

THE CITY OF SEVERY, KANSAS

Ordinance No. 442

AN ORDINANCE ESTABLISHING A SCHEDULE OF CLASSES OF PUBLIC OFFENSES AND TERMS OF CONFINEMENT, FINES, AND OTHER PENALTIES FOR VIOLATIONS

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

Section 1

(a) For the purposes of sentencing, the following classes of violations and terms of confinement are established:

(1) Class A. The sentence shall be a definite term of confinement which shall be fixed by the Court and shall not exceed one year.

(2) Class B. The sentence shall be a definite term of confinement which shall be fixed by the Court and shall not exceed six months.

(3) Class C. The sentence shall be a definite term of confinement which shall be fixed by the Court and shall not exceed one month.

(4) Unclassified violations for which a maximum sentence or sentencing range has been specified in the Ordinance which defines the offense. The sentence shall be as specified in the Ordinance, limited to a maximum term of one year.

(5) Unclassified violations for which no sentence has been specified. The sentence shall be the same as provided herein for a Class C violation.

(b) Upon conviction of a violation, instead of or in addition to confinement as provided in section (a) of this Ordinance, a person may be punished by a fine as follows:

(1) Class A violation: a sum not to exceed \$2,500.

(2) Class B violation: a sum not to exceed \$1,000.

(3) Class C violation: a sum not to exceed \$500.

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- (4) Unclassified violation: a sum authorized by the Ordinance that defines the offense.
- (5) Unclassified violation without a specified fine amount: a sum not to exceed \$500.
- (c) In the alternative to any of the above fines, a fine may be imposed and fixed at any greater sum, not to exceed twice the pecuniary gain derived by the offender from the violation.
- (d) The Court may choose any one penalty or any combination of penalties to accomplish the purposes of sentencing, including but not limited to confinement, a fine, injunctive, and equitable relief, and imposition of options listed in K.S.A 12-4509.

Section 2


- (a) With regard to continuing violations after sentencing, each day the violation continues shall be a separate offense of the same Class and may be subject to contempt of court.
- (b) Payments of the following are required upon a plea or finding of guilty, or a plea of nolo contendere, and must be satisfied in the following order prior to application of any payment to fines or restitution imposed by the Court:
 - (1) Payment required by K.S.A. 4117, as amended
 - (2) Combined costs and Court fees in the total sum of \$75.

Section 3

This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

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Adopted by the City Council on this 17TH day of April, 2024.


Donna Wiss, Mayor

Attest 
Tessa C. Riggs, City Clerk

(seal)