

**Chapter 11.56**  
**MISCELLANEOUS OFFENSES**

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**ARTICLE I. PUBLIC NUISANCES**

**11.56.010 Maintaining a Public Nuisance.**

Repealed. See 7.04.160 et al.

(History: Ord. REP-1580 §1, 89;KSA 21-4106; POC-625 §56, 72)

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**ARTICLE II. INOPERATIVE VEHICLES**

**11.56.030 Findings of Governing Body.**

Repealed. See 7.26.182  
(History: Ord. REP-1580 §1, 89; IV-677 §1, 72)

**11.56.040 Definitions.**

Repealed. See 7.26.025  
(History: Ord. REP-1580 §1, 89; IV-677 §2, 72)

**11.56.050 Prohibitions.**

Repealed. See 7.26.186  
(History: Ord. REP-1580 §1, 89; IV-677 §3, 72)

**11.56.060 Temporarily Disabled vehicle.**

Repealed. See 7.26.184  
(History: Ord. REP-1580 §1, 89; IV-677 §4, 72)

**11.56.070 Screening.**

Repealed. See 7.26.186  
(History: Ord. REP-1580 §1, 89; IV-677 §5, 72)

**11.56.080 Presumptions.**

Repealed.  
(History: Ord. REP-1580 §1, 89; IV-677 §6, 72)

**11.56.090 Administrative Procedure.**

Repealed.  
(History: Ord. REP-1580 §1, 89; IV-677 §7, 72)

**11.56.100 Zoning Provisions Control.**

Repealed. See 7.26.186  
(History: Ord. REP-1580 §1, 89; IV-677 §8, 72)

**11.56.110 Violation of Article - Penalty.**

Repealed.  
(History: Ord. REP-1580 §1, 89; POC-1381 §10, 86; IV-677 §9, 72)

**11.56.120 Adoption Authority for Article.**

Repealed.  
(History: Ord. REP-1580 §1, 89; IV-677 §10, 72)

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**ARTICLE III. DRUGS****11.56.130 Definitions.**

As used in this article:

- A. "Controlled substance" means any drug or substance included in the Uniform Controlled Substances Act found in Chapter 21 of the Kansas Statutes Annotated, and amendments thereto.
- B. "Drug" means:
  - 1. Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;
  - 2. Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;
  - 3. Substances (other than food) intended to affect the structure or any function of the body of man or animals; and
  - 4. Substances intended for use as a component of any article specified in clause 1, 2, or 3 of this subsection. It does not include devices or their components, parts or accessories.
- C. "Dangerous drug" means one that is unsafe for use except under the supervision of a practitioner because of its toxicity or other potentiality for human effect, method of use, or collateral measures necessary to use; "Dangerous Drugs" shall include all other drugs or compounds, preparations or mixtures thereof which the state board of health shall find and declare by rule or regulation duly promulgated after reasonable public notice and opportunity for hearing to have a dangerous hallucinogenic hypnotic, somnifacient or stimulating effect of the body of a human or animal.
- D. "Deliver" or "delivery" means actual, constructive or attempted transfer from one person to another, whether or not there is an agency relationship.
- E. "Marijuana " means all parts of all varieties of the plant Cannabis, whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination.
- F. "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

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1. By a practitioner or his agent pursuant to a lawful order of a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or
  2. By a practitioner or by his authorized agent under his supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or hospital as an incident to his or its dispensing of a controlled substance.
- G. "Patient" means, as the case may be:
1. The individual for whom a drug is prescribed or to whom a drug is administered; or
  2. The owner or the agent of the owner of the animal for which a drug is prescribed or to which a drug is administered; provided, that the prescribing or administering referred to in 1 and 2 of this subsection is in good faith and in the course of professional practice only;
- H. "Person" means any individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.
- I. "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.
- J. "Practitioner" means a physician (M.D. or D.O.), dentist, podiatrist, veterinarian, scientific investigator or other person licensed, registered or otherwise authorized by law to administer and prescribe, use in teaching or chemical analysis, or conduct research with respect to a controlled substance in the course of professional practice and research.
- K. "Prescription" means a written order, and in cases of emergency, a telephonic order, issued by a practitioner in good faith in the course of his professional practice to a pharmacist for a drug for a particular patient, which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of such practitioner.
- L. "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.
- M. "Somnifacient" and "stimulating" have the meaning attributable in standard medical lexicons.
- N. "Warehouseman" means a person who, in the usual course of business, stores drugs for others lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.
- O. "Wholesaler" means a person engaged in the business of distributing drugs to persons included in any of the classes named in clauses a to be inclusive of Section 11.56.150(A)(2).
- P. "Drug paraphernalia" means any device intended for use in ingesting, smoking, administering or preparing marijuana, cocaine, phencyclidine, opium or any derivative thereof, or any other controlled substance.

