

Chapter 100

GENERAL PROVISIONS

ARTICLE I

Code Provisions

- Section 100.010. Code Designated.**
- Section 100.020. Definitions.**
- Section 100.030. Parenthetical and Reference Matter.**
- Section 100.040. Catchlines of Sections.**
- Section 100.050. Amendments — Repeal.**
- Section 100.060. Powers Generally.**
- Section 100.070. Ordinances.**
- Section 100.080. Altering Code.**
- Section 100.090. Scope of Application.**
- Section 100.100. General Penalty.**
- Section 100.110. Severability.**

ARTICLE II

Claims Against City

- Section 100.120. Uniform Procedure for Payment of Claims and Other Indebtedness by Municipalities — Definitions.**
- Section 100.130. Uniform Procedure for Payment of Claims — Presentment of Claims — Claims Which Could Give Rise to Action Under Kansas Tort Claims Act — Notice, Contents, Limitation on Commencement of Action — Payments in Advance of Approval — Auditing — Approval.**

ARTICLE III

Miscellaneous Provisions

- Section 100.140. Official City Newspaper.**
- Section 100.150. Alteration, Concealment or Impairment of Identity of City Property Prohibited.**
- Section 100.160. Standardized Return Check Charge.**

ARTICLE IV

Right to Procedural Due Process Assured

Section 100.170. Right to Procedural Due Process Assured.

ARTICLE V

Capital Improvement Fund

Section 100.180. Municipal Equipment Fund Established for City Departments.

Section 100.190. Policy Objective.

Section 100.200. Use for Studies.

ARTICLE VI

Equipment Reserve Fund — Police, Fire, Ambulance and Street Departments

Section 100.210. Fund Established.

Section 100.220. Policy Objective.

Section 100.230. Investing.

ARTICLE VII

Miscellaneous Fees and Charges

Section 100.240. Certain Fees and Charges.

ARTICLE VIII

Exemptions From Certain Kansas Statutes Regarding Bonds

Section 100.250. Exemption From K.S.A. 12-834 Relating To Bonds For Gas, Water, Light, Heat, Street-Railway Or Telephone Service.

Section 100.260. Exemption From K.S.A. 12-834 Relating To Acquisition And Operation Of City Plants.

Section 100.270. Exemption From K.S.A. 13-1024a Relating To The Payment Of Costs For General Improvements In The City.

Section 100.280. Exemption From K.S.A. 14-570 And K.S.A. 14-571 Relating To Public Improvements And The Issuance Of Bonds For The Purpose Of Paying The Costs Thereof.

Note — The city has adopted by resolution no. 2009-5 an identity theft prevention program which is on file in the city offices.

ARTICLE I

Code Provisions

Section 100.010. Code Designated.

[CC 1985 §1-101]

The Chapters, Articles and Sections herein shall constitute and may be designated as the Code of Mulvane, Kansas, and may be so cited.

Section 100.020. Definitions.

[CC 1985 §1-102]

The following definitions and rules of construction shall be observed in the construction of this Code and of all ordinances unless they are inconsistent with the manifest intent of the Governing Body if the context clearly requires otherwise:

CITY — The City of Mulvane, Sedgwick-Sumner County, Kansas.

COMPUTATION OF TIME — The time within which an act is to be done shall be computed by excluding the first (1st) and including the last day. If the last day is a Sunday or legal holiday, that day shall be excluded.

COUNTY — Shall be designated as either Sedgwick or Sumner County, Kansas.

DELEGATION OF AUTHORITY — Whenever a provision appears requiring or authorizing the head of a department or other officer of the City to do some act or perform some duty, it shall be construed to authorize such department head or officer to designate, delegate and authorize subordinates to do the required act or perform the required duty unless the terms of the provision designate otherwise.

GENDER — Words importing the masculine gender include the feminine and neuter.

GOVERNING BODY — The City Council of Mulvane, Kansas.

IN THE CITY — Includes any territory within the corporate limits of the City of Mulvane, Kansas, and the Police jurisdiction thereof and any other territory over which regulatory power has been conferred on the City by law, except as otherwise specified.

JOINT AUTHORITY — All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers, unless it is otherwise expressed in the act giving the authority.

NUMBER — Words used in the singular include the plural and words used in the plural include the singular.

OATH — Includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "*swear*" and "*sworn*" are equivalent to the words "*affirm*" and "*affirmed*".

OWNER (APPLIED TO A BUILDING OR LAND) — Shall include not only the owner of the whole but any part owner, joint owner, tenant in common or joint tenant of the whole or a part of such building or land.

PERSON — Includes a firm, partnership, association of persons, corporation, organization or any other group acting as a unit, as well as an individual.

PROPERTY — Includes real, personal and mixed property.

