

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.

**CITY OF SEVERY**  
**Ordinance 442, Page 2 of 3**

(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.

CITY OF SEVERY  
Ordinance 442, Page 3 of 3

Adopted by the City Council on this 17<sup>TH</sup> day of April, 2024.

  
Donna Wiss, Mayor

Attest   
Tessa C. Riggs, City Clerk

(seal)