For purposes of this subsection, the phrase "intended for use" shall refer to the intent of the person selling, offering to sell, dispensing, giving away or displaying the drug paraphernalia herein defined.

In determining whether an item constitutes drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

1. Whether a person charged with violating this ordinance is a licensed distributor or dealer of tobacco products under Chapter 79, Article 33 of the Kansas Statutes Annotated.
2. Expert testimony as to the use of the item.
3. Evidence concerning the total business of a person or business establishment and the type of items involved in the business.
4. National and local advertising concerning the use of the item of which the person charged with violating this ordinance has knowledge.
5. Evidence of advertising concerning the nature of the business establishment.
6. Statements by a person charged with violating this ordinance concerning the use of the item.
7. Prior convictions, if any, of a person charged with violating this ordinance, under any state, federal or municipal law relating to any controlled substance.
8. Instructions, oral or written, provided with the item concerning its use.
9. Descriptive materials accompanying the item which explain or depict its use.
10. Catalogues or other promotional materials concerning the item of which the person charged with violating this ordinance has knowledge.

- Q. "Minor" shall mean any person who has not attained 18 years of age.
- R. "Premises open to minors" means any business establishment which sells its wares or merchandise to minors or which permits minors to enter into its place of business.
- S. "Simulated drugs" and "simulated controlled substances" are any products which identify themselves by using a common name or slang term associated with a controlled substance or indicate by label or accompanying promotional material that the product simulates the effect of a controlled substance or drug.
- T. "Place of display" means any museum, library, school or other similar public place upon which business is not transacted for a profit.
- U. "School" means any public or private elementary, junior high, or high school.
- V. "Close proximity" means within 500 feet on a straight line commencing at the property lines nearest to each other.
- W. "Premises" means a business establishment and the structure of which it is a part and facilities and appurtenances therein and grounds, areas and facilities held out for the use of patrons. (K.S.A. 65-4101 et seq.)

(History: Ord. POC-2821 §5, 2009; POC-2690 §2, 2007; RD-1103 §1, 81; RD-1048 §1, 79)

**11.56.140 Unlawful Possession of Drugs - Exceptions.**

- A. It is unlawful for any person to deliver, possess, manufacture, have under his control, sell, or offer for sale any drug controlled substance or marijuana all as defined in 11.56.130, unless:
1. Such drug is delivered by a pharmacist, or his authorized agent, in good faith upon prescription and there is affixed to the immediate container in which such drug is delivered a label bearing:
    - a. The name and address of the owner of the establishment from which such drug was delivered,
    - b. The date on which the prescription for such drug was filled,
    - c. The number of such prescription as filed in the prescription files of the pharmacist who filled such prescription,
    - d. The name of the practitioner who prescribed such drug,
    - e. The name and address of the patient, and if such drug was prescribed for an animal, a statement showing the species of the animal, and
    - f. The direction for use of the drug and cautionary statements, if any, as contained in the prescription; and
  2. In the event that such delivery is pursuant to telephonic order, such prescription shall be promptly reduced to writing and filed by the pharmacist; or
  3. Such drug is delivered by a practitioner in good faith and in the course of his professional practice only.
- B. It is unlawful for any person to refill any prescription for a drug unless such refilling is specifically authorized by the prescriber.
- C. It is unlawful for any person to fail to keep the records required by 11.56.160.
- D. It is unlawful for any person to possess a drug unless such person obtained such drug on the prescription of a practitioner or in accordance with subsection A(3) of this section or from a person licensed by the laws of any other state or the District of Columbia to prescribe or dispense drugs.
- E. It is unlawful for any person to refuse to make available and to accord full opportunity to check any record, file, stock or inventory as required by 11.56.170.
- F. It is unlawful for any person to use to his own advantage, or to reveal other than to a public officer or employee charged with the duty of enforcing laws relating to the handling, sale and distribution of drugs, or to a court when relevant in a judicial proceeding, any information acquired under the authority of 11.56.170 concerning any method or process which as a trade secret is entitled to protection.
- G. It is unlawful for any person to obtain or attempt to obtain a drug by fraud, deceit, misrepresentation or subterfuge; or by the forgery or alteration of a prescription; or by the use of a false name or the giving of a false address.
- H. It is unlawful for any person to sell, offer for sale or have in his possession with the intent to sell any hallucinogenic or stimulating drug described in 11.56.130.