REAL PROPERTY — Includes land, tenements and hereditaments and all rights to them and interest in

them, equitable as well as legal.

SHALL AND WILL — "*Shall*" and "*will*" are mandatory.

SIDEWALK — Any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

STREET — Includes public streets, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto and all other public thoroughfares in the City.

TENANT, OCCUPANT (APPLIED TO A BUILDING OR LAND) — Any person who occupies the whole or part of such building or land, whether alone or with others.

Section 100.030. Parenthetical and Reference Matter.

[CC 1985 §1-103]

The matter in parenthesis at the ends of Sections is for information only and is not a part of the Code. Citations to ordinances include only the source and the text may or may not be changed by this Code. This Code is a new enactment under the provisions of K.S.A. 12-3014 and 12-3015. Reference matter not in parenthesis is for information only and is not a part of this Code.

Section 100.040. Catchlines of Sections.

[CC 1985 §1-104]

The catchlines or headings of the Sections of this Code are intended as mere words to indicate the contents of the Sections and shall not be deemed or taken to be titles of such Sections nor as any part of any Section nor, unless expressly so provided, shall they be so deemed when any Section, including its catchline.

Section 100.050. Amendments — Repeal.

[Code 1985 §1-105]

Any portion of this Code may be amended by specific reference to the Section number as follows: "That Section _____ of the Code of the City of Mulvane is hereby amended to read as follows: (the new provisions shall then be set out in full)." A new Section not heretofore existing in the Code may be added as follows: "That the Code of the City of Mulvane is hereby amended by adding a Section (or Article or Chapter) which reads as follows: . . . (the new provision shall be set out in-full)." All Sections, Articles or Chapters to be repealed shall be repealed by specific reference as follows: "Section (or Article or Chapter) _____ of the Code of the City of Mulvane is hereby repealed."

Section 100.060. Powers Generally.

[CC 1985 §1-106; Ord. No. 1111 §7, 4-1-2002]

All powers exercised by Cities of the Second Class, or which shall hereafter be conferred upon them, shall be exercised by the Governing Body, subject to such limitations as are prescribed by law.

Section 100.070. Ordinances.

[CC 1985 §1-107; Ord. No. 1111 §8, 4-1-2002]

The Governing Body shall have the care, management and control of the City and its finances and shall pass all ordinances needed for the welfare of the City. No ordinance shall be valid unless a majority of all the members elected to the Council vote in favor: provided, that where the number of favorable votes is one (1) less than required, the Mayor shall have the power to cast the deciding vote in favor of the ordinance.

Section 100.080. Altering Code.

[CC 1985 §1-108]

It shall be unlawful for any person to change or amend by additions or deletions any part or portion of this Code or to insert or delete pages or portions thereof or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Mulvane to be misrepresented thereby. This restriction shall not apply to amendments or revisions of this Code authorized by ordinance adopted by the Governing Body.

Section 100.090. Scope of Application.

[CC 1985 §1-109]

Any person convicted of doing any of the acts or things prohibited or made unlawful or failing to do any of the things commanded to be done, as specified and set forth in this Code, shall be deemed guilty of a misdemeanor and punished in accordance with Section 100.100. Each day any violation of this Code continues shall constitute a separate offense.

Section 100.100. General Penalty.

[CC 1985 §1-110]

A. Whenever any offense is declared by any provision of this Code, absent a specific or unique punishment prescribed, the offender shall be punished in accordance with this Section:

1. A fine of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00);
2. Imprisonment for not more than one hundred eighty (180) days; or
3. Both such fine and imprisonment not to exceed Subsections (1) and (2) above.
4. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue shall constitute a separate offense.

Section 100.110. Severability.

[CC 1985 §1-111]

If for any reason any Chapter, Article, Section, Subsection, sentence, clause or phrase of this Code or the application thereof to any person or circumstances is declared to be unconstitutional or invalid or

unenforceable such decision shall not affect the validity of the remaining portions of this Code.

ARTICLE II

Claims Against City

Section 100.120. Uniform Procedure for Payment of Claims and Other Indebtedness by Municipalities — Definitions.

As used in this Article the following terms shall have these prescribed meanings:

AUDIT — To examine and render an opinion as to allowance or rejection in whole or in part.

CHECK — An ordinary check drawn on a depository bank of the City by the Treasurer of such City and payable to the holder of a warrant or warrants issued by the City.

CLAIM — The document relating to and stating an amount owing to the claimant by the City for material or service furnished to the City, or some action taken by or for the City and for which the City may or may not be responsible in a liquidated or an unliquidated amount. A claim is liquidated when the amount due or to become due is made certain by agreement of the parties or is fixed by law.

