ORDINANCE NO. 18233

AN ORDINANCE introduced by Mayor James A. McClinton relating to the interference with city officers and employees, amending City of Topeka Code § 54-73 and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. Topeka City Code § 54-73, Interference with city officers and employees, is hereby amended to read as follows:

Interference with city officers and employees; obstruction or interference with law enforcement officers.

(a). It shall be unlawful for any person to knowingly or unknowingly interfere with any city officer or employee in the performance of duty for the city.

(b). It shall be unlawful for any person to knowingly or unknowingly obstruct or interfere with any law enforcement officer in the performance of their official duties or while the law enforcement officer is attempting to detain or arrest any person as provided in the Topeka City Code §§ 50-62 or 50-63 or K.S.A. 22-2401 or 22-2402, or while the law enforcement officer is investigating any complaint or allegation of any violation of law.

(c). For the purposes of this subsection (b), obstruct or interfere shall include, but not be limited to, any statement or act that impedes a law enforcement officer's investigation of activity that is suspicious, illegal, or threatens the safety of any person or property. Such acts include, but are not limited to, physical or passive resistance, attempting to flee from a law enforcement officer, or intentionally giving false information.
to a law enforcement officer. Interference or obstruction may be committed by physical
act, verbal act, or by a failure to act.

(d). For the purposes of this subsection (b), law enforcement officer includes
any federal, state, county or city employee who is empowered to effect an arrest with or
without a warrant and who is authorized to carry a firearm as part of such employment,
regardless of whether they are on or off duty, any law enforcement officer as defined in
K.S.A. 12-4113(j) and amendments thereto, K.S.A. 21-3110(10) and amendments
thereto, K.S.A. 22-2202(13) and amendments thereto, K.S.A. 74-5602(e) and
amendments thereto, or any member of the Topeka Police Department Reserves or the
Shawnee County Sheriff's Office Reserves.

Section 2. That original City of Topeka Code § 50-73 is hereby specifically
repealed.

Section 3. This Ordinance shall take effect and be in force from and after its
passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Council of the City of Topeka _____________

MAY 11 2004

JAMES A. MCCLETON
James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 4/22/04 BY BL
TO BE CODIFIED ________
NOT TO BE CODIFIED__________

VYORD/INTERFERENCE
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