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ORDINANCE NO. 1056

AN ORDINANCE REVISING AND AMENDING, IN ITS ENTIRETY, CHAPTER IX, ARTICLE 1, SECTION 9-111 OF THE CODE FOR THE CITY OF CHAPMAN, KANSAS TO CONFIRM THE ADOPTION OF A MUNICIPAL COURT FINE/BOND SCHEDULE AND CONFIRM THE AUTHORITY OF THE MUNICIPAL JUDGE FOR THE CITY OF CHAPMAN, KANSAS TO PREPARE, ADOPT, AND PERIODICALLY REVISE THE SAME BY ORDER OF THE COURT, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

BE IT THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHAPMAN, KANSAS:

Section 1. REVISED SECTION.

That That Chapter IX, Article 1, Section 9-111 shall be revised and amended in its entirety to read in full as follows:

9-111 Court costs and fees.

(a) The Governing Body does adopt, by reference, the City of Chapman fine/bond schedule for Standard Traffic Ordinances and Uniform Public Offenses, where applicable. Consistent with the statutory powers granted a Municipal Judge within the State of Kansas, pursuant to Kansas Statutes Annotated 12-4106, and further endorsed herein in this Article, Section 9-102, the currently appointed Municipal Judge for the Chapman Municipal Court is empowered to prepare and adopt a Fine/Bond Schedule and revise or update the same consistent with the current laws and requirements of the State of Kansas. Such Fine/Bond Schedule shall be effective and enforceable from and after Order of the Court attached to the then approved Fine/Bond Schedule.

(b) The Chapman Municipal Court shall assess the following court costs in cases in the Municipal Court:

- (1) One Hundred Ten Dollars (\$110.00) in any case involving a violation of the Standard Traffic Ordinance, Uniform Public Offense Code, State Statute, or any other municipal ordinance, unless specifically exempted from court costs in the ordinance or statute itself.

(c) The Chapman Municipal Court shall assess the following Incarceration Fee in addition to court costs in cases in the Municipal Court and:

- (1) Such Incarceration Fee shall be Forty-Five Dollars (\$45.00) in any case for which court costs are required pursuant to subsection (a) above.
- (2) The Court Clerk shall deposit incarceration fees into a line item city account established for such fees and known as the Incarceration Fee Fund.
- (3) Incarceration fees shall be used for reimbursement of other agencies for incarcerating City of Chapman prisoners incarcerated pursuant to orders of the municipal court or held pending bond on a misdemeanor municipal court case.
- (4) Such fees may be transferred to the general fund on an annual basis upon a finding by the governing body that, subsequent to any annual transfer, the Incarceration Fee Fund retains sufficient funds to cover expected incarceration costs for the coming year.
- (5) The Incarceration Fee Fund shall not be used for incarceration pursuant to any matter which involves a felony charge or for which the Chapman Municipal Court does not otherwise have jurisdiction.

Section 2. REVISION, REPLACEMENT, AND REPEAL.

Any prior versions of this Section are hereby revised and replaced with the language in Section 1 hereof, and any other current ordinances or portions thereof in conflict herewith are hereby repealed.

Section 3. Effective date.

This Ordinance shall be published shall take effect and be in force from and after the publication of this Ordinance one time in the Dickinson County News – Times.

ADOPTED AND PASSED by the Governing Body of the City of Chapman, Kansas
on 14 September, 2022 and **APPROVED AND SIGNED** by the Mayor.

Approved:


Howard Battishill, Mayor, Chapman Kansas

ATTEST:


Bill Flanery, City Clerk

(Approved as to Form):

s/ Bradley D. Jantz
Bradley D. Jantz, Chapman City Attorney

Chapman, Kansas, this 14th day of September, 2022.