GOVERNING BODY — The City Council of the City, which has the power to create indebtedness and is charged with the duty of paying the same, and the board, bureau, commission, committee or other body of an independent agency of a parent unit.

MUNICIPALITY — The City of Mulvane, Kansas.

WARRANT — An instrument ordering the Treasurer of the City to pay out of a designated fund a specified sum to a named person or party who or which has filed a claim against the City.

WARRANT CHECK — A combination of warrant and check. It is a negotiable instrument which orders a depository bank to pay to the order of the payee therein named. A warrant check authorizes the bank upon which drawn to charge the City's account with the amount stated therein.

Section 100.130. Uniform Procedure for Payment of Claims — Presentment of Claims — Claims Which Could Give Rise to Action Under Kansas Tort Claims Act — Notice, Contents, Limitation on Commencement of Action — Payments in Advance of Approval — Auditing — Approval.

A. All claims against the City must be presented in writing with a full account of the items, and no claim shall be allowed except in accordance with the provisions of this Section. A claim may be the usual statement of account of the vendor or party rendering a service or other written statement showing the required information.

B. Claims for salaries or wages of officers or employees need not be signed by the officer or employee if a payroll claim is certified to by the administrative head of a department or group of officers or employees or an authorized representative that the salaries or wages stated therein were contracted or incurred for the municipality under authority of law, that the amounts claimed are correct, due and unpaid and that the amounts are due as salaries and wages for services performed by the person named.

C. No costs shall be recovered against the City in any action brought against it for any claims allowed in part unless the recovery shall be for a greater sum than the amount allowed, with the interest due. Subject to the terms of applicable insurance contracts, judgments and settlements

obtained for claims recoverable pursuant to the Kansas tort claims act shall be presented for payment in accordance with this Section or in such manner as the City Council may designate.

D. Any person having a claim against the City which could give rise to an action brought under the Kansas tort claims act shall file a written notice as provided in this Subsection before commencing such action. The notice shall be filed with the Clerk or City Council and shall contain the following:

1. The name and address of the claimant and the name and address of the claimant's attorney, if any;
2. A concise statement of the factual basis of the claim, including the date, time, place and circumstances of the act, omission or event complained of;
3. The name and address of any public officer or employee involved, if known;
4. A concise statement of the nature and the extent of the injury claimed to have been suffered; and
5. A statement of the amount of monetary damages that is being requested.

In the filing of a notice of claim, substantial compliance with the provisions and requirements of this Subsection shall constitute valid filing of a claim. The contents of such notice shall not be admissible in any subsequent action arising out of the claim. Once notice of the claim is filed, no action shall be commenced until after the claimant has received notice from the City that it has denied the claim or until after one hundred twenty (120) days has passed following the filing of the notice of claim, whichever occurs first. A claim is deemed denied if the City fails to approve the claim in its entirety within one hundred twenty (120) days unless the interested parties have reached a settlement before the expiration of that period. No person may initiate an action against a municipality unless the claim has been denied in whole or part. Any action brought pursuant to the Kansas tort claims act shall be commenced within the time period provided for in the code of civil procedure or it shall be forever barred, except that, if compliance with the provisions of this Subsection would otherwise result in the barring of an action, such time period shall be extended by the time period required for compliance with the provisions of this Subsection.

E. Claims against the City which provide for a discount for early payment or for the assessment of a penalty for late payment may be authorized to be paid in advance of approval thereof by the City Council in accordance with the provisions of this Subsection. The City Council may designate and authorize one (1) or more of its officers or employees to pay any such claim made against the City in advance of its presentation to and approval by the City Council if payment of the amount of such claim is required before the next scheduled regular meeting of the City Council in order for the City to benefit from the discount provided for early payment or to avoid assessment of the penalty for late payment. Any officer or employee authorized to pay claims under this Subsection shall keep an accurate record of all moneys paid and the purpose for which expended, and shall submit the record to the City Council at the next meeting thereof. Payments of claims by an officer or employee of the City under authority of this Subsection are valid to the same extent as if the claims had been approved and ordered to be paid by the City Council.

F. Claims submitted by members of the City's self-insured health plan may be authorized to be paid in advance of approval thereof by the City Council. Such claims shall be submitted to the administrative officer of such insurance plan.

G. Except as otherwise provided, before any claim is presented to the City Council or before any claim is paid by any officer or employee of the City under Subsection (E), it shall be audited by the Clerk, Secretary, Manager, Superintendent, Finance Committee or Finance Department or other officer or officers charged by law to approve claims affecting the area of government concerned in the claim, and thereby approved in whole or in part as correct, due and unpaid.

ARTICLE III

Miscellaneous Provisions

Section 100.140. Official City Newspaper.

