

Ordinance No. 516

An Ordinance Concerning Traffic Offenses and Appearance Bonds Therefor. ]

Be it ordained by the governing body of the City of Westwood Hills, Kansas.

Section 1. Article 1 of Chapter III, Revised Ordinances, is hereby amended by adding thereto a new section reading as follows:

3-151 Appearance Bonds for Traffic Offenses

(1) Whenever a person is arrested for a violation of any of the provisions of this Chapter III, relating to traffic offenses, and such person is not given an immediate hearing as required by Section 15-507, General Statutes of Kansas, as amended (Laws of Kansas, 1961, p. 256), the arresting officer shall: (a) Prepare in duplicate written notice to appear in court and such notice shall contain the name and address of such person, the license number of his vehicle, if any, the offense charged, and the time and place when and where such person shall appear in court. (b) The time specified in said notice to appear shall be at least five (5) days after such arrest unless the person arrested shall demand an earlier hearing. (c) The place specified in said notice to appear shall be before the city court of such city. (d) The arrested person in order to secure release under the provisions of this sub-section, shall give his written promise so to appear in court by signing in duplicate the written notice prepared by the arresting officer. The original of said notice shall be retained by said officers and the copy thereof delivered to the person arrested. Thereupon, said officer shall forthwith release the person arrested from custody. (e) Any officer violating any of the provisions of this act shall be guilty of misconduct in office and shall be subject to removal from office.

(2) Whenever any person shall be arrested for violation of such provisions and such person is not given an immediate hearing as provided in said Section 15-507, the arresting officer may require the person so arrested to give bond in the amount specified hereinafter, which bond shall be subject to forfeiture

if said person so arrested does not appear for trial at the court and at the time specified in the written notice provided for in subsection (1) of this section. Such bond shall be a cash bond and shall be taken in the following manner: The arresting officer shall furnish the person arrested a stamped envelope addressed to the judge or clerk of the court named in the written notice to appear and the person arrested shall place in such envelope the amount of the bond, and in the presence of the arresting officer shall deposit the same in the United States mail.

(3) The offenses for which appearance bonds may be required as provided in subsection (2) of this section and the amounts thereof shall not exceed the following:

Speeding as defined in Section 3-109.....	\$15.00
Reckless driving as defined in Section 3-147.....	50.00
Driving on wrong side of roadway or in improper lane as defined in Section 3-111.....	15.00
Illegal passing as defined in Sections 3-112 and 3-113.....	15.00
Failure to yield right of way as defined in Sections 3-117, 3-118, 3-120, 3-121, 3-122, 3-123 and 3-137.....	15.00
Failure to stop at stop sign as defined in 3-119, 3-142 and 3-143.....	15.00
Illegal turning or failure to signal turn as defined in Sections 3-115, 3-116 and 3-118....	15.00
Following too closely as defined in Section 3-114..	15.00
Illegal parking on highway as defined in Sections 3-124 and 3-149.....	15.00
Defective brakes as defined in Section 3-145.....	15.00
Illegal loads as defined in Section 3-141.....	15.00
Improper registration.....	10.00
Spilling loads on highway as defined in Section 3-134.....	15.00
Defective lighting equipment as defined in Sections 3-129-3-130, 3-131, 3-132 and 3-133.....	10.00
Failure to dim lights.....	10.00
No valid operator's or chauffeur's license.....	10.00
Improper equipment (horn, muffler, rear vision mirror, windshield wipers, safety devices and equipment) as defined in Sections 3-125, 3-136, 3-138, 3-140, 3-144 and 3-146.....	10.00

Section 2. This ordinance shall take effect and be in force from and after its publication.

Passed by the City Council this 2<sup>nd</sup> day of October, 1961

Approved by the Mayor this 2<sup>nd</sup> day of October, 1961

H. H. Sandy  
Mayor

Attest:

Gra M. Aueberg  
City Clerk

-----

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 2<sup>nd</sup> day of October, 1961, and the record of the final vote on its passage is found in the minutes of the meeting held on said date; and that it was published in the Johnson County Herald on the 5<sup>th</sup> day of October, 1961.

Gra M. Aueberg  
City Clerk