(History: Ord. RD-950 §1, 77;RD-539 §2, 70)

**11.56.150 Exemptions from Article.**

- A. The provisions of paragraphs A and E of 11.56.140 shall not be applicable:
1. To the delivery of drugs for medical or scientific purposes only to persons included in any of the classes hereinafter named, or to the agents or employees of such persons, for use in the usual course of their business or practice or in the performance of their official duties, as the case may be; or
  2. To the possession of drugs by such persons or their agents or employees for such use:
    - a. Pharmacists,
    - b. Practitioners,
    - c. Persons who procure drugs: (i) for disposition by or under the supervision of pharmacists or practitioners employed by them or (ii) for the purpose of lawful research, teaching, or testing and not for resale.
    - d. Hospitals and other institutions which procure drugs for lawful administration by or under the supervision of practitioners,
    - e. Manufacturers and wholesalers,
    - f. Carriers and warehousemen.
- B. Nothing contained in 11.56.140 shall make it unlawful for a public officer, agent or employee, or person aiding such public officer in performing his official duties to possess, obtain, or attempt to obtain a drug for the purpose of enforcing the provisions of any law of this state or of the United States relating to the regulation of the handling, sale or distribution of drugs.
- C. Nothing in this ordinance shall apply to a compound, mixture, or preparation containing a drug which is sold in good faith for the purpose for which it is intended and not for the purpose of evading the provisions of this ordinance if such compound, mixture, or preparation contains a sufficient quantity of another therapeutic agent or agents, in addition to such a drug, to cause it to prevent the ingestion of a sufficient amount of drug to cause a dangerous hypnotic somnifacient or stimulating action.

(History: Ord. RD-539 §3, 70)

**11.56.160 Records and Inventories by Certain Persons.**

- A. Persons (other than carriers) to whom the exemptions of 11.56.150 are applicable shall maintain detailed, but not necessarily separate, records and inventories relating to drugs manufactured, purchased, sold, distributed and handled and retain all such records and inventories required by this subsection A for not less than two calendar years after the date of the transaction shown by such record and inventory.
- B. Pharmacists shall, in addition to complying with the provisions of subsection A of this section, retain each prescription and written record of telephonic order for a drug filled by them, for not less than two calendar years immediately following the date of the filling or the date of the last refilling of such prescription whichever is the later date.

(History: Ord. RD-539 §4, 70)

**11.56.170 Access to Records - Inspection.**

Persons required by 11.56.160 to keep files, inventories or records relating to drugs shall, upon the written request of a public officer or employee charged with the duty of enforcing laws relating to the handling, sale and distribution of drugs:

- A. Make such files, inventories or records available to such officer or employee, at all reasonable hours, for inspection and copying; and
- B. Accord to such officer or employee full opportunity to check the correctness of such files, inventories or records, including opportunity to make inventory of all stocks of drugs on hand.