[CC 1985 §1-301; Ord. No. 239, 6-3-1959; Ord. No. 1273 §1, 3-24-2008]

The Governing Body of the City shall designate by resolution a newspaper to be the official City newspaper. Once designated the newspaper shall be the official City newspaper until such time as the Governing Body designates a different newspaper.

Section 100.150. Alteration, Concealment or Impairment of Identity of City Property Prohibited.

[CC 1985 §1-302; Ord. No. 858, 1-16-1989]

A. Whoever knowingly alters, conceals, or impairs the identity of property of the City shall be guilty of a misdemeanor, and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than six (6) months, or both such fine and imprisonment.

B. The term "*property of the City*" shall include any and all City identification tags, markings, inventory control labels or other written or printed media intended to identify property as belonging to the City of Mulvane.

Section 100.160. Standardized Return Check Charge.

[CC 1985 §14-206; Ord. No. 852, 10-6-1988; Ord. No. 1149 §1, 8-19-2002; Ord. No. 1410 §1, 2-18-2013]

A. *Return Check Charges.* For any payment in any form (e.g., check, electronic check, automated debit, or any other form of payment) made to the City and returned to the City as not payable for any reason, there shall be imposed a return payment service charge in an amount as set forth in Section 100.240 (i.e., Insufficient Check Charge Fee).

B. *Other Remedies Preserved.* All other civil, criminal, administrative or other remedies provided for by law, regulation or order are herewith preserved in addition to the return payment service charge provided for in this Section.

C. *Waiver Of Charge.* For good cause shown upon satisfactory proof, the City Clerk may waive or reduce the charge provided for hereunder whenever exceptional circumstances are shown. In the event this waiver is granted by the City Clerk, the City Clerk shall enter in the official records of the City an explanation of the circumstances under which the waiver was granted.

ARTICLE IV

Right to Procedural Due Process Assured

Section 100.170. Right to Procedural Due Process Assured.

[CC 1985 §1-401; Ord. No. 788, 4-21-1986]

A. Whenever any person claims a right to procedural due process consisting of notice and a right to be heard upon any action taken or to be taken by any officer of the City of Mulvane, Kansas, acting within the official scope of duty for and on behalf of the City and no other procedure to afford procedural due process is provided for by the City Code or regulations, the following steps are available to seek direct redress for any such claim of deprivation of rights by the City, its officers and agents:

1. Within five (5) calendar days of the occurrence complained of, the person claiming a due process right shall so state in writing by service of a written notice of the deprivation claimed, setting forth with reasonable specificity the nature of the violation claimed, the basis-legal and factual for such claim, and the relief sought upon the City Clerk. The City Clerk shall thereupon forward same to the City Administrator for review.
2. Within not more than ten (10) days of service of the writing described above upon the City Clerk, the City Administrator shall confer with the City Attorney and the City Officials involved for a determination of whether the writing sets forth a basis for entitlement to any right of procedural due process. The decision of the City Attorney as to whether any right to due process is presented by the written request therefore shall be final.
3. In the event it is determined in Subsection (2) that the written application for notice and a right to be heard at a meaningful time is warranted by the facts and circumstances presented, the City Administrator or his/her designee shall serve as a hearing officer and an administrative hearing shall be convened at such time as to afford the applicant a reasonable opportunity to be heard upon the claim presented in writing according to the nature of the right asserted, the administrative burden presented, the likelihood of erroneous deprivation of rights in the absence of a hearing and the interests of the City, whether or to what extent other remedies are available to the applicant for redress of the claim asserted and the nature of the governmental interest involved in the action for which hearing for redress is sought.
4. The hearing officer shall conduct such hearing without regard to or restriction by technical rules of evidence or procedure. At the election of the hearing officer, evidence may be received either by testimony in person, by affidavit, by interview and investigation or by any combination of such methods of taking evidence as will best serve the purpose of this Article in providing procedural due process when warranted by the circumstances presented under a given case.

ARTICLE V

Capital Improvement Fund

Section 100.180. Municipal Equipment Fund Established for City Departments.

[CC 1985 §1-501; Amended Ord. No. 910, 3-4-1991]

In accordance with the provisions of K.S.A. 12-1,117, acts amendatory thereof, and in the event of repeal

of K.S.A. 12-1,117 or acts amendatory thereof, in any event, there is hereby established a Municipal Equipment Reserve Fund, which shall be used by the City to finance the acquisition of equipment necessary for the performance and setting aside funds for operation of the departments of the City. For the purposes of this Article, equipment shall include machinery, vehicles and any other equipment or personal property including, but not limited to, computer hardware and software, which the City is authorized to purchase for municipal purposes.

Section 100.190. Policy Objective.

