

(Ordinance Summary published in The Butler County Times-Gazette on January 30, 2016 and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1614

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF ANDOVER, KANSAS REGARDING CONDUCT ON PUBLIC LANDS AND WITHIN PUBLIC BUILDINGS, STRUCTURES, AND FACILITIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS, AS FOLLOWS:

SECTION 1. Chapter XI of the Code of the City of Andover, Kansas is hereby amended to include the following:

ARTICLE 3. CONDUCT ON CITY PROPERTY

11-301. Rules of Conduct on City Property.

The governing body of the City may from time to time approve rules to regulate the conduct of persons present upon land owned or controlled by the City, including all buildings, structures, and facilities owned or controlled by the City, (“City Property”) as may be necessary for the orderly operation and management and/or enjoyment by the general public of City Property (“Rules of Conduct”). All Rules of Conduct shall be posted on official signs, as approved by the Director of Public Works and Community Development, (“Rules of Conduct Sign”) which are sufficiently legible and posted or placed as to be seen by an ordinarily observant person.

11-302. Obedience to Posted Rules on City Lands and within City Buildings, Structures, and Facilities.

- (a) Any person present upon City Property shall obey any Rules of Conduct for said City Property posted on an official Rules of Conduct Sign in accordance with the provisions of this Article, unless otherwise directed by a police officer.
- (b) Whenever Rules for Conduct or a Rules for Conduct Sign are posted upon City Property in approximate conformance with this Article, such Rules for Conduct or Rules for Conduct Sign shall be presumed to have been so placed by the official act or direction of the governing body of the City, unless the contrary shall be established by competent evidence.
- (c) Any Rules for Conduct or Rules for Conduct Sign posted pursuant to the provisions of this Article and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Article, unless the contrary shall be established by competent evidence.

11-303. Display of Unauthorized Signs, Signals or Markings.

- (a) No person shall place, maintain or display upon or in view of any City Property any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official Rules of Conduct Sign, or which attempts to control the conduct of persons upon City Property, or which hides from view or interferes with the effectiveness of any official Rules of Conduct Sign.
- (b) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and City staff is hereby empowered to remove the same or cause it to be removed without notice.
- (c) No person, without lawful authority, shall attempt to or in fact alter, deface, injure, knock down, or remove any official Rules of Conduct Sign or any part thereof.

11-304. Violation of Rules of Conduct.

Any person found to be in violation of the provisions of this Article shall, upon conviction, be sentenced to pay a fine not exceeding \$500.00 and/or sentenced to the county jail for a term not to exceed 30 days.

SECTION 2. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED AND APPROVED by the Governing Body of the City of Andover, Kansas this
26th day of January, 2016.

CITY OF ANDOVER, KANSAS

[seal]

Ben Lawrence, Mayor

ATTEST:

Susan C. Renner, City Clerk

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Ordinance No. 1614 Summary

On January 26, 2016, the City of Andover, Kansas adopted Ordinance No. 1614 amending Chapter XI of the Code of the City of Andover, Kansas relating to rules for conduct upon City property. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 1609 E. Central or at www.andoverks.com. This summary is certified legally accurate and sufficient by the Andover City Attorney pursuant to K.S.A. 12-3001, *et seq.*

SUMMARY CERTIFIED:

City Attorney