

(Published in the Lincoln Sentinel Republican, December 18, 2024)

ORDINANCE NUMBER 755

AN ORDINANCE AMENDING CHAPTER XI, ARTICLE 2, SECTION 11-203, 11-204, 11-205, 11-206, AND 11-207 TO THE CITY CODE OF THE CITY OF LINCOLN CENTER, KANSAS, TO MODIFY ENFORCEMENT PROCEDURES AND ESTABLISH PENALTIES FOR PERSONS FOUND TO BE IN VIOLATION OF ANY PROVISION OF CHAPTER II OF THE CITY CODE OF THE CITY OF LINCOLN CENTER, KANSAS.

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

SECTION 1. Section 11-203 of the City Code of the City of Lincoln Center, Kansas is hereby amended to read as follows:

11-203. CITY CURFEW.

(a) Purpose. The purpose of this section is to: (1) promote the general welfare and protect the general public through the reduction of juvenile violence and crime within the city; (2) promote the safety and well-being of the city's youngest citizens, persons under the age of 18, whose inexperience renders them particularly vulnerable to becoming participants in unlawful activities, particularly unlawful drug activities, and to being victimized by older perpetrators of crime; and (3) foster and strengthen parental responsibility for children.

(b) It shall be an infraction violation for any child under the age of eighteen (18) years to remain in or upon any public place within the city, to remain in any motor vehicle operating or parked therein or thereon, or to remain in or upon the premises of any establishment within the city, between the hours of 12:00 midnight and 5:00 a.m., unless:

- (1) The minor is accompanied by a parent or legal guardian; or
- (2) The minor is involved in an emergency; or
- (3) The minor is engaged in an employment activity, or is going to or returning home from such activity, without detour or stop; or
- (4) The minor is attending an activity sponsored by a school, religious, or civic organization, by a public organization or agency, or by another similar organization or entity, which activity is supervised by adults, and/or the minor is going to or returning from such an activity without detour or stop; or
- (5) The minor is involved in interstate travel through, or beginning or terminating in, the City of Lincoln Center; or
- (6) The minor is on the sidewalk directly abutting a place where he or she resides with a parent or guardian.

(c) It shall be unlawful for any parent or legal guardian to allow knowingly or unknowingly, by lack of sufficient control, any minor to remain in or upon any public place within the city, to remain in any motor vehicle operating or parked therein or thereon, or to remain in or upon the premises of any establishment within the city, between the hours of 12:00 midnight and 5:00 a.m., unless:

- (1) The minor is accompanied by a parent or legal guardian; or
- (2) The minor is involved in an emergency; or
- (3) The minor is engaged in an employment activity, or is going to or returning home from such activity, without detour or stop; or
- (4) The minor is attending an activity sponsored by a school, religious, or civic organization, by a public organization or agency, or by another similar organization or entity, which activity is supervised by adults, and/or the minor is going to or returning from such an activity without detour or stop; or
- (5) The minor is involved in interstate travel through, or beginning or terminating in, the City of Lincoln Center; or
- (6) The minor is on the sidewalk directly abutting a place where he or she resides with a parent or guardian.

No citation shall be issued to a parent or legal guardian on a first time offense committed by a minor. Parents or legal guardians may be issued a citation for second and subsequent offenses committed by the same minor.

(d) Section (b) is a “status offense” punishable by fine and costs only in the municipal court. Section (c) shall be an unclassified misdemeanor. Both the juvenile and a parent must appear before the Municipal Court on this complaint. In addition to a fine and costs for such violation of this section, the person under the age of eighteen years of age may be referred to the county attorney for proceedings under the juvenile code as provided by law.

SECTION 2. Existing Sections 11-204, 11-205, 11-206, and 11-207 of the City Code of the City of Lincoln Center, Kansas are hereby repealed and reserved for future use.

Secs. 11-204 – 11-207 – Reserved.

SECTION 3. Existing Section 11-203 of the City Code of the City of Lincoln Center, Kansas is hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper.

INTRODUCED, PASSED, and APPROVED by the City Council of the City of Lincoln Center, Kansas, on this 9th day of December, 2024.

APPROVED:

By: /s/ Travis Schwerdtfager
Mayor

Attest: (seal)

By: /s/ Heather N. Hillegeist
City Clerk