

ORDINANCE NO. 19-47

AN ORDINANCE AMENDING OLATHE MUNICIPAL CODE SECTION 12.21.270
PERTAINING TO PENALTIES FOR VIOLATIONS OF CHAPTER 12.21 AND
REPEALING THE EXISTING SECTION.

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

SECTION ONE: Section 12.21.270 of the Olathe Municipal Code is hereby
amended to read as follows:

“12.21.270. Violations and Penalties.

(A) It shall be unlawful for any person, ~~firm, corporation or other group~~ to violate any provision of this Chapter. The definition of “person” in Section 9.01.110 of the Olathe Municipal Code applies to this Chapter.

(AB) ~~Any person convicted of a violation of this Chapter, as amended, which violation constitutes a violation of the Olathe Traffic Ordinance, shall be penalized as set forth in the Olathe Traffic Ordinance, as amended. The judge of the municipal court shall in the manner prescribed by K.S.A. 12-4305 and amendments thereto establish a schedule of fines for violations of the following sections of this Chapter: Section 12.21.070(A)(1), 12.21.090, 12.21.100, 12.21.110, 12.21.120, 12.21.130, 12.21.140, 12.21.170, 12.21.180, 12.21.190, 12.21.240, 12.21.250, and 12.21.260. Such fines shall be imposed upon a voluntary entry of appearance and upon a plea of guilty or no contest to a complaint alleging such violation.~~

(C) Any person convicted of a violation of any provision of this Chapter listed in subsection (B) shall be guilty of a Unclassified Public Offense and shall be sentenced to pay a fine which shall be fixed by the court, not exceeding Five Hundred Dollars (\$500.00).

(BD) Any person, ~~firm, corporation or other group~~ convicted of violating any provision of this Chapter, as amended, other than those listed in subsection (B), unless otherwise classified, shall be guilty of an Unclassified Public Offense and shall be punished ~~jointly or severally~~ by a fine not to exceed Five Hundred Dollars (\$500) or imprisonment in jail for not more than ~~by a definite period of confinement in jail which shall be fixed by the Court and shall not exceed~~ one hundred eighty (180) days, or be both so fined and imprisoned, ~~unless otherwise specifically provided in this Chapter.~~

(CE) Each day during or upon which a violation occurs or continues shall constitute a separate offense and shall be punishable as such hereunder.

(F) The classification of offenses in Section 9.18.010 of the Olathe Municipal Code applies to this Chapter.”

SECTION TWO: Existing Section 12.21.270 is hereby repealed.

SECTION THREE: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED by the Governing Body this _____ day of _____, 2019.

SIGNED by the Mayor this _____ day of _____, 2019.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM:

City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.