(Summary published in the Rose Hill Reporter on Sept 24th, 2026)

ORDINANCE NO. 749

AN ORDINANCE AMENDING CHAPTER XI, ARTICLE 1 OF THE CODE OF THE CITY OF ROSE HILL, KANSAS, RELATING TO PUBLIC OFFENSES; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 42ND EDITION (2026), WITH LOCAL ADDITIONS; REPEALING SUPERSEDED PROVISIONS; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, KANSAS:

SECTION 1. Section 11-101 of the Code of the City of Rose Hill, Kansas, is amended to read as follows:

11-101 Uniform Public Offense Code incorporated

The Uniform Public Offense Code for Kansas Cities, 42nd Edition (2026), prepared and published in book form by the League of Kansas Municipalities (the "UPOC"), is incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Rose Hill, Kansas, except as expressly omitted, modified, or supplemented by this article. The incorporated provisions have the same force and effect as if set out in full in this section.

At least one copy of the UPOC shall be marked or stamped "Official Copy as Incorporated by Ordinance No. 749." Each omission or modification shall be clearly marked in the official copy, and a copy of this ordinance shall be attached to it. The official copy shall be filed with the City Clerk and kept open for public inspection during reasonable business hours. The City shall provide similarly marked official copies to the Police Department, Municipal Court, Municipal Prosecutor, City Attorney, and any other City department charged with enforcement, in the number the City deems expedient.

SECTION 2. Section 11-102 of the Code of the City of Rose Hill, Kansas, is amended to read as follows:

11-102 Local additions to the UPOC

Article 9 of the UPOC incorporated by Section 11-101 is supplemented by adding Sections 9.14 and 9.15 as follows:

Section 9.14 Unlawful Loitering in Street and Other Places.

It is unlawful for any person to loiter, loaf, wander, stand or remain idle either alone and/or in consort with others in such a manner as to:

(a) Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians;

(b) Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or

interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

Section 9.15: Loud Speakers and Sound Amplifiers.

Loudspeakers and sound amplifiers permits are prerequisite to use for advertising. It shall be unlawful for any person to play, use or operate on the streets, alleys, or public grounds of the city any instrument known as a loudspeaker or sound amplifier, without first procuring a permit from the City Clerk. Such permit shall be granted or refused at the discretion of the City Clerk, Mayor and/or the Chief of Police, and the approval of the City Clerk and either the Mayor or the Chief of Police is required for all permits. Unlawful use of loudspeakers and sound amplifiers is a violation of this Ordinance.

SECTION 3. Severability.

If any provision of this ordinance, or its application to any person or circumstance, is held invalid or unenforceable, the remaining provisions and applications are severable and remain in effect.

SECTION 4. Repeal.

Existing Sections 11-101 and 11-102 of the Code of the City of Rose Hill, Kansas, and all ordinances or parts of ordinances in conflict with this ordinance are repealed.

SECTION 5. Publication and effective date.

This ordinance shall take effect and be in force upon publication once in the official City newspaper. The City may publish a summary of this ordinance if the summary is certified by the City Attorney as legally accurate and sufficient in accordance with K.S.A. 12-3007, and amendments thereto.

PASSED by the Governing Body of the City of Rose Hill, Kansas, and APPROVED by the Mayor on this 21st day of September, 2026.

Jeanine Schantz

Jeanine Schantz, Mayor

ATTEST:

Kelly Mendoza

Kelly Mendoza, City Clerk

APPROVED AS TO FORM:

Richard A. Samaniego, City Attorney

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ORDINANCE; THAT SAID ORDINANCE WAS PASSED ON THE 21st DAY OF September 2026. THAT THE RECORD OF THE FINAL VOTE ON ITS PASSAGE IS FOUND ON PAGE 2 OF THE MINUTES. A CERTIFIED SUMMARY OF THE ORDINANCE WAS PUBLISHED IN THE Rose Hill Reporter ON THE 24th DAY OF September, 2026.

Kelly Mendoza

CITY CLERK

(Published in the Rose Hill Reporter on September 24, 2026)

SUMMARY OF ORDINANCE NO. 749

AN ORDINANCE ADOPTING THE 2026 UNIFORM PUBLIC OFFENSE CODE AND ADDING LOCAL PUBLIC OFFENSES

On September 21, 2026, the Governing Body of the City of Rose Hill, Kansas, passed Ordinance No. 749.

The ordinance incorporates by reference incorporates by reference the Uniform Public Offense Code for Kansas Cities, 42nd Edition (2026), subject to the local additions stated in the ordinance; including the local offense prohibiting unlawful loitering, loafing, wandering, standing, or remaining idle in a manner that obstructs or interferes with passage on public streets, highways, sidewalks, public places, or buildings, or that prevents ingress, egress, or the lawful use of property or operation of a business; requires a permit before using a loudspeaker or sound amplifier for advertising on City streets, alleys, or public grounds and establishes the approval requirements for such permits; repeals superseded and conflicting provisions, provides for severability, and takes effect upon publication of this summary in the official City newspaper.

The complete text of Ordinance No. 749 may be obtained or viewed free of charge at the office of the City Clerk, Rose Hill City Hall, 125 W. Rosewood Street, Rose Hill, Kansas 67133. A copy of the original ordinance will be available for at least one week following publication of this summary on the City's official website: https://cityofrosehill.com/.

CERTIFICATION

I certify that this summary is legally accurate and sufficient in accordance with K.S.A. 12-3007.

/s/ Richard A. Samaniego
City Attorney