

1999 ADOPTING ORDINANCE

(Published in *The Mulvane News* on April 22, 1999)

ORDINANCE NO. 1055

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF MULVANE, KANSAS, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MULVANE, SEDGWICK AND SUMNER COUNTIES, STATE OF KANSAS:

Section 1. The codification of ordinances of the City of Mulvane, Kansas, authorized by Ordinance No. 1055 and K.S.A. 12-3014 and 12-3015, as set out in the following Titles, Titles I to VII, all inclusive and entitled the "Code of the City of Mulvane, Kansas," is hereby adopted and ordained as the "Code of the City of Mulvane, Kansas," and said codification shall become effective from and after the passage and approval of this ordinance and publication of no fewer than 10 copies of said Code in book form.

Section 2. All ordinances and parts of ordinances of a general nature passed prior to October 5, 2001, 1998, in force and effect at the date of the passage of this ordinance, are hereby repealed as of the passage of this ordinance except as hereinafter provided.

Section 3. In construing this ordinance, the following ordinances shall not be considered or held to be ordinances of a general nature:

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchases, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenues, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;
- (f) Ordinances creating districts for the public improvements of whatsoever kind or nature;
- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;

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- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the City;
- (k) Ordinances authorizing contracts;
- (l) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;
- (m) Ordinances relating to compensation of officials, officers and employees of the City;
- (n) Ordinances of a temporary nature;
- (o) Ordinances zoning specific property, authorizing special use permits and establishing conditions on the use of specific properties;
- (p) Ordinances dedicating, accepting, or vacating any plat or subdivision in the City or any part thereof, or providing regulations for the same;
- (q) Ordinances relating to zoning, subdivision or land use regulations;
- (r) Ordinances relating to personnel regulations;
- (s) Ordinances prescribing traffic regulations for specific locations prescribing thru streets, parking limitations, parking prohibitions, one-way traffic, limitations on loads of vehicles or loading zones not inconsistent with this Code.
- (t) The following ordinances and all amendments thereto are specifically held from repeal: Ord. No. 961.

Provided, that the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this Section.

Section 4. The arrangement and classification of the several Titles, Chapters, Articles, and Sections of the Code adopted by Section 1 of this ordinance and the headnotes and footnotes at the ends of the Sections, are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

Section 5. The repeal of ordinances as provided in Section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the passage, approval and publication of this ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefor.

Section 6. If for any reason any Title, Chapter, Article, Section, Subsection, sentence, portion or part of the "Code of the City of Mulvane, Kansas," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code.

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Section 7. This ordinance shall take effect and be in force from and after the publication of the "Code of the City of Mulvane, Kansas," and the passage and approval of this ordinance, as provided in K.S.A. 12-3015.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS, THIS
19TH DAY OF APRIL, 1999.**

James P. Ford
Mayor of the City of Mulvane

ATTEST:

Patty Gerwick
City Clerk

(SEAL)