

ORDINANCE NUMBER 537

AN ORDINANCE AMENDING ADMINISTRATIVE PROVISIONS OF THE ZONING AND SUBDIVISION REGULATIONS OF THE CITY OF HIGHLAND, KANSAS; PRESCRIBING FEES AND PENALTIES THEREIN; AND AMENDING ORDINANCE NUMBER 513 OF THE CITY OF HIGHLAND, KANSAS.

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

SECTION ONE: Prior Ordinance. The City of Highland, Kansas has heretofore enacted a comprehensive zoning and subdivision regulation ordinance entitled "*ZONING REGULATIONS & SUBDIVISION REGULATIONS & PROCEDURES MANUAL for CITY OF HIGHLAND, KANSAS*", as adopted by ORDINANCE NUMBER 513 of said city.

SECTION TWO: Fee Provisions. Said ordinance number 513 failed to amend the fees to be charged for various administrative applications made under said ordinance, and it is appropriate and necessary to do so in connection with the administration thereof. **ARTICLE 14 - ADMINISTRATION Section 3. Zoning Application D. Fees:** thereof is deleted and the following section is inserted in replacement thereof:

ARTICLE 14 –ADMINISTRATION

Section 3. Zoning Application

D. Fees:

- (1) Certificate of Occupancy (building/fence/home occupation/sign permit) - \$25
- (2) Site Plan Review - \$25
- (3) Site Plan Final - \$25
- (4) Administrative Appeal - \$25
- (5) Variance - \$50
- (6) Conditional Use - \$50
- (7) Zoning District - \$50
- (8) Lot Split - \$50
- (9) Preliminary Plat - \$100
- (10) Final Plat - \$100

In addition to above fees, the applicant shall be responsible for the payment of cost(s) of any required publication associated with, or related to, the application.

SECTION THREE: Misdemeanor Penalties. ARTICLE 15 (VIOLATIONS AND PENALTIES) 2. Enforcement and Remedies H. Misdemeanor Penalties of ordinance 513 is deleted and the following section is inserted in replacement thereof:

ARTICLE 15 -VIOLATIONS AND PENALTIES

2. Enforcement and Remedies

H. Misdemeanor Penalties: The City may seek and enforce such criminal or civil penalties as are provided by Kansas law for violation of the various requirements of this ordinance or any of the Zoning Regulations set forth herein. Any violation of the provisions of this ordinance shall constitute a misdemeanor crime enforceable in municipal court, subject to the notice requirement of subsection 3A. hereof. Criminal penalties assessed for each violation shall be imprisonment in the county jail for a period of time not to exceed 6 months and a fine not to exceed Five Hundred Dollars (\$500.00), or both such fine and imprisonment. Each and every day that any such violation exists shall constitute a separate offence.

SECTION FOUR: Notice. ARTICLE 15 (VIOLATIONS AND PENALTIES) 3. Enforcement Procedures A. Notice of ordinance 513 is deleted and the following section is inserted in replacement thereof:

ARTICLE 15 -VIOLATIONS AND PENALTIES

3. Enforcement Procedures

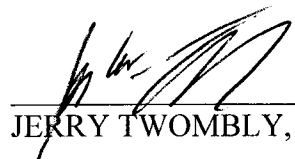
A. Notice: In situations other than emergencies under subsection 3B. herein, the City shall provide ten (10) days written notice of the nature of the violation to the owner, occupant or agent of the property owner prior to proceeding with any criminal action against the offending party or property owner, in order to allow any such offender to permanently correct the alleged violation. Said notice can be by personal service, by giving such notice by first class USPS mailing to the utility address of the property or the last known address of the owner, occupant or agent of the property owner, or by posting the same in a conspicuous location on the premises in violation.

SECTION FIVE: Amending Prior Ordinance. Ordinance No. 513 of the City of Highland, Kansas, and all ordinances and parts of ordinances of said City in conflict herewith, is hereby amended, in part, as set forth herein.

SECTION SIX: Effective Date. This ordinance shall take effect and be in force from and after its publication, in summary format, in the official city newspaper.

Passed by the governing body and approved by the Mayor of the City of Highland, Kansas, this 10th day of May, 2017.

ATTEST:



JERRY TWOMBLY, Mayor

(SEAL)



JOANN KARN, City Clerk