

ORDINANCE NO. 764

AN ORDINANCE OF THE CITY OF SEDGWICK KANSAS DEFINING AND PROHIBITING LITTERING WITHIN THE CITY OF SEDGWICK, KANSAS AND UPON ANY PROPERTY OWNED BY THE CITY OF SEDGWICK, KANSAS AND ANY AND ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SEDGWICK KANSAS:

**SECTION 1. Criminal Littering Prohibited and Defined.**

- A. Except as provided in Section 112.1 of the Standard Traffic Ordinance as adopted and amended from time to time by the City of Sedgwick, Kansas, criminal littering is prohibited as unlawful and is defined as 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, composting site, burn site, 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.

**SECTION 2. Penalties for Violation.**

- A. Criminal littering is an unclassified violation punishable as follows:
1. Upon a first conviction by a fine of not more than \$500.00.
  2. Upon a second conviction by a fine of not more than \$1000.00; and
  3. Upon a third or subsequent conviction by a fine of not more than \$2,000.00.
- B. In addition to or in lieu of the fines in subsection (b), a person convicted of criminal littering shall be required to pick up litter for a time prescribed by and a place within the jurisdiction of the court.

**SECTION 3. Effective Date.**

This ordinance shall take effect and be in force from and after its passage and once publication in the official City newspaper.

**PASSED AND ADOPTED BY THE GOVERNING BODY**, this 17<sup>th</sup> day of November, 2008, for the City of Sedgwick, Kansas.

  
Donald K. DeHaven, Mayor

ATTEST:

  
Janise P. Enterkin, City Clerk

(seal)