco products to the person under 18 years of age with reasonable cause to believe the person was of legal age to purchase or receive cigarettes, electronic cigarettes or tobacco products; and

- (3) To purchase or receive the cigarettes, electronic cigarettes, or tobacco products, the person under 18 years of age exhibited to the defendant a driver's license, Kansas non driver's identification card or other official or apparently official document containing a photograph of the person and purporting to establish that the person was of legal age to purchase or receive cigarettes, electronic cigarettes, or tobacco products.
- (c) It shall be a defense to a prosecution under subsection (a) of this section if:
 - (1) The defendant engages in the lawful sale, furnishing or distribution of cigarettes, electronic cigarettes, or tobacco products by mail; and
 - (2) The defendant sold, furnished or distributed the cigarettes, electronic cigarettes, or tobacco products to the person by mail only after the person had provided to the defendant an unsworn declaration, conforming to K.S.A. 53-601, that the person was 18 or more years of age.
- (d) For purposes of this section, the person who violates this section shall be the individual directly selling, furnishing or distributing the cigarettes, electronic cigarettes, or tobacco products to any person under 18 years of age or the retail dealer who has actual knowledge of such selling, furnishing or distributing by such individual or both.
- (e) *Electronic cigarette or e-cigarette* means a device that delivers nicotine or other substances to the person inhaling from the device, including but not limited to any electronic cigarette, cigar, pipe, or hookah, including any component, part, or accessory of such a device, whether or not sold separately. E-cigarette shall not include any products that have been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.
- (f) Violation of this section is a class B violation punishable by a minimum fine of \$200.

Sec. 22-233. Selling sexual relations

- (a) Selling sexual relations is performing for hire, or offering or agreeing to perform for hire where there is an exchange of value, any of the following acts:
 - (1) Sexual intercourse;
 - (2) Sodomy; or
 - (3) Manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another.
- (b) Selling sexual relations is a class B nonperson misdemeanor.
- (c) It shall be an affirmative defense to any prosecution under this section that the defendant committed the violation of this section because such defendant was subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 21-6422, and amendments thereto.

Sec. 22-235. Buying sexual relations.

- (a) Buying sexual relations is knowingly:
 - (1) Entering or remaining in a place where sexual relations are being sold or offered for sale with intent to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or

- another, sexual intercourse, sodomy or any unlawful sexual act with a person who is 18 years of age or older; or
- (2) hiring a person selling sexual relations who is 18 years of age or older to engage in manual or other bodily contact stimulation of the genitals of any person with the intent to arouse or gratify the sexual desires of the offender or another, sexual intercourse, sodomy or any unlawful act.
- (b) (1) Buying sexual relations is a class A person misdemeanor on conviction of a first offense.
- (2) In addition to any other sentence imposed, a person convicted under this section shall be fined \$2,500. All fines collected pursuant to this subsection shall be remitted to the human trafficking victim assistance fund.
- (3) In addition to any other sentence imposed, for any conviction under this section, the court may order the person convicted to enter into and complete a suitable educational and treatment program regarding commercial sexual exploitation.

Sec. 22-269. - Commercial Gambling.

- (a) Commercial gambling is knowingly:
- (1) Granting the use or allowing the continued use of a place as a gambling place; or
 - (2) Permitting another to set up a gambling device for use in a place under the offender's control.
- (b) Commercial gambling is a class B violation.

Sec. 22-270. - Possession of a gambling device; defense.

- (a) It shall be unlawful for any person to possess a gambling device.
- (b) It shall be a defense to a prosecution under this section that the gambling device is an antique slot machine and that the antique slot machine was not operated for gambling purposes while in the owner's or the defendant's possession. A slot machine shall be deemed an antique slot machine if it was manufactured prior to the year 1950.
- (c) It shall be a defense to a prosecution under this section that the gambling device is possessed or under custody or control of a manufacturer registered under the Federal Gambling Devices Act of 1962 (15 USC 1171 et seq.), or a transporter under contract with such manufacturer with intent to transfer for use:
- (1) By the state lottery or state lottery retailers as authorized law and rules and regulations adopted by the state lottery commission;
 - (2) By a licensee of the state racing commission as authorized by law and rules and regulations adopted by the commission;
 - (3) In a state other than this state; or
 - (4) In tribal gaming.
- (d) Possession of a gambling device is a class B violation.

Sec. 22-271. - Cockfighting.

- (a) Unlawful possession of cockfighting paraphernalia is possession of, with the intent to use in the unlawful conduct of cockfighting, spurs, gaffs, swords, leather training spur covers, or anything worn by a gamecock during a fight to further the killing power of such gamecock.
- (b) Unlawful attendance of cockfighting is entering or remaining on the premises where the unlawful conduct of cockfighting is occurring, whether or not the person knows or has reason to know that cockfighting is occurring on the premises.
- (c) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for cruelty to animals.
- (d) Unlawful possession of cockfighting paraphernalia is a class A violation.
- (e) Unlawful attendance of cockfighting is a class B violation.