[CC 1985 §1-502; Ord. No. 848, 8-1-1988]

It is the policy objective of the City Council that such fund shall be used primarily to provide a financing mechanism for the repair, restoration and rehabilitation of existing public facilities. Further, it is the intent of the City Council to utilize current revenues to be credited to the fund, to the maximum extent possible to meet the City's present and future public infrastructure needs and to avoid the costs of unnecessary indebtedness.

Section 100.200. Use for Studies.

[CC 1985 §1-503; Ord. No. 848, 8-1-1988]

Monies in such fund may be used to pay the cost of engineering and other advanced public improvement plans and studies, with the fund periodically reimbursed from bond proceeds, special assessments or State or Federal aid that may be available for the completed project. No expenditures for such purposes shall be made except on a finding of the City Council of its probable intent to proceed with the improvement following such engineering or advanced study.

ARTICLE VI

Equipment Reserve Fund — Police, Fire, Ambulance and Street Departments

Section 100.210. Fund Established.

[CC 1985 §1-506; Ord. No. 847, 9-7-1988]

In accordance with the provisions of K.S.A. Supp. 12-1,117, there is hereby established a Municipal Equipment Reserve Fund, which shall be used by the City to finance the acquisition of equipment necessary for the performance of setting forth funds for the Police, Fire, Ambulance and Street Departments. For the purposes of this Article, equipment shall include machinery, vehicles and any other equipment or personal property including, but not limited to, computer hardware and software, which the City is authorized to purchase for municipal purposes.

Section 100.220. Policy Objective.

[CC 1985 §1-507; Ord. No. 847, 9-7-1988]

A. It is the policy objective of the City Council that such Equipment Reserve Fund shall be used as a financing mechanism to secure the planned and orderly acquisition and replacement of equipment necessary for the efficient and effective operation of the City. It is the further intent of

the City Council to annually approve in the future the budgeting of current revenues sufficient:

1. To finance the acquisition of new equipment needed in the following year, and
2. To finance needed future replacements and acquisitions by setting aside a reserve amount.

Section 100.230. Investing.

[CC 1985 §1-509; Ord. No. 847, 9-7-1988]

Monies in the Equipment Reserve Fund shall be invested in accordance with the provisions of K.S.A. Supp. 12-1,117 and amendments thereto, with interest earnings credited to such fund.

ARTICLE VII

Miscellaneous Fees and Charges

Section 100.240. Certain Fees and Charges.

[Ord. No. 1149 §34, 8-19-2002; Ord. No. 1168 §1, 3-3-2003; Ord. No. 1213 §1, 3-7-2005; Ord. No. 1233 §1, 6-19-2006; Ord. No. 1315 §§1 — 2, 10-6-2008; Ord. No. 1318 §1, 12-15-2008; Ord. No. 1337 §1, 10-5-2009; Ord. No. 1341 §2, 2-15-2010; Ord. No. 1347 §3, 6-7-2010; Ord. No. 1348 §2, 8-2-2010; Ord. No. 1353 §4, 8-16-2010; Ord. No. 1388 §2, 1-16-2012; Ord. No. 1391 §2, 2-6-2012; Ord. No. 1406 §3, 12-17-2012; Ord. No. 1411 §2, 2-18-2013; Ord. No. 1415 §1, 6-3-2013; Ord. No. 1467 § 2, 6-20-2016; Ord. No. 1478 § 2, 10-3-2016; Ord. No. 1482 § 1, 11-21-2016; Ord. No. 1491, 5-10-2017; Ord. No. 1531, 11-2-2020; Ord. No. 1558, 4-18-2022; Ord. No. 1561, 6-6-2022]

The following are various license fees and charges for certain City services and publications. For further explanation, including certain exceptions to these fees and charges, see the respective Code reference when applicable.

	Service	Fee		Code Reference
A.	Animal Impound/Redemption Fee	\$10.00	1st day	205.250A
		\$5.00	Each day after	
	Animal Licenses — Dog or Cat	\$5.00	\$1.00 penalty for every 30 days late	205.210
B.	Arborist License	\$50.00	Annually	605.380
C.	Auction Permit	\$50.00		605.390
D.	Bandshell Rental Fee w/o Electricity	\$10.00		250.060
	Bandshell Rental Fee w/Electricity	\$20.00		250.060
	Bandshell Rental Fee w/Air Cond.	\$20.00		250.060
	Bandshell Rental Fee w/Electricity and Air Conditioning	\$40.00		250.060
	Bandshell Key Deposit	\$10.00	Refundable	250.060
	Canvas Tent Rental Fee	\$750.00		*
	Concert Use	\$100.00	Recognized for	*

