ORDINANCE NO. 128

AN ORDINANCE AMENDING SECTIONS 1, 5, AND 8 OF ORDINANCE NUMBER 10 OF THE CITY OF BASEHOR, KANSAS, PROVIDING FOR THE ADDITION OF "INOPERABLE AND/OR WRECKED OR SALVAGE MOTOR VEHICLES AND PARTS" TO SAID SECTIONS 1 AND 8 , PARTICIPATION BY THE CHIEF OF POLICE IN NOTIFICATION OF SUCH NUISANCES IN SECTION 8, AND AMENDING SECTION 5 TO PROVIDE FOR PENALTY PROVISIONS FOR VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

That Section 1 of Ordinance Number 10 shall be amended to:

Section 1. Trash Regulations; Premises Kept Clean; Receptacle Required.

It shall be unlawful and an offense for any occupant, owner, person, lessee or agent of any property or the agents, servants, officers, or employees of any corporation or co-partnership, to throw, place, deposit or leave or cause to be thrown, placed, deposited or left in any of the public streets, alleys, parks, thoroughfares, or other public property within the limits of the City of Basehor, any wastepaper, excelsior, straw, tin cans, hay, leaves, brush, weeds, dry grass shavings, rags, empty barrels, boxes, wooden crates, rakings, inoperable and/or wrecked or salvage motor vehicles, lumber or other combustible materials, or for any occupant, owner, lessee, agent, or person in charge of any building located within the limits of the City of Basehor, Kansas, to fail or neglect to keep the floors, closets, stairways, balconys, hallways, stair-landings, attics, basements, or cellars of such buildings or the yard, area or premises adjacent thereto, free from all trash, rubbish, wastepaper, sweepings, empty boxes, wooden crates, or other loose combustible material, and inoperable and/or wrecked or salvage motor vehicles.

That Section 5 of Ordinance Number 10 shall be amended to:

Section 5. Penalty.

Any person, corporation, partnership, firm or association who shall violate the provisions of this Ordinance shall upon conviction thereof be fined any sum not less than One Dollar [$1.00] nor more than Two Hundred Dollars [$200]. Each additional day that a violation of this Ordinance shall continue shall be deemed a separate and distinct offense and punishable as such after due notice from the City by registered mail.

That Section 8 of Ordinance Number 10 shall be amended to:

Section 8. Abatement of Nuisances.

The City Council shall have removed from any lot or parcel of ground within the corporate limits of the City any and all nuisances, including wastepaper, rubbish, sweepings, empty boxes, wooden crates or other loose combustible material, excelsior,

straw, tin cans, hay, leaves, brush, weeds, dry grass shavings, rags, empty barrels, lumber, inoperable and/or wrecked or salvage motor vehicles, rank grass, or other vegetation, and shall have the power to cause to be drained any pond or ponds of water, at the cost and expense of the owner of the property on which the nuisance is located, whenever the Chief of Police of such City shall file with the Clerk of such City his statement in writing that such nuisance, rank vegetation, or pond of water, describing the same and where located, is a menance and dangerous to the health of the inhabitants of the City, or of any neighborhood, family or residents of the City. The City Clerk shall forthwith issue notice requiring the owner or agent of the owner of the premises to remove and abate from said premises the thing or things therein described as a nuisance within a time not exceeding ten [10] days, to be specified in the notice; said notice shall be served by the Chief of Police of said City by delivering a copy thereof to the owner, occupant or agent, of such property, or if the same be unoccupied and the owner a non-resident, then by mailing a notice to the last known address; and if the owner, occupant or agent shall fail to comply with the requirement of said notice then the Chief of Police shall proceed to have the things described in said notice removed and abated from said lot or parcel of ground, and report the cost thereof to the City Clerk, and the cost of such removal or abatement shall be assessed and charged against the lot or parcel of ground on which the nuisance was located; and the City Clerk shall, at the time certifying the other city taxes to the County Clerk, certify the aforesaid costs and the County Clerk shall extend the same on the tax rolls of the County against said lot or parcel of ground, and it shall be collected by the County Treasurer and paid to the City as other city taxes are collected and paid.

This Ordinance shall take effect and be in full force and effect from, after and upon its publication in the official City newspaper, to-wit: The Basehor Sentinel.

Passed by the Governing Body this 6 day of February, 1979.

Approved by the Mayor this 8 day of February, 1979.

Clarence I. Worley
CLARENCE I. WORLEY, MAYOR

ATTEST:

Wilma R. Kibler
WILMA R. KIBLER, CITY CLERK