(History: Ord. RD-539 §5, 70)

**11.56.175 Sale of Drugs From Vending Machine.**

- A. It is unlawful for any person, firm or corporation to offer for sale, sell or distribute any prescription medicine, prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection or poison through or by means of any vending machine or other mechanical device, or to use any vending machine in or for the sale or distribution of any prescription medicine, prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection or poison.
- B. No nonprescription drugs shall be offered for sale or sold through a vending machine in anything other than the manufacturer's original tamper-evident and expiration-dated packet. No more than 12 different nonprescription drugs products shall be offered for sale or sold through any one vending machine. Any vending machine in which nonprescription drugs are offered for sale or sold shall be located so that the drugs stored in such vending machine are stored in accordance with drug manufacturer's requirements. Drugs offered for sale or sold in such vending machine shall not be older than the manufacturer's expiration date. Each vending machine through which nonprescription drugs are offered for sale or sold shall have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the state board of pharmacy. As used in this subsection, "nonprescription drug" does not include any prescription medicine; prescription-only drug, drug which contains ephedrine alkaloids, drug intended for human use by hypodermic injection or poison.
- C. Every person convicted of violating this section shall be fined not less than \$25 nor more than \$500.

(History: Ord. POC-2235 §3, 2000)

**11.56.180 Violation of Article - Penalty.**

Any person violating 11.56.140, 11.56.160, 11.56.170, or 11.56.185 shall be punished as follows:

- A. Upon a first conviction of a violation of this section, a person shall be sentenced to not less than 30 days nor more than six months imprisonment, and fined not less than \$200 nor more than \$500. The person convicted must serve a minimum of 48 consecutive hours before or as a condition of any grant of probation, suspension or reduction of sentence or parole. In addition, the court shall enter a sentencing order that requires:
1. That the convicted person enroll in and successfully complete an alcohol and drug safety action program or a treatment program as provided by K.S.A. 8-1008 and any amendments thereto; and
  2. That as a condition of parole the convicted person not consume any alcohol or illegal drugs during the period of probation and submit to any testing of breath or bodily fluids to verify compliance with this requirement; and
  3. That should the convicted person violate any of the conditions of parole, the convicted person serve the remaining period of imprisonment set forth in the sentencing order of the court.
- B. Upon a second conviction of a violation of this section, a person shall be sentenced to not less than 90 days' nor more than one year's imprisonment and fined not less than \$500 nor more than \$1,000. The person convicted must serve a minimum of five consecutive days' imprisonment before or as a condition of any grant of probation, suspension or reduction of sentence or parole. In addition, the court shall enter a sentencing order that requires:
1. That the convicted person enroll in and successfully complete an alcohol and drug safety action program or a treatment program as provided by K.S.A. 8-1008 and any amendments thereto; and
  2. That as a condition of parole the convicted person not consume any alcohol or illegal drugs during the period of probation and submit to any testing of breath or bodily fluids to verify compliance with this requirement; and
  3. That should the convicted person violate any of the conditions of parole, the convicted person serve the remaining period of imprisonment set forth in the sentencing order of the court.
- C. Upon a third and subsequent conviction of a violation of this section, a person shall be sentenced to not less than 180 days' nor more than one year's imprisonment and fined not less than \$1,000 nor more than \$2,500. The person convicted must serve a minimum of 90 days imprisonment before or as a condition of any grant of probation, suspension or reduction of sentence or parole. In addition, the court shall enter an order of sentencing that requires:
1. That the convicted person enroll in and successfully complete an alcohol and drug safety action program or a treatment program as provided by K.S.A. 8-1008 and any amendments thereto; and
  2. That as a condition of parole the convicted person not consume any alcohol or illegal drugs during the period of probation and submit to any testing of breath or bodily fluids to verify compliance with this requirement; and
  3. That should the convicted person violate any of the conditions of parole, the convicted person serve the remaining period of imprisonment set forth in the sentencing order of the court.