Service	Fee	Code Reference
E. Golf Carts, UTV, and Bicycle License Fees	\$50.00	non-profit by IRS Golf cart (annual) 315.012G
	\$20.00	Golf cart (duplicate) 315.012G
	\$100.00	UTV (annual) 315.013
	\$50.00	UTV (duplicate) 315.013
	\$1.00	Bicycle (permanent) 350.090
	\$1.00	Bicycle (duplicate) 350.100
	\$1.00	Bicycle (transfer) 350.140
F. (Reserved) ¹		
Service	Fee	Code Reference
G. Burn Permit C	\$10.00	210.545
H. Cereal Malt Beverage License Tax	\$50.00	Limited Retailer/ Carryout 600.030A
	\$200.00	General Retailer/ Premises 600.030A
	\$25.00/day	Temporary 600.030A
I. City Lock	\$10.30	Plus tax 700.210B
J. City Maps (Large)	\$6.00	Plus tax *
K. Comprehensive Plan Books	\$15.00	Plus tax *
L. (Reserved) ²		
M. Court Costs	\$48.50	Docket/ Administrative Fees 130.100
IRS standard mileage rate		Per mile for warrant or subpoena service 130.100
	\$3.00	Police Department Training 130.100
Fee mandated by K.S.A. 20-1a11 and amendments thereto	\$1.00*	Judicial Branch Education Fund 130.100
Fee mandated by K.S.A. 11-4117 and amendments thereto	\$22.50*	Law Enforcement Training Center Fund 130.100
	\$10.00	Appearance fee unless found not guilty 130.100

¹1. Editor's Note: Former Subsection (F), regarding Building Permit Fees, was repealed by § 2 of Ord. No. 1478.

²2. Editor's Note: Former Subsection (L), regarding Contractor License Fees, was repealed by § 2 of Ord. No. 1478.

Service	Fee		Code Reference
	\$10.00	Continuance fee (for any pre-trial appearance, trial, sentencing, disposition or pre-sentence investigation granted at the request of accused person)	130.100
	\$50.00+ costs	Administrative fee for post-conviction remedy	130.100
	\$35.00	Warrant or subpoena service fee	130.100
	\$10.00	Witness fee (per person)	130.100
IRS standard mileage rate		Per mile for witness under subpoena excepting first ten (10) miles	130.100
	\$10.00	Extension of time to pay any fine, penalty, fees or costs granted at the request of an accused or convicted person.	130.100
	\$20.00	Administrative fee for failure to comply with a traffic citation.	130.100
	\$25.00	Monthly probation fee	130.100
	\$100.00	Diversion fee	130.100
	\$150.00	Drug/alcohol/mental evaluation fee	130.100
	\$15.00	Fingerprinting fee, if convicted	130.100
	\$5.00	Drug testing fee, if administered by the City	130.100
	\$35.00	Daily incarceration fee	130.100

*Represents the current fee amount levied as of the publication date of this Code. Fee amounts are subject to change in accordance with Kansas law.

N. Demolition Permit Fee \$30.00 520.010

	Service	Fee		Code Reference
O.	(Reserved) ³			
	Service	Fee		Code Reference
P.	Entertainer permit	\$200.00		605.230
Q.	Fireworks Sale Permit	\$6,000.00	Per location	225.050(E)
	Sales Cleanup Deposit	\$2,500.00	Refundable	225.070(F)
	Commercial Display Permit			
	Indoors	150.00	Per location	225.075(D)
	Outdoors	1,000.00	Per location	225.075(D)
R.	Food Vending Licenses	\$25.00	Daily	605.390
		\$250.00	Annual	
S.	Gaming License (Billiards and Coin-op)	\$15.00	Per year/per game or machine	605.060/14
T.	Garage Sale Permit	\$5.00		605.390
U.	Insufficient Check Charge Fee	\$30.00		100.160
V.	Liquor License Tax	\$600.00	Retail "package" liquor (per location biennially)	600.120
		\$500.00	Club/Drinking Establishment (per location biennially)	600.120
		\$25.00/day	Temporary Permit	600.150
		\$600.00	Farm Winery/ Microbrewery/ Microdistillery/Other Manufacturer/ Distributor (biennially)	600.120
W.	(Reserved) ⁴			
	Service	Fee		Code Reference
X.	(Reserved) ⁵			

³3.

Editor's Note: Former Subsection (O), regarding Electrical and Wiring Permits, was repealed by § 2 of Ord. No. 1478.

⁴4. Editor's Note: Former Subsection (W), regarding Mechanical Permits, was repealed by § 2 of Ord. No. 1478.

⁵5.

Editor's Note: Former Subsection (X), regarding Mobile Home/Trailer Parks, was repealed by § 2 of Ord. No. 1478.