Article	Violation	Bond/Fine Remarks		
2.1	Attempt to Commit an Offense	Same as for the Offense		
2.2	Conspiring to Commit an Offense	Same as for the Offense		
3.1	Battery	500	Court Appearance Required	
3.1.1	Domestic Battery	500	Court Appearance Required	
3.2	Battery Against Law Enforcement Officer	1000	Court Appearance Required	
3.2.1	Sexual Battery	500	Court Appearance Required	
3.2.2	Battery Against School Employee	500	Court Appearance Required	
3.3	Assault	90	Court Appearance Required	
3.3(b)	Assault of Law Enforcement Officer	250	Court Appearance Required	
3.4	Unlawful Interference with Emergency Medical Services	90	Court Appearance Required	
3.5	Unlawful Interference with Firefighter	90	Court Appearance Required	
3.6	Unlawful Restraint	250	Court Appearance Required	
3.7	Mistreatment of Confined Person	250	Court Appearance Required	
3.7.1	Interference with Custody of a Committed Person	250	Court Appearance Required	
3.8.1	Violation of Protective Order	500	Court Appearance Required	
3.9	Criminal False Communication	250	Court Appearance Required	
3.10	Hazing	250	Court Appearance Required	
3.11	Unlawful Administration of a Substance	500	Court Appearance Required	
3.12	Breach of Privacy	150	Court Appearance Required	
3.13	Stalking	500	Court Appearance Required	
4.1	Lewd and Lascivious Behavior	150	Court Appearance Required	
4.3	Selling Sexual Relations	500	Court Appearance Required	
4.5	Buying Sexual Relations	1200	Court Appearance Required	
4.5.1	Unlawful Use of a Communication Facility	500	Court Appearance Required	
5.1	Contributing to a Child's Misconduct or Deprivation	250	Court Appearance Required	
5.1.2	Unlawful Possession of a Visual Depiction of a Child	250	Court Appearance Required	
5.1.3	Unlawful Transmission of a Visual Depiction of a Child	500	Court Appearance Required	
5.2	Furnishing Alcoholic Liquor or CMB to a Minor	250	Court Appearance Required	
5.3	Unlawful Hosting (a minor's place to drink)	1000	Court Appearance Required	
5.4	Endangering a Child	500	Court Appearance Required	
5.5	Watercraft; Lifesaving Devices Required Selling or Giving	60		
5.6	Cigarettes to Minors Purchase/Possess/Consume of	25	Court Appearance Required	
5.7	Cigarettes to Minors Selling/Giving/Furnishing	200	Court Appearance Required	
5.8	Alcohol or CMB by Minor	200	Court Appearance Required	
6.1	Theft	200	Court Appearance Required	
6.3	Theft of Lost/Mislaid Property	200	Court Appearance Required	
6.5	Criminal Deprivation of Property	200	Court Appearance Required	
6.6	Criminal Damage to Property	90	Court Appearance Required	
6.7	Criminal Trespass	90	Court Appearance Required	
6.7.1	Trespassing on Railroad Property	90	Court Appearance Required	
6.7.2	Trespassing on Critical Infrastructure Facility	90	Court Appearance Required	
6.8	Criminal Littering	250	1000	2000
6.9	Tampering With a Landmark	60		
6.10	Tampering With a Traffic Signal	90		
6.11	Unlawful Manufacture/Disposal of False Tokens	90	Court Appearance Required	
6.12	Serial Numbers	90		
6.13	Withholding Possession of Public Property	90		
6.14	Unlawful Deposits in Sewer	60		
6.15	Damaging Sewers	250	Court Appearance Required	
6.17	Criminal Use of Financial Card	200 Bond	Court Appearance Required	
6.18	Vehicle Dealer Selling without License	90	Court Appearance Required	
6.20	Unlawful Acts Concerning Computers	250	Court Appearance Required	
6.21	Taking Wildlife Without Permission on Posted Land	90	Court Appearance Required	
6.22	Criminal Hunting	90	Court Appearance Required	
6.23	Unlawful Use of Recording Device (in movie theatre)	90	Court Appearance Required	
6.23.1	Unlawful Use of Recordings	250	Court Appearance Required	

