

Chapter 1.24
CITATIONS FOR VIOLATIONS

Sections:

- 1.24.010 Definitions.
- 1.24.020 Notice to appear.
- 1.24.030 Time specified.
- 1.24.040 Municipal Court.
- 1.24.050 Distribution of notice.
- 1.24.060 Complaint to be filed.
- 1.24.070 Chapter inapplicable to certain violations.

1.24.010 Definitions.

- A. "Law enforcement officer" means any person holding a valid police commission issued pursuant to Chapter 2.66.
- B. "Notice to appear" means a written request issued by a law enforcement officer that a person appear before the municipal court at a stated time and place.

(History: Ord. NA-714 §1, 72)

1.24.020 Notice to appear.

A law enforcement officer may serve a notice to appear upon any person who commits an act punishable as a violation of city ordinance. Such notice to appear shall contain the name and address of the person, the violation charged, and the time and place when and where such person shall appear in court.

(History: Ord. NA-714 §2, 72)

1.24.030 Time specified.

The time specified in such notice to appear must be at least five days after such notice is given unless the person shall demand an earlier hearing.

(History: Ord. NA-714 §3, 72)

1.24.040 Municipal court.

The place specified in such Notice to appear must be the Municipal Court of the City of Overland Park, 12400 Foster, Overland Park, Kansas.

(History: Ord. NA-2749 §1, 2008; NA-1105 §1, 81; NA-714 § 4, 72)

1.24.050 Distribution of notice.

A copy of the notice to appear shall be delivered to the person who violates a city ordinance and the original of the notice shall be retained by the officer.

(History: Ord. NA-714 §5, 72).

Chapter 1.24

1.24.060 Complaint to be filed.

The law enforcement officer shall cause to be filed, without unnecessary delay, a complaint in the municipal court charging the ordinance violation stated in the notice. If the person receiving the notice fails to appear at the time and place stated, a warrant may be issued for his arrest.

(History: Ord. NA-714 §6, 72).

1.24.070 Chapter inapplicable to certain violations.

The procedures prescribed by this chapter shall not apply to violation of any ordinance regulating traffic upon the highway of the city or the violation of Title 6, as amended.

(History: Ord. NA-714 §7, 72).

[Next Page is 1-800]

LEGAL BASIS FOR OVERLAND PARK, KANSAS

The City was incorporated May 20, 1960, as a result of a referendum held on May 17, 1960. The authority for the election and incorporation is found in Chapter 413, Laws of Kansas 1959. This law related to urban class townships, authorized their dissolution, provided for the attachment of part of their territory to existing cities and included the remainder in a city of the first class to be created. This law was later designated as K.S.A. 80-2309 through 80-2323 and was repealed by Chapter 509, Section 12, Laws of Kansas 1963.

The 1959 law designated that the new city created would have the mayor and council form of government, with the councilmen being elected from not less than four contiguous and compact wards (K.S.A. 13-205). The 1959 law also provided, "All ordinances of the urban township in effect at the time of the incorporation of the new city and proper to have been passed by a city of the first class shall continue in effect in the new city until amended or repealed by the governing body of the city."

On November 6, 1962, by special election, the city adopted the provisions of the mayor-council-manager plan now found in K.S.A. 12-1036a through 12-1036h. Thereafter, a number of the provisions of this law were changed by various charter ordinances passed by the city under authority of Article 12, Section 5 of the Kansas Constitution. For the various changes, see the charter ordinances listed in the back.

[Next Page is 2-i]