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ORDINANCE NO. 401

AN ORDINANCE MODIFYING SECTION 12-109 OF THE CITY CODE OF THE CITY OF THAYER, NEOSHO COUNTY, KANSAS

WHEREAS, the Governing Body of the City of Thayer, Kansas is desirous of modifying certain provisions of the Thayer City Municipal Ordinances; and

WHEREAS, the Governing Body of the City of Thayer has determined that it is in the best interests of the City and the citizens thereof to modify such Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF THAYER, NEOSHO COUNTY, KANSAS:

SECTION 1. Section 12-109 of the Thayer City Code, shall be revised to read as follows:

- (a) Camping shall be permitted only in the designated areas of any Thayer city park.
- (b) Unless otherwise specifically permitted by the City of Code Thayer, Kansas, it shall be unlawful and a public nuisance for any person or persons to camp in or upon any public property or public right-of-way.
- (c) As used in this Section:
  - (1) "To camp" means to set up, or to remain in or at a campsite, for the purpose of remaining overnight, or of establishing or maintaining a temporary place to live.
  - (2) "Campsite" means any place where:
    - (A) Any bedding, sleeping bag, tarpaulin, cot, bed, hammock, cardboard, newspapers, or other sleeping matter is placed, established, set up, used or maintained; or
    - (B) Any stove, fire or cooking utensils or non-city designated cooking facilities are placed, established, set up, used or maintained; or
    - (C) Any tent, hut, lean-to, shack, trailer camper, vehicle or any part thereof, or any other shelter or structure is placed, established, set up, used or maintained; or

- (D) Personal property, including camp paraphernalia, is kept or stored.
- (E) "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, cooking equipment, stoves, lanterns, tents, huts, lean-tos, shacks, trailer campers, vehicles or any part thereof, any other sleeping matter, or any other shelter or structure.
- (F) "Public property" means any property publicly owned property, including but not limited to streets, sidewalks, alleys, parks, parking lots, easements, improved or unimproved land, or any buildings or physical structures owned or managed by the City or other governmental agency.
- (G) "Public right-of-way" means the entire width of the area from property line to property line including all area intended, designed or used for vehicular or pedestrian traffic and the area between the roadway and the abutting private property line.

(d) In addition to the penalties set forth for violation of this Section, the City Attorney may institute civil actions to abate a public nuisance under this section.


SECTION 2. All other provisions of the Thayer City Municipal Code not specifically amended herein shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect and be in force and effect from and after its publication one time in the official city newspaper.

PASSED by the Thayer City Council and approved by the Mayor of the City of Thayer, Kansas, this 10 day of April, 2024.

  
ANNA GINDLESBERGER, Mayor

ATTEST:

  
DUSTI DYKE, Thayer City Clerk