Article	Violation	Bond/Fine		Remarks
6.24	Commercial Fossil Hunting	250		Court Appearance Required
6.25	Counterfeiting	1000		Court Appearance Required
6.26	Automobile Master Key Violation	90		
7.1	Unlawful Tampering with Electronic Monitoring Equipment	500		Court Appearance Required
7.2	Intefering with LEO	250		Court Appearance Required
7.2(a)(1)	Falsely Reporting an Offense	250		Court Appearance Required
7.3	Escape from Custody	1000		Court Appearance Required
7.4	Interference, Judicial Process	500		Court Appearance Required
7.6	Performance of Unauthorized Official Act	90		Court Appearance Required
7.7	Simulating Legal Process	90		Court Appearance Required
7.8	Tampering with Public Record	250		Court Appearance Required
7.9	Tampering with Public Notice	90		
7.10	False Signing of Petition	90		
7.11	False Impersonation	250		Court Appearance Required
7.12	Interference, Conduct, Public Business in Public Bldg.	250		Court Appearance Required
7.13	Interference with Police Dogs	250		Court Appearance Required
7.14	Electioneering	60		
7.15	Intimidation of a Witness or Victim	500		Court Appearance Required
7.16	Obstructing Apprehension or Prosecution	500		Court Appearance Required
7A.1	Official Misconduct	250		Court Appearance Required
7A.2	Compensation for Past Official Acts	90		Court Appearance Required
7A.3	Presenting a False Claim; Permitting a False Claim	250		Court Appearance Required
7A.4	Misuse of Public Funds	250		Court Appearance Required
8.1	Denial of Civil Rights	90		Court Appearance Required
8.2	Unlawful Disclosure of Tax Information	250		Court Appearance Required
8.3	Unjustifiably Exposing a Convicted or Charged Person	90		Court Appearance Required
9.1	Disorderly Conduct	90		Court Appearance Required
9.2	Unlawful Assembly	90		Court Appearance Required
9.2(b)	Remaining at Unlawful Assembly	90		Court Appearance Required
9.3	Violating Executive Order Mandating Curfew/No Public Entry	250		Court Appearance Required
9.4	Riot	1000		Court Appearance Required
9.5	Maintaining a Public Nuisance	60		
9.5(b)	Permitting a Public Nuisance	60		
9.7	Make Unlawful Request Emergency Services Assistance	250		Court Appearance Required
9.8	Criminal Desecration	90		Court Appearance Required
9.9	Abusing Toxic Vapors	250		Court Appearance Required
9.9.1	Possession Marijuana 1st/2nd Offense	500 Bond	750 Bond	Court Appearance Required
9.9.2	Possession Drug Paraphernalia	250		Court Appearance Required
9.9.2(b)	Pseudoephedrine/Ephedrine Base (>3.6 g w/in 30 days)	250		Court Appearance Required
9.9.2(c)	Distribution of Drug Paraphernalia	250		Court Appearance Required
9.9.3	Unlawful Distribution of Controlled Substances (Schedule V)	1000		Court Appearance Required
9.9.4	Unlawful Possession of Controlled Substances (Schedule V)	500		Court Appearance Required
9.9.5	Unlawful Possession of a Simulated Substance	500		Court Appearance Required
9.9.6	Distribution of a Non-controlled Substance	500		Court Appearance Required
9.10	Harassment by Telephone/Telecommunications Device	150		Court Appearance Required
9.11	Picketing of Funerals	90		Court Appearance Required
9.13	Unlawful Posting of Political Pictures or Ads	60		
10.1	Criminal Use of Weapons	150		Court Appearance Required
10.1.1	Criminal Carrying of Weapons	150		Court Appearance Required
10.4	Failure to Register Explosives	60		Court Appearance Required
10.5	Unlawful Discharge of Firearms	60		Court Appearance Required
10.6	Unlawful Operation of Air Rifle, Bow, Slingshot, Paintball	60		
10.8	Unlawful Aiding, Abetting	90		
10.9	Carrying Concealed Explosives	90		Court Appearance Required
10.10	Endangerment	250		Court Appearance Required

