

ARTICLE 1. UNIFORM OFFENSE CODE

- 13-101. **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 Ulysses, Kansas, that certain code known as the "Uniform Public Offense Code," Edition of 2002, 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. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Ulysses, 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 for inspection and available to the public at all reasonable hours. (Ord. 1104 Sec 1)
- 13-102. **OMISSIONS.** Section 6.16 of Article 6, in the Uniform Public Offense Code, are hereby omitted. (Ord. 1089, Sec. 2)
- 13-103. **CLASSES OF VIOLATIONS AND CONFINEMENT.** (a) For the purpose of sentencing, unless otherwise specified in a Uniform Public Offense Code section, the following classes of violations and the punishment and terms of confinement authorized for each class are established:
- (1) Class A, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one year;
 - (2) Class B, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed six months;
 - (3) Class C, the sentence for which shall be a definite term of confinement in the city or county jail which shall be fixed by the court and shall not exceed one month;
 - (4) Unclassified violations, which shall include all offenses declared to be violations without specification as to class, the sentence for which shall be in accordance with the sentence specified in the section that defines the offense; if no penalty is provided in such law, the sentence shall be the same penalty as provided herein for a Class C violation.

(b) Upon conviction of a violation, a person may be punished by a fine, as provided in section 13-104 of this article, instead of or in addition to confinement, as provided in this section.

(c) In addition to or in lieu of any other sentence authorized by law, whenever there is evidence that the act constituting the violation was substantially related to the possession, use or ingestion of cereal malt beverage or alcoholic liquor by such person, the court may order such person to attend and satisfactorily complete an alcohol or drug education or training program certified by the administrative judge of the judicial district or licensed by the secretary of social and rehabilitation services.

(Ord. 966, Sec. 4)

13-104. FINES. A person convicted of a violation may, in addition to, or instead of, the confinement authorized by law, be sentenced to pay a fine which shall be fixed by the court, unless otherwise specified in a Uniform Public Offense Code section, as follows:

(a) Class A violation, a sum not exceed \$2,500.

(b) Class B violation, a sum not exceeding \$1,000.

(c) Class C violation, a sum not exceeding \$500.

(d) Unclassified violation, any sum authorized by the section that defines the offense. If no penalty is provided in such law, the fine shall not exceed the fine provided herein for a Class C violation.

(Ord. 966, Sec. 4)

13-105. REIMBURSEMENT OF ATTORNEY FEES. The judge of the municipal court may grant probation or suspended sentence upon a conviction for violation of this article. As a condition of probation or suspended sentence, the judge of the municipal court shall have the authority to order a person to reimburse the city for all or part of the expenditures by the city to provide counsel or other defense services to the person. In determining the amount or method of payment of such sum, the judge of the municipal court shall take account of the financial resources of the person and the nature of the burden of payment of such sum will impose. A person who has been required to pay such sum and who is not willfully in default in the payment thereof may at any time petition the court to waive payment of such sum or any unpaid portion thereof. If it appears to the satisfaction of the judge of the municipal court the payment of the amount due will impose manifest hardship on the person or the person's immediate

family, the judge of the municipal court may waive payment of all or part of the amount due or modify the method of payment. (Ord. 1104)