ARTICLE VII.- OFFENSES AGAINST GOVERNMENT FUNCTIONS

Sec. 22-342. - Unlawful interference with firefighter.

- (a) Unlawful interference with a firefighter is knowingly:
 - (1) interfering with any firefighter while engaged in the performance of such firefighter's duties; or
 - (2) obstructing, interfering with or impeding the efforts of any firefighter to reach the location of a fire or other emergency.
- (b) Unlawful interference with a firefighter is a Class B violation.
- (c) Any person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for assault or battery.

Sec. 22-344. Battery against a law enforcement officer.

- (a) Battery against a law enforcement officer is a battery, as defined in section 22-34(a)(2), committed against:
 - (1) A uniformed or properly identified university or campus police officer while such officer is engaged in the performance of such officer's duty; or
 - (2) a uniformed or properly identified state, county, or city law enforcement officer, other than a state correctional officer or employee, a city or county correctional officer or employee, a juvenile correctional facility officer or employee or a juvenile detention facility officer or employee, while such officer is engaged in the performance of such officer's duty.
- (b) Battery against a law enforcement officer is a class A violation.

Sec. 22-345. Escape from custody.

- (a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - (1) *Custody* means arrest; detention in a facility for holding persons charged with or convicted of crimes, detention for extradition or deportation, detention in a hospital or other facility pursuant to court order, imposed as a specific condition of probation or parole or imposed as a specific condition of assignment to a community correctional services program;

commitment to the state security hospital as provided in K.S.A. 22-3428, and amendments thereto; or any other detention for law enforcement purposes. "Custody" does not include general supervision of a person on probation or parole or constraint incidental to release on bail.

- (2) *Escape* means departure from custody without lawful authority or failure to return to custody following temporary leave lawfully granted pursuant to express authorization of law or order of a court.
- (b) Escape from custody is escaping while held in custody on a:
 - (1) Charge, conviction of or arrest for a misdemeanor or ordinance violation;
 - (2) Commitment to the state security hospital as provided by K.S.A. 22-3428, and amendments thereto, based on a finding that the person committed an act constituting a misdemeanor or by a person 18 years of age or over who is being held in custody on an adjudication of a misdemeanor or ordinance violation.
- (c) As used in this section, the term charge shall not require that the offender was held on a written charge contained in a complaint, information or indictment, if such offender was arrested prior to such offender's escape from custody.
- (d) Escape from custody is a Class A violation.

Sec. 22-349. - Interference with the Judicial Process

- (a) Interference with the judicial process is:
 - (1) Committing any of the following acts, with intent to influence, impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor:
 - (a) Communicating in any manner a threat of violence to any judicial officer or any prosecutor;
 - (b) Harassing a judicial officer or a prosecutor by repeated vituperative communication; or
 - (c) Picketing, parading or demonstrating near such officer's or prosecutor's residence or place of abode;
 - (2) Picketing, parading or demonstrating in or near a building housing a judicial officer or a prosecutor with intent to impede or obstruct the finding, decision, ruling, order, judgment or decree of such judicial officer or prosecutor on any matter then pending before the officer or prosecutor;
 - (3) Knowingly accepting or agreeing to accept anything of value as consideration for a promise:
 - (a) Not to initiate or aid in the prosecution of a person who has committed a crime; or
 - (b) To conceal or destroy evidence of a crime;
 - (4) Knowingly or intentionally in any criminal proceeding or investigation:
 - (a) Inducing a witness or informant to withhold or unreasonably delay in producing any testimony, information, document or thing;
 - (b) Withholding or unreasonably delaying in producing any testimony, information, document or thing after a court orders the production of such testimony, information, document or thing;
 - (c) Altering, damaging, removing or destroying any record, document or thing, with the intent to prevent it from being produced or used as evidence; or
 - (d) Making, presenting or using a false record, document or thing with the intent that the record, document or thing, material to such criminal proceeding or investigation, appear in evidence to mislead a justice, judge, magistrate, master or law enforcement officer; or
 - (5) Knowingly making available by any means personal information about a judge or the judge's immediate family member, if the dissemination of the personal information poses an imminent and serious threat to the judge's safety or the safety of such judge's immediate

family member, and the person making the information available knows or reasonably should know of the imminent and serious threat.