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- D. The court may place a person convicted under this section in a house-arrest program, pursuant to K.S.A. 21-6609, and amendments thereto; provided, placement in a house-arrest program shall be ordered only after a person has served a minimum of 48 consecutive hours' imprisonment.
- E. The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.
- F. In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5.00 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.
- G. For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:
  - 1. "conviction" includes being convicted of a violation of this section or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;
  - 2. "conviction" includes being convicted of a violation of a law of this state or of any state or of an ordinance of any municipality which prohibits the acts that this section prohibits or entering into a diversion agreement in lieu of further criminal proceedings in a case alleging a violation of such a law or ordinance;
  - 3. only convictions occurring in the immediately preceding five years, including prior to the effective date of this ordinance, shall be taken into account for mandatory sentencing purposes, however, the court may consider other prior drug-related convictions in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offender, whichever is applicable; and
  - 4. it is irrelevant whether an offense occurred before or after a conviction for a previous offense.
- H. The prosecution shall not plea bargain charges filed pursuant to this section for the purpose of avoiding the mandatory sentencing requirement set forth herein; provided, however, only first time offenders may be diverted on said charges; provided further, all persons diverted on charges filed pursuant to this section shall pay a minimum diversion fee of \$200 and shall attend and successfully complete an alcohol and drug education and/or treatment program.

(History: Ord. POC-2928 §4, 2011; POC-1796 §2, 93; POC-1634 §1, 90; POC-1624 §1, 90; POC-1597 §3, 89; POC-1381 §8, 86; RD-539 §6, 70)

**11.56.185 Drug Paraphernalia, Simulated Drugs and Controlled Substances; Display, Sale, Possession or Delivery Prohibited.**

No person shall sell or offer for sale, use or possess with intent to use:

- A.
  - 1. Any simulated controlled substance;
  - 2. Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act and any amendments thereto; or
  - 3. Any drug paraphernalia to plant, propagate, cultivate, grow or harvest less than five marijuana plants.
- B. The fact that an item has not yet been used or did not contain a controlled substance at the time of the seizure is not a defense to a charge that the item was possessed with the intention for use as drug paraphernalia.
- C. No person shall deliver, possess with intent to deliver, manufacture with intent to deliver or cause to be delivered within this City any drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to use, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Act and amendments thereto.
- D. It shall be unlawful for any person to display for sale any drug paraphernalia or simulated controlled substance or simulated drug in or upon any premises.
  - 1. Nothing in this Section shall be construed to prohibit the selling, dispensing, or giving away of such items by a practitioner or pharmacist to a patient for lawful purposes.
  - 2. In addition to any penalty authorized by 11.56.180, a violation of 11.56.185.C. is hereby declared to be a public nuisance.

(History: Ord. POC-2690 §3, 2007; RD-1103 §2, 81; RD-1048)

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**ARTICLE IV. MODEL GLUE OR OTHER TOXIC SOLVENT**

**11.56.190 Toxic Vapors Defined.**

As used in this article, "toxic vapors" means the following substances or products containing such substances:

- (1) Alcohols, including methyl, isopropyl, propyl or butyl;
  - (2) Aliphatic acetates, including ethyl, methyl, propyl or methyl celosolve acetate;
  - (3) Acetone;
  - (4) Benzene;
  - (5) Carbon tetrachloride;
  - (6) Cyclohexane;
  - (7) Freons, including freon 11 and freon 12;
  - (8) Hexane;
  - (9) Methyl ethyl ketone;
  - (10) Methyl isobutyl ketone;
  - (11) Naptha;
  - (12) Nitrous oxide
  - (13) Perchlorethylene;
  - (14) Toluene;
  - (15) Trichloroethane;
  - (16) Xylene; or
  - (17) Any product containing compressed 1,1-Difluoroethane (HFC-152a) as a propellant.
- (History: Ord. POC-2821 §6, 2009; POC-2387 §1, 2002; POC-2194 §1, 99; MG-405 §1, 66)

**11.56.200 Abusing Toxic Vapors Prohibited.**

Abusing toxic vapors is prohibited. Abusing toxic vapors is knowingly possessing, buying, using, smelling or inhaling the fumes of toxic vapors with the intent of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system. In a prosecution for a violation of this section, evidence that a container lists one or more of the substances described in O.P.M.C. 11.56.190 as one of its ingredients shall be prima facie evidence that the substance in such container contains toxic vapors and emits the fumes thereof.

(History: Ord. POC-2387 §2, 2002; POC-2194 §2, 99; MG-405-A §1, 66; MG-405 §2, 66)

**11.56.210 Aiding and Abetting.**

Repealed.