	Service	Fee		Code Reference
Y.	Park Impact Fee	\$300.00		255.060
Z.	Park Shelter Fee	\$10.00		*
AA.	Pawnbroker's License	\$50.00	Per year	605.390
BB.	Solicitor's License	\$100.00	Per day	605.030
		\$500.00	Per year	
CC.	Photocopies/Fax	\$0.25	Per page plus tax (photocopy)	110.030B1
		\$1.00	Per page (fax)	*
DD.	Pitching Machine Key Deposit	\$20.00	Refundable Deposit	*
EE.	(Reserved) ⁶			
	Service	Fee		Code Reference
FF.	Pole Rental	\$15.00	Per unit	700.005
GG.	Property Maintenance Inspection Fee	\$30.00	Per inspection, plus \$30.00 per hour staff time	520.010
HH.	Record Requested Fee	\$0.25	Per page, plus \$20.00 per hour staff time	110.030B1
II.	Recycle Truck License Fee	\$50.00	Per vehicle (annually)	605.390
JJ.	(Reserved) ⁷	\$25.00	Residential	505.040D
KK.	Sewer Tap Fee	\$900.00		700.060
		\$100.00	On existing homes	*
LL.	Sidewalk/Driveway/Curb Cut	\$25.00		530.025
MM.	Sign Permit Fees	\$15.00	Sign only	*
		\$10.00	Portable sign/30 days	*
		\$50.00	Portable sign/annual	*
NN.	Sports Complex Permit Fees/day <i>(With no gate admission charge)</i>	\$15.00	Field maintenance	250.070
		\$20.00	Lights per field	250.070
		\$50.00	Usage per field	250.070
		\$50.00	Deposit	250.070

^{66.}

Editor's Note: Former Subsection (EE), regarding Plumbing Permits, was repealed by § 2 of Ord. No. 1478.

^{77.}

Editor's Note: Former Subsection (JJ), regarding Roofing Permits, was repealed by § 2 of Ord. No. 1478.

	Service	Fee		Code Reference
		\$50.00	Refundable Key Deposit	250.070
OO.	Sports Complex Permit Fees/day <i>(With gate admission charge)</i>	\$20.00	Field maintenance	250.070
		\$20.00	Lights per field	250.070
		\$75.00	Usage per field	250.070
		\$50.00	Deposit	250.070
		\$50.00	Refundable Key Deposit	250.070
PP.	Subdivision Regulations Book	\$10.00	Plus tax	*
QQ.	Taxi License Fee	\$50.00	Per vehicle (first taxi)	605.390
		\$25.00	Per vehicle (two or more taxis)	605.390
RR.	Transient Guest Tax	8%	Of gross receipts	605.400
SS.	Transportation Impact Fee	\$700.00		535.030
TT.	Trash Hauler's License	\$500.00	Plus \$50.00 per vehicle	605.290
UU.	Utility Construction Meter Fees	\$35.00	Electric	700.350
		\$10.00	Water	700.280
VV.	Utility administrative fee	\$30.00	Electric/water	700.220D
	After hours reconnection fee	\$75.00	Electric/water	700.220D
WW.	Utility Meter Deposits	\$100.00	Commercial Electric (minimum)	700.090
	<i>(Commercial deposits are based on the previous 12 month history of a similar business)</i>	\$25.00	Commercial Water (minimum)	700.090
		\$35.00	Duplex Water	700.090
		\$75.00	Residential/Owner Electric	700.090
		\$25.00	Residential/Owner Water	700.090
		\$100.00	Residential/Renter Electric	700.090
		\$50.00	Residential/Renter Water	700.090
XX.	Utility Same Date Service**	\$25.00	8 A.M. — 3:45 P.M.	700.080B
YY.	Utility Connection Fee**	\$7.50	Electric	700.080A
		\$7.50	Water	700.080A
		\$25.00	Per Meter (for temporary utility)	700.110B

	Service	Fee		Code Reference
			connection)	
	Private Security Lights	\$6.00	Per Unit/Per Month	700.110C
	New Development Distribution Connection Fee	\$500.00	Per Lot (less than 5 acres) Per Meter (multifamily)	700.080C
ZZ.	Vacation of Streets, Alleys, Easements	\$150.00		*
AAA.	Water Meter Service Fees*** (Service Connection Fee) (Sales Tax as Applicable)	\$600.00	3/4 inch Service Pipe	700.070
		\$750.00	1 inch Service Pipe	700.070
		\$900.00	1 1/2 inch Service Pipe	700.070
		\$1,500.00	2 inch Service Pipe	700.070
		\$1,800.00	3 inch Service Pipe	700.070
		\$2,400.00	4 inch Service Pipe	700.070
		\$3,800.00	6 inch Service Pipe	700.070
BBB.	Water Well Permits	\$25.00		700.230B
CCC.	Zoning — Platting Application Fees	\$200.00	Agriculture/ Residential	*
		\$225.00	Manufactured Home Park	*
		\$225.00	Business	*
		\$300.00	Industrial	*
		\$225.00	Special Use	*
		\$100.00	Lot Split	*
		\$150.00	Appeal	*
		\$150.00	Variance	*
		\$150.00	Conditional Use	*
		\$300.00	Plus \$10.00 per lot, platting fee	*
		\$500.00	Plus \$20.00 per acre, Planned Unit Development	*
	Zoning Maps	\$6.00	Plus tax	*
	Zoning Regulations	\$15.00	Plus tax	*