Article	Violation	Bond/Fine Remarks			
10.11	Creating a Hazard	90			Court Appearance Required
10.12	Unlawful Failure to Report Wound	90			
10.13	Barbed Wire Fences Prohibited	60			
10.14	Unlawful Operation of Motorboat or Sailboat	90			
10.15	BUI, Operate Vessel Under the Influence	500			Court Appearance Required
10.16	Throwing Objects	90			Court Appearance Required
10.17	Tattoo or Body Piercing	90			Court Appearance Required
10.18	Failure to Maintain Smoke Detector	25			
10.19	Sale of Medicine/Drugs through a Vending Machine	60			
10.20	Obtain Prescription Drugs by Fraudulent Means	90			Court Appearance Required
10.21	Selling Beverage Containers with Detachable Tabs	60			
10.22	Alcohol without Liquid Machine	250			Court Appearance Required
10.23	Trafficking in Counterfeit Drugs	500			Court Appearance Required
10.24	Smoking Prohibited	100	200	500	
10.25	Smoking; Posting Premises	100	200	500	
10.27	Illegal Operation Amusement Ride	250			Court Appearance Required
10.28	Endangering the Food Supply	250			Court Appearance Required
10.30	Operating an Aircraft Under the Influence (1st/2nd)	750	1250		Court Appearance Required
11.1	Promoting Obscenity	500			Court Appearance Required
11.2	Promoting Obscenity to Minors	1000			Court Appearance Required
11.3	Commercialization of Wildlife	250			Court Appearance Required
11.7	Material Harmful to Minors	90			Court Appearance Required
11.8	Gambling	250			Court Appearance Required
11.9	Commercial Gambling	250			Court Appearance Required
11.9.1	Illegal Bingo Operation	250			Court Appearance Required
11.10	Possession of a Gambling Device	250			Court Appearance Required
11.11	Cruelty to Animals	200			Court Appearance Required
11.12	Cockfighting	200			Court Appearance Required
11.13	Unlawful Possession/Attendance of Dog Fighting	200			Court Appearance Required
11.14	Illegal Animal Ownership	90			Court Appearance Required
11.15	Permitting a Dangerous Animal to be at Large	90			Court Appearance Required
11.16	False Membership Claim	60			
<p><i>This fine schedule shall be effective on citations issued from and after September 15, 2022, by order of the Court.</i></p>					
<p><i>John Barker</i></p> <p><i>Municipal Court Judge</i></p>					

(PUBLISHED IN *DICKINSON COUNTY NEWS-TIMES* ON 28 September, 2022)

SUMMARY OF ORDINANCE NO. 1056

On September 14, 2022, the Governing Body of the City of Chapman, Kansas passed an ordinance entitled:

AN ORDINANCE REVISING AND AMENDING, IN ITS ENTIRETY, CHAPTER IX, ARTICLE 1, SECTION 9-111 OF THE CODE FOR THE CITY OF CHAPMAN, KANSAS TO CONFIRM THE ADOPTION OF A MUNICIPAL COURT FINE/BOND SCHEDULE AND CONFIRM THE AUTHORITY OF THE MUNICIPAL JUDGE FOR THE CITY OF CHAPMAN, KANSAS TO PREPARE, ADOPT, AND PERIODICALLY REVISE THE SAME BY ORDER OF THE COURT, AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.

This Ordinance amends the existing Chapter IX, amending Article 1, Section 9-111, to revise the schedule of certain charges for the City of Chapman, Kansas.

This modification of the Chapman City Code serves to authorize the Municipal Court Judge for the City of Chapman, Kansas to periodically revise, adopt, and approve a schedule for Municipal Court fines and bonds to be applied in Chapman Municipal Court, and to adopt said Municipal Court Fine/Bond Schedule as revised periodically, for application by the Municipal Court Judge for the City of Chapman, Kansas.

The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, Chapman City Office, 446 N. Marshall Street, Chapman, Kansas 67431. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.chapmanks.com.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: September 14, 2022.

s/ Bradley D. Jantz

Bradley D. Jantz
Chapman City Attorney