(History: Ord. POC-2387 §5, 2002; POC-2194 §3, 99; MG-405 §3, 66)

**11.56.212 Exemptions.**

This Article shall not apply to the inhalation of anesthesia or other substances for medical or dental purposes.

(History: Ord. POC-2387 §3, 2002)

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**11.56.220 Use as to Minors.**

Repealed.

(History: Ord. POC-2194 §4, 99; MG-405-B §1, 67; MG-405 §4, 66)

**11.56.230 Procedure as to Minors.**

Repealed.

(History: Ord. POC-2194 §4, 99; MG-405 §5, 66)

**11.56.240 Violation of Article - Penalty.**

Any person violating any of the provisions of this article is guilty of a public offense and upon conviction thereof shall be punished as provided in 1.12.010. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action education program or treatment program as provided in K.S.A. 8-1008 and amendments thereto, or both the education and treatment programs.

(History: Ord. POC-2387 §4, 2002; POC-1597 §4, 89; Amended during codification in accordance with K.S.A. 12-3015; MG-405 §6, 66)

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**ARTICLE V. EXPLOSIVES OR INCENDIARY DEVICES**

**11.56.250 Possession Unlawful.**

It is unlawful at any time for any person, partnership, company, corporation or association to have in their possession or under their control or supervision; or to make, manufacture, offer for sale, and sell, or distribute, whether the same be with or without consideration, any type of gasoline or other inflammable explosive or incendiary bombs, including all such devices commonly known as a Molotov cocktail, within the corporation limits of the city.

(History: Ord. MC-496 §1, 68; POC-625 § 35, 61 - 64; POC-598 § 35; PO-84 § 10, 61)

**11.56.260 Violation of Article -Penalty.**

Repealed.

(History: Ord. POC-1381 §10, 86; MC-496 §2, 68)

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**ARTICLE VI. AUTOMATIC DIAL PROTECTION DEVICES**

**11.56.270 Automatic Dial Protection Devices.**

Repealed. See 5.06.  
(History: Ord. APD-713 §1, 72)

**11.56.280 Definitions.**

Repealed. See 5.06.  
(History: Ord. APD-713 §2, 72)

**11.56.290 Prohibition**

Repealed. See 5.06  
(History: Ord. APD-713 §3, 72)

**11.56.300 Limitation.**

Repealed. See 5.06  
(History: Ord. APD-713 §4, 72)

**11.56.310 Violation-Penalty**

Repealed. See 5.06  
(History: Ord. APD-713 §5, 72)

**11.56.320 Definitions.**

Repealed.  
(History: Ord. PRM-2212 §1, 2000; PRM-1859 §1, 94; PRM-807 §1, 74)

**11.56.330 Possession of Monitors Restricted, Exceptions.**

Repealed.  
(History: Ord. PRM-2212 §2, 2000; PRM-1859 §2, 94; POC-1649 §1, 91; PRM-807 §2, 74)

**11.56.340 Permits; Applications.**

Repealed.  
(History: Ord. PRM-2212 §3, 2000; PRM-807 §3, 74)

**11.56.350 Permits not Transferable.**

Repealed.  
(History: Ord. PRM-2212 §4, 2000; PRM-807 §4, 74)

**11.56.360 Use of Police, Fire or Emergency Medical Communications.**

It shall be illegal for any person to intercept any message or transmission made on or over any police, fire or emergency medical communications system and to use the information obtained thereby to facilitate the commission or the attempt to commit a crime or a violation of any law, or use the same in a manner which interferes with the discharge of police, fire or emergency medical operations, or to follow up or answer any such call.  
(History: Ord. PRM-1859 §3, 94; PRM-807 §5, 74)

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**11.56.370 Penalty.**

Any person who violates the provisions of this chapter shall be guilty of a public offense and shall be subject, upon conviction, to the general penalty provisions of 1.12.010.

(History: Ord. PRM-807 §6, 74)

**11.56.380 Separability.**

Should any court declare any section, clause or provision of this chapter to be unconstitutional or invalid, such decision shall affect only such section, clause or provision so declared unconstitutional or invalid and shall not affect any other section, clause or provision.

(History: Ord. PRM-807 §7, 74)

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