

14-410

MOB ACTION.

Whenever the Mayor or, in the event of his or her inability or unavailability to act, the Commissioner acting for the Mayor determines that an emergency exists as a result of mob action or other civil disobedience causing danger of injury to or damages to persons or property, he or she shall have power to impose by proclamation any or all of the following regulations necessary to preserve the peace and order of the City:

- (A) To impose a curfew upon all or any portion of the City thereby requiring all persons in such designated curfew areas to forthwith remove themselves from the public streets, alleys, parks or other public places. Physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, firemen and City authorized or requested law enforcement officers and personnel may be exempted from such curfew.
- (B) To order the closing of any business establishments anywhere within the City for the period of the emergency, such businesses to include, but not be limited to, those selling intoxicating liquors, cereal malt beverages, gasoline, or firearms.
- (C) To designate any public street, thoroughfare, or vehicle parking areas closed to motor vehicles and pedestrian traffic.
- (D) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City to assist in preserving and keeping the peace within the city. (Code 1979, 14-411; Ord. 5516, Art. 4)

14-411

PROCLAMATION; TERMINATION; PENALTY.

The proclamation of emergency provided herein shall become effective upon its issuance and dissemination to the public by appropriate news media.

Any emergency proclaimed in accordance with the provisions of this Article shall terminate after forty-eight (48) hours from the issuance thereof, or upon the issuance of proclamation determining an emergency no longer exists, whichever occurs first. Such emergency may be extended for such additional periods of time as determined necessary by resolution of the governing body.

Any person who shall willfully fail or refuse to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized herein shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be punished by a fine of not more than \$100 or by imprisonment in the City jail for a period of not to exceed six (6) months, or by both such fine and imprisonment. (Code 1979, 14-412; Ord. 5516, Art. 4)

14-412

URINATION/DEFECATION IN PUBLIC PROHIBITED.

No person shall urinate or defecate in or upon any street, sidewalk, alley, plaza, park, public building, public property, private parking lot, or in any place open to the public or exposed to public view. This section shall not apply to urination or defecation utilizing fixtures in any public or private restroom or other facility designed for the sanitary disposal of human waste. Upon conviction of violation of this section the defendant shall be fined or imprisoned, or both, pursuant to the general penalty provision of the Code of the City of Lawrence, Kansas, Section 1-112. (Ord. 6528)

14-413

EXCESSIVE NOISE CONSTITUTING DISTURBANCE OF PEACE.

Statement of Intent. No provision of Sections 14-413 and 14-414 shall be construed to limit or abridge the rights of any person to speak, peacefully assemble and express opinions. It is the purpose of this ordinance to protect individuals from unreasonable intrusions caused by excessive, unnecessary or unusually loud noises. (Ord. 6088)

14-414

SAME. Disturbing the Peace.

- (A) It shall be unlawful for any person to make, continue, maintain or cause to be made or continue any excessive, unreasonable or unusually loud noise which disturbs, injures, endangers the repose, health, peace or safety of other people of ordinary sensitivity within the vicinity of the noise.
- (B) It shall be unlawful for any person to use, operate or permit the use or operation of any electronic device, radio, receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity.
- (C) No person shall participate in or be in any party or gathering of people from which sound emanates at a sufficient volume so as to disturb the peace, quiet or repose of the neighboring inhabitants of ordinary sensitivity. A police officer may order all such persons present at any such party or gathering to immediately disperse from the vicinity of any such party or gathering in lieu of being charged under this ordinance; provided; however, owners or tenants are not required to leave their own dwelling unit. Owners or tenants residing in the dwelling unit where the party or gathering occurs shall, upon request of a police officer, cooperate fully in abating the disturbance and failing to do so shall be in violation of this ordinance.
- (D) For the purposes of this ordinance, the term "neighboring inhabitants" includes those persons in single family dwellings, multiple family dwellings, boarding house rooms, hotel rooms or motel rooms within the vicinity of the noise. (Ord. 6088)

14-415

EXEMPTIONS.

The requirements of Sections 14-413 et seq. shall not apply to the following, provided that all equipment is in repair and operated properly:

- (1) Emergency work necessary to restore property to a safe condition or to protect a person and property from eminent danger;
- (2) Emergency vehicles;
- (3) Alarm systems;
- (4) Trash and waste pickup operations;
- (5) Aircraft or railroads;
- (6) Noise resulting from the activities of a temporary duration planned by school/university, governmental or community groups;
- (7) Air conditioners and lawn care equipment;
- (8) Construction operations; and

(9) Church bells and campanile chimes. (Ord. 6088)

14-416

NO VIOLATION OF DISTURBING THE PEACE IF VIOLATION OF LOUD SOUND AMPLIFICATION SYSTEM ORDINANCE.

The provisions of 14-413 through 14-415 shall not apply to violations of the prohibition against the operation of loud sound amplification systems from within or upon vehicles as established in Section 17-116. (Ord. 7056)

14-417

ILLEGAL CAMPING

(Ord. 7893, Ord. 7960)

(A) Definitions

(1) "Camping" shall mean the use of land to conduct one or more specified activities when, based upon such use, it reasonably appears in light of all the circumstances that the participants, in conducting the specified activities, are using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may be engaging. Camping shall not include residing in a permanent structure that may be lawfully occupied as a permanent or temporary residence.

(2) "Specified activities" shall include one or more of the following:

(a) sleeping or making preparations to sleep such as laying down bedding.

(b) storing personal belongings including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar materials.

(c) making any fire for the purposes of warmth, or of cooking.

(d) erecting a tent, lean-to or other similar temporary structure.

(B) It shall be illegal to engage in camping on private property without the consent of the property's owner.

(C) It shall be illegal to engage in camping on any public right of way or public property located within the area of the city zoned CD as defined by Chapter 20 of this code. (Ord. 7960, Ord. 8046)

(D) Penalty

Upon conviction for a violation of this section, the violator shall be fined in an amount not to exceed \$1000 dollars, or sentenced to a jail term not to exceed 6 months, or both.

14-418

AGGRESSIVE PANHANDLING.

(A) Definitions. For the purpose of this section: (Ord. 7891)

(1) "Panhandling" shall mean any request for or solicitation of an immediate donation of money. A request or solicitation to purchase an item for an amount far exceeding its value, in circumstances where a reasonable person would understand that the purchase is in substance a donation, constitutes panhandling. Panhandling shall not include the act of passively