* *No other Code Section reference.*

** *Plus Sales Tax as Applicable*

*** An additional \$450.00 water meter service connection charge shall apply on a one-time basis to each and any residential water connection located within any territory, service area, addition or development which is, or was previously, the subject of a Service Area

Transfer Agreement between the City and a rural water district.

ARTICLE VIII

Exemptions From Certain Kansas Statutes Regarding Bonds

Section 100.250. Exemption From K.S.A. 12-834 Relating To Bonds For Gas, Water, Light, Heat, Street-Railway Or Telephone Service.

[Charter Ord. No. 30, 1-3-2018]

A. The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 12-834 and provide substitute and additional provisions as hereinafter set forth in this Section. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all Cities. Such substitute and additional provisions shall be as follows:

Whenever and as often as the Governing Body of any City determines that the necessities of the City require the issuance of general obligation bonds of such City for the purpose of purchasing, extending and improving, or purchasing, constructing or extending works for the purpose of supplying such City and its inhabitants with natural gas, water, electric light, or heating or street-railway or telephone service, it shall be lawful for the governing body of such City by ordinance duly passed to direct the issuance of such bonds.

Section 100.260. Exemption From K.S.A. 12-834 Relating To Acquisition And Operation Of City Plants.

[Charter Ord. No. 30, 1-3-2018]

A. The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 12-843 and provide substitute and additional provisions as hereinafter set forth in this Section. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all Cities. Such substitute and additional provisions for K.S.A. 12-843 shall be as follows:

For any and all indebtedness, obligation or liability contracted for or created for any of the purposes mentioned in K.S.A. 12-842, any such City, acting under the provisions thereof, is hereby granted full power and authority to issue bonds of the City to an amount equal to such indebtedness, obligation, or liability; the power to create or incur such indebtedness, obligation, or liability, and to issue bonds as herein provided, being independent of and in addition to like and other powers heretofore granted such Cities; and such bonds may be sold as provided by law, and the proceeds thereof used in the payment of such indebtedness, obligation, or liability. Any such City shall have full power and authority to use any surplus arising from the proceeds of any such plant or plants for the purpose of bettering, constructing or installing any such plant that such City may have or may desire to acquire by construction or purchase.

Section 100.270. Exemption From K.S.A. 13-1024a Relating To The Payment Of Costs For General

Improvements In The City.

[Charter Ord. No. 32, 2-21-2022]

A. The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 13-1024a and provide substitute and additional provisions as hereinafter set forth in this Section. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all Cities. Such substitute and additional provisions shall be as follows:

For the purpose of paying for any bridge, viaduct, public building, including the land necessary therefor and repairs, improvements or expansions thereto and thereof, for lands for public parks and improvements thereto, and developing any of the same, within or without the City, for the establishment and construction of crematories, desiccating or reduction works, including the land necessary therefor, within or without the City, or for the improvement, repair or extension of any waterworks, sewage disposal plant, electric light plant, crematory, desiccating or reduction works or other public utility plant owned by the City, and for the purpose of rebuilding, adding to or extending to the same from time to time, as the necessities of the City may require, the City may borrow money and issue its bonds for the same.

Section 100.280. Exemption From K.S.A. 14-570 And K.S.A. 14-571 Relating To Public Improvements And The Issuance Of Bonds For The Purpose Of Paying The Costs Thereof.

[Charter Ord. No. 33, 2-21-2022]

A. The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 14-570 and K.S.A. 14-571 and provide substitute and additional provisions as hereinafter set forth in this Section. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all Cities. Such substitute and additional provisions shall be as follows:

Whenever the Governing Body of the City has approved a master capital improvements plan or program (the "Plan") for the physical development, maintenance, and protection of the City within the boundaries of the City, including the acquisition of necessary land and the acquisition of equipment, vehicles or other personal property to be used in relation thereto, and which may provide for assumption and payment of benefit district indebtedness heretofore created for public improvements and may require a number of years to execute, the City is hereby authorized to issue its general obligation bonds in an amount sufficient to carry out such Plan or portion thereof and associated costs.