

ORDINANCE NO. 72

AN ORDINANCE RELATING TO MOB ACTION OR OTHER CIVIL DISOBEDIENCE; PROVIDING FOR EMERGENCY REGULATIONS TO PRESERVE THE PEACE AND ORDER OF THE CITY; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION 1 Whenever the mayor, or in the event of his inability to act the President of the Governing Body in his judgment determines that an emergency exists as a result of mob action, civil disobedience, public or natural disaster or the threat or possibility of any such situation within the Kansas City Standard Metropolitan Statistical area which is causing or might cause danger of injury to or damage to persons or property within the City, he 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, and or their motor vehicles, from the public streets, alleys, public parking lots, parks or other public places; provided, however, that 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 establishment anywhere within the City for the period of the emergency.
- (c) To designate any public street, thoroughfare or vehicle parking area closed to motor vehicles and pedestrian traffic.
- (d) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City, including the sheriff's department under provisions of mutual emergency police protection compact, to assist in preserving and keeping the peace within the City.

SECTION 2 In the event of a determination that any such emergency exists, any and all of said regular and auxiliary law enforcement agencies, organizations and their individual officers shall have the full power and authority to make arrests and to act on behalf of the City in order to enforce the provisions provided for herein and any and all other City ordinances that might be violated as a result of any mob action or other civil disobedience.

SECTION 3 The Mayor is hereby authorized to enter into a mutual emergency police protection compact with any and all governing bodies of Johnson County, Kansas, and any other duly authorized governing body within the Kansas City Standard Metropolitan area.

SECTION 4 The Proclamation of Emergency provided herein shall become effective upon its issuance and dissemination to the public by appropriate news media.

SECTION 5 Any emergency proclaimed in accordance with the provisions of this ordinance shall terminate after forty-eight (48) hours from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional periods of time as determined necessary by resolution of the Governing Body.

SECTION 6 Any person who shall willfully fail or refuse to comply with any such curfew or order of closing or 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 \$100.00, or by imprisonment in the City or County Jail for a period not to exceed three (3) months, or by both such fine and imprisonment.

SECTION 7 This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

PASSED by the Governing Body of the City of Westwood Hills, Kansas, this 1st day of April, 1968.

APPROVED by the Mayor of the City of Westwood Hills, Kansas, this 1st day of April, 1968.

Michael Meyer
Mayor

ATTEST:

Don W. Rumberg
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Robert S. Hecker
City Attorney

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(c) To designate any public street, thoroughfare or vehicle parking area closed to motor vehicles and pedestrian traffic.

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SECTION 2. In the event of a determination that any such emergency exists, any and all of said regular and auxiliary law enforcement agencies, organizations and their individual officers shall have the full power and authority to make arrests and to act on behalf of the City in order to enforce the provisions provided for herein and any and all other City ordinances that might be violated as a result of any mob action or other civil disobedience.

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SECTION 4. The Proclamation of Emergency provided herein shall become effective upon its issuance and dissemination to the public by appropriate news media.

SECTION 5. Any emergency proclaimed in accordance with the provisions of this Ordinance shall terminate after forty-eight (48) hours from the issuance thereof, or upon the issuance of a proclamation determining that emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional periods of time as determined necessary by resolution of the Governing Body.

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SECTION 7. This ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper. PASSED by the Governing Body of the City of Westwood Hills, Kansas, this 1st day of April, 1968.

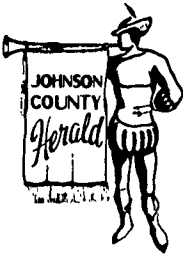
APPROVED by the Mayor of the City of Westwood Hills, Kansas, this 1st day of April, 1968.

