

ORDINANCE NO. 357

AN ORDINANCE RELATING TO THE MUNICIPAL COURT OF THE CITY OF WATHENA, KANSAS, THE OPERATION THEREOF AND THE ADMINISTRATION OF JUSTICE THEREIN; CREATING AN OFFENSE FOR FAILURE TO APPEAR THEREIN AS ORDERED; DEFINING THE OFFENSE OF "FAILURE TO APPEAR" AND PRESCRIBING A PENALTY FOR VIOLATION THEREOF.

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

SECTION 1. FAILURE TO APPEAR DEFINED. (a) Failure to appear is willfully incurring a forfeiture of an appearance bond by failing to appear at the time and place designated therein, including any subsequent time to which the appearance shall have been continued, and thereafter failing to surrender oneself within thirty (30) days following the date of such forfeiture by one who is charged in the Municipal Court of the City of Wathena, Kansas, with a violation of any ordinance of said City of Wathena and has been released on bond for appearance before said Municipal Court for trial or other proceeding prior to judgment as provided in K.S.A. 12-4507.

(b) Any person who is released upon his or her own personal recognizance, without surety, or any person who fails to appear in response to a notice to appear duly issued and served as provided in K.S.A. 12-4204 through 12-4207 shall be deemed a person released on bond for appearance within the meaning of subsection (a) of this section.

(c) The provisions of Section (1) shall not apply to any person who forfeits a cash bond supplied pursuant to law upon an Arrest or Detention for an alleged violation of any ordinance of the City of Wathena relating to the regulation of traffic and parking within said City of Wathena.

SECTION 2. FAILURE TO APPEAR DECLARED UNLAWFUL. Failure to appear, as defined in Section 1 hereof, is hereby declared unlawful and a public offense, punishable as provided in Section 3 hereof.

SECTION 3. PENALTY. Any person adjudged guilty of failure to appear, as herein defined, shall, upon conviction thereof, be punished by a fine of not to exceed Five Hundred Dollars (\$500.00) or by imprisonment in jail for not more than six (6) months or by both such fine and imprisonment.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the City Council and APPROVED by the Mayor on the _____ day of June, 1980.

ATTEST:

Mayor

(City Seal)

City Clerk