- (b) Nothing in this section shall limit or prevent the exercise by any court of this state of its power to punish for contempt.
- (c) As used in this section:
 - (1) "Immediate family member" means a judge's spouse, child, parent or any other blood relative who lives in the same residence as such judge.
 - (2) "Judge" means any duly elected or appointed justice of the Supreme Court, judge of the court of appeals, judge of any district court of Kansas, district magistrate judge or municipal court judge.
 - (3) "Personal information" means a judge's home address, home telephone number, personal mobile telephone number, pager number, personal e-mail address, personal photograph, immediate family member photograph, photograph of the judge's home, and information about the judge's motor vehicle, any immediate family member's motor vehicle, any immediate family member's place of employment, any immediate family member's child care or day care facility and any immediate family member's public or private school that offers instruction in any or all of the grades kindergarten through 12.
- (d) Interference with the judicial process is a Class A violation, except that a second or subsequent conviction of section (a)(5) is a severity level 9, person felony.

Sec. 22-350. - Interference; conduct, public business in public building.

- (a) Interference with the conduct of public business in public buildings is:
 - (1) Conduct at or in any public building owned, operated or controlled by the state or any of its political subdivisions so as to intentionally deny to any public official, public employee, or any invitee on such premises the lawful rights of such official, employee, or invitee to enter, to use the facilities, or to leave any such public building;
 - (2) Knowingly impeding any public official or employee in the lawful performance of duties or activities through the use of restraint, abduction, coercion, or intimidation or by force and violence or threat thereof;
 - (3) Knowingly refusing or failing to leave any such public building upon being requested to do so by the chief administrative officer, or such officer's designee, charged with maintaining order in such public building, if such person is committing, threatens to commit or incites others to commit any act which did or would, if completed, disrupt, impair, interfere with, or obstruct the lawful missions, processes, procedures, or functions being carried on in such public building;
 - (4) Knowingly impeding, disrupting or hindering the normal proceedings of any meeting or session conducted by any judicial or legislative body or official at any public building by any act of intrusion into the chamber or other areas designated for the use of the body, or official conducting such meeting or session, or by any act designed to intimidate, coerce or hinder any member of such body, or any official engaged in the performance of duties at such meeting or session;
 - (5) Knowingly impeding, disrupting or hindering, by any act of intrusion into the chamber or other areas designed for the use of any executive body or official, the normal proceedings of such body or official.
- (b) Interference with the conduct of public business in public buildings is a class A violation.

ARTICLE VIII. – OTHER OFFENSES

Sec. 22-380. - Littering.

- | (a) Littering is ~~intentionally or~~ recklessly depositing or causing to be deposited any object or substance into, upon or about:
 - (1) Any public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts; or
 - (2) Any private property without the consent of the owner or occupant of such property.
- (b) Littering is a class C violation.

Section 3. That Chapter 25 Parks and Recreation, Section 25-50 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

| ARTICLE III.- CONDUCT IN PARKS

Sec. 25-50. - Animals, hunting and firearms.

- (a) No person shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot, throw missiles at or give toxic substances to any animal, reptile or bird. No person shall remove or have in his possession the young of any wild animal or the eggs, nests or the young of any reptile or bird.
- (b) No person shall use, carry or possess air rifles, spring guns, bows and arrows, slings, any other forms potentially inimical to wildlife and dangerous to human safety, or any kind of trapping device.

Section 4. That new sections 22-97, 22-180, and 22-346 be added to Chapter 22, Articles III, V, and VII, respectively, of the Unified Government code as follows:

ARTICLE III. – OFFENSES AGAINST PROPERTY

New Section: 22-97 Unlawful acts concerning computers

- (a) It is unlawful for any person to:
 - (1) Knowingly and without authorization, disclose a number, code, password or other means of access to a computer, computer network, social networking website or personal electronic content; or
 - (2) knowingly and without authorization, access or attempt to access any computer, computer system, social networking website, computer network or computer software, program, documentation, data or property contained in any computer, computer system or computer network.
- (b) Violation of this section is a class A misdemeanor.
- (c) As used in this section:

