



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

CURT T. SCHNEIDER
Attorney General

June 30, 1975

Opinion No. 75- 270

Mr. David K. Duckers
Assistant City Attorney
Thompson & Duckers
827 Armstrong Avenue
Kansas City, Kansas 66101

Dear Mr. Duckers:

As Assistant City Attorney for the City of Tonganoxie, a city of the third class, you inquire concerning the authority of the city police department over the property of a county fairgrounds park located within the city limits. The park is the property of Leavenworth County, within which the city is located, and is heavily used by citizens of the city, as well as by others. The city police, you advise, have received many complaints concerning racing of automobiles and motorcycles inside the park, excessive drinking, and other minor disturbances. The county, you indicate, patrols the park on an infrequent basis.

You advise that the Chief of Police of Tonganoxie wishes to know whether his office has authority to patrol the park and to make arrests within the park for violation of city ordinances. The powers of a municipal police department may be exercised throughout the corporate territory of the city except, of course, over property concerning which a sovereign entity has reserved exclusive legislative jurisdiction, that being state or federal property over which the state or federal government has reserved exclusive legislative control. I know of no limitations upon the exercise of enforcement powers of municipal police department respecting city ordinances upon property owned by a county. That property is equally subject to city legislative control as is other property within the city limits, and thus, in my opinion, the ordinances of the City of Tonganoxie may be enforced on the county fairgrounds park within the territorial limits of the city.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS:JRM:jj