/s/ Michael Seltzer
Mayor

ATTEST:
/s/ Ora M. Amberg
City Clerk

APPROVED AS TO FORM AND LEGALITY:
/s/ Robert L. Hecker
City Attorney

15



AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

BOB FISER beina first duly sworn,

Deposes and says: That he is the editor of the Johnson County Herald, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, with a general paid circulation on a weekly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly, published at least weekly 50 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Shawnee Mission, in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the

10th day of April, 1968, with subsequent publications being made on the following dates:

-----, 19-----

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-----, 19-----

-----, 19-----

-----, 19-----

Bob Fiser

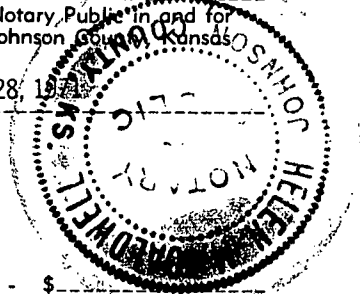
Subscribed and sworn to before me this 10th

day of April, 1968

Helen M. Caldwell

Notary Public in and for
Johnson County, Kansas

My Commission Expires Aug. 28, 1971
My commission expires: -----



Notary Fee - - - - - \$-----

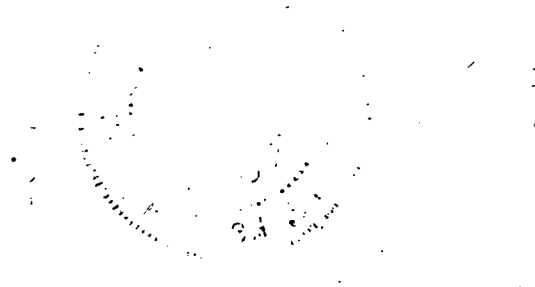
Printer's fee - - - - - \$ 16.54

Additional copies - - - - - \$-----

Total Charge - - - - - \$-----

**Johnson County Herald—Fully qualified to
publish legal notices**

Official Paper for the cities of Countryside, Fairway, Leawood, Merriam, Mission, Mission Hills, Mission Woods, Overland Park, Prairie Village, Roeland Park, Shawnee, Westwood and Westwood Hills; Sewer Districts, Shawnee Township and the Mission Township Water and Park Boards.



Case No. _____

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

AN ORDINANCE RELATING TO MOB ACTION OR OTHER CIVIL DISOBEDIENCE; PROVIDING FOR EMERGENCY REGULATIONS TO PRESERVE THE PEACE AND ORDER OF THE CITY; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS:

SECTION 1. Whenever the mayor, or in the event of his inability to act the President of the Governing Body in his judgment determines that an emergency exists as a result of mob action, civil disobedience, public or natural disaster or the threat or possibility of any such situation within the Kansas City Standard Metropolitan Statistical area which is causing or might cause danger or injury to or damage to persons or property within the City, he 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, and or their motor vehicles, from the public streets, alleys, public parking lots, parks or other public places; provided, however, that 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 establishment anywhere within the City for the period of the emergency.

(c) To designate any public street, thoroughfare or vehicle parking area closed to motor vehicles and pedestrian traffic.

(d) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City, including the sheriff's department under provisions of mutual emergency police protection compact, to assist in preserving and keeping the peace within the City.

SECTION 2. In the event of a determination that any such emergency exists, any and all of said regular and auxiliary law enforcement agencies, organizations and their individual officers shall have the full power and authority to make arrests and to act on behalf of the City in order to enforce the provisions provided for herein and any and all other City ordinances that might be violated as a result of any mob action or other civil disobedience.

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SECTION 6. Any person who shall willfully fail or refuse to comply with any such curfew or order of closing or 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 \$100.00, or by imprisonment in the City or County Jail for a period not to exceed three (3) months, or by both such fine and imprisonment.

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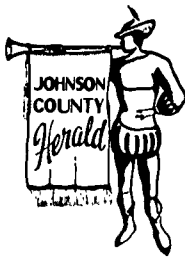
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/s/ Michael Seltzer
Mayor

ATTEST:
/s/ Ora M. Amberg
City Clerk

APPROVED AS TO FORM AND LEGALITY:
/s/ Robert L. Hecker
City Attorney

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AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

BOB FISER beina first duly sworn,

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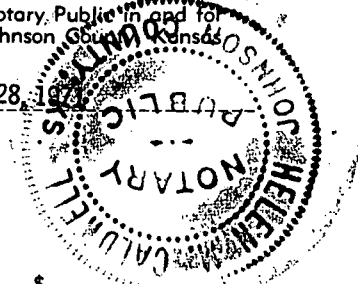
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Notary Public in and for
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Notary Fee - - - - - \$ _____

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APPROVED by the Mayor of the City of Westwood Hills, Kansas, this _____ day of April, 1968.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Attorney

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Mayor

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City Clerk

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City Attorney