- (1) "Access" means to instruct, communicate with, store data in, retrieve data from or otherwise make use of any resources of a computer, computer system or computer network;
- (2) "computer" means an electronic device which performs work using programmed instruction and which has one or more of the capabilities of storage, logic, arithmetic or communication and includes all input, output, processing, storage, software or communication facilities which are connected or related to such a device in a system or network;
- (3) "computer network" means the interconnection of communication lines, including microwave or other means of electronic communication, with a computer through remote terminals, or a complex consisting of two or more interconnected computers;
- (4) "computer program" means a series of instructions or statements in a form acceptable to a computer which permits the functioning of a computer system in a manner designed to provide appropriate products from such computer system;
- (5) "computer software" means computer programs, procedures and associated documentation concerned with the operation of a computer system;
- (6) "computer system" means a set of related computer equipment or devices and computer software which may be connected or unconnected;
- (7) "financial instrument" means any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card, debit card or marketable security;
- (8) "personal electronic content" means the electronically stored content of an individual including, but not limited to, pictures, videos, emails and other data files;
- (9) "property" includes, but is not limited to, financial instruments, information, electronically produced or stored data, supporting documentation and computer software in either machine or human readable form;
- (10) "services" includes, but is not limited to, computer time, data processing and storage functions and other uses of a computer, computer system or computer network to perform useful work;
- (11) "social networking website" means a privacy-protected internet website which allows individuals to construct a public or semi-public profile within a bounded system created by the service, create a list of other users with whom the individual shares a connection within the system and view and navigate the list of users with whom the individual shares a connection and those lists of users made by others within the system; and
- (12) "supporting documentation" includes, but is not limited to, all documentation used in the construction, classification, implementation, use or modification of computer software, computer programs or data.

State Law Reference – KSA 21-5839

ARTICLE V. – OFFENSES AGAINST PUBLIC SAFETY

New Section 22-180 Criminal Distribution of Firearms to a Felon

- (a) Criminal distribution of firearms to a felon is knowingly:
 - (1) Selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection (c), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was not found to have been in possession of a firearm at the time of the commission of the felony;
 - (2) selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in possession of a firearm at the time of the commission of the

- felony, or has been released from imprisonment for such a felony, and has not had the conviction of such felony expunged or been pardoned for such felony; or
- (3) selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the felony.
- (b) Criminal distribution of firearms to a felon is a class A nonperson misdemeanor.
 - (c) Subsection (a)(2) shall apply to a felony under K.S.A. 21-5402, 21-5403, 21-5404, 21-5405, 21-5408, subsection (b) or (d) of 21-5412, subsection (b) or (d) of 21-5413, subsection (a) or (b) of 21-5415, subsection (b) of 21-5420, 21-5503, subsection (b) of 21-5504, subsection (b) of 21-5505, and subsection (b) of 21-5807, and amendments thereto, K.S.A. 21-5705 or 21-5706, and amendments thereto, or K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a, 65-4127b or 65-4160 through 65-4165, prior to their repeal, or a crime under a law of another jurisdiction which is substantially the same as such felony.
 - (d) It is not a defense that the distributor did not know or have reason to know:
 - (1) The precise felony the recipient committed;
 - (2) that the recipient was in possession of a firearm at the time of the commission of the recipient's prior felony; or
 - (3) that the convictions for such felony have not been expunged or pardoned.

State Law Reference KSA 21-6303

ARTICLE VII. – OFFENSES AGAINST GOVERNMENT FUNCTIONS

New Section 22-346 Interference with law enforcement

- (a) Interference with law enforcement is:
 - (1) Falsely reporting to a law enforcement officer, law enforcement agency or state investigative agency:
 - (a) That a particular person has committed a crime, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information;
 - (b) that a law enforcement officer has committed a crime or committed misconduct in the performance of such officer's duties, knowing that such information is false and intending that the officer or agency shall act in reliance upon such information; or
 - (c) any information, knowing that such information is false and intending to influence, impede or obstruct such officer's or agency's duty; or
 - (2) concealing, destroying or materially altering evidence with the intent to prevent or hinder the apprehension or prosecution of any person; or
 - (3) knowingly obstructing, resisting or opposing any person authorized by law to serve process in the service or execution or in the attempt to serve or execute any writ, warrant, process or order of a court, or in the discharge of any official duty.
- (b) Interference with a law enforcement is a Class A violation if the underling offense is a code violation or a civil case.

State Law Reference- Similar Provisions K.S.A. 21-5904

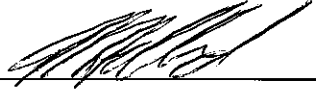
Section 5. That said original Sections 1-12, 22-34, 22-36, 22-38, 22-39, 22-73, 22-74, 22-75, 22-76, 22-77, 22-79, 22-80, 22-88, 22-89, 22-90, 22-92, 22-95, 22-115, 22-116, 22-117, 22-120, 22-153, 22-154, 22-177, 22-178, 22-180, 22-181, 22-204, 22-232, 22-233, 22-234, 22-235, 22-236, 2-269, 22-270, 22-271, 22-342, 22-344, 22-345, 22-346, 22-347, 22-349,

22-350, 22-380, and Chapter 25 Parks and Recreation, Section 25-50 of the Unified Government Code are hereby repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

THIS 13 DAY OF August, 2015.



Mark Holland, Mayor/CEO

Attest:

Carol Bodzio

Deputy Unified Government Clerk

Approved As To Form:

Jennifer Myers, Assistant Counsel