

STATE OF KANSAS
RENO COUNTY
CITY OF THE HIGHLANDS

ORDINANCE NUMBER 2021-23

AN ORDINANCE COMPELLING THE LANDOWNERS IN THE CITY OF THE HIGHLANDS, KANSAS, TO MAINTAIN THEIR PROPERTY WHICH INCLUDES THE AREA BETWEEN THEIR PROPERTY AND THE TRAVELLED PORTION (RIGHT OF WAY) OF THE STREETS AND ALLEYS AS PRESCRIBED.

WHEREAS the Governing Body finds unmaintained trees and noxious vegetation growing on properties and in the Right of Way constitute a blighting and detrimental appearance on the city, and

WHEREAS while not totally inclusive, much of the dead, damaged, noxious and blighting vegetation has been caused by wildfires experienced by the area within the city limits, much of the property damaged over time has not been maintained by the property owners, and

WHEREAS the Governing Body requires that the area between the property and the travelled portion of the streets and alleys (right of way) be kept free of trees, fallen timber, overhanging branches, and brush to allow for city mowing. In situations where the property owner fails or refuses to do so, the city will make assessment of costs associated with clean-up of the property, and

WHEREAS the Governing Body seeks to protect the public health and safety by eradicating conditions which may accelerate the spread of fire and which are conducive to the nesting and proliferation of rodents, snakes, mosquitos, vermin, or other pestiferous conditions, and to promote the general welfare by improving the physical environment, correcting blighted areas and preserving property values.

NOW, THEREFORE, IT IS ORDAINED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS:

SECTION 1: That all persons and entities owning property in the CITY OF THE HIGHLANDS, KANSAS including areas which lie adjacent to a public street or alley shall be maintained in a neat appearing manner and free of dead or diseased trees, fallen trees or branches, and noxious vegetation. This ordinance is adopted in conjunction with the International Code Council International Property Maintenance Code Section 301.3 Vacant Structures and Land adopted by the City and includes occupied lands and right of ways as well.

SECTION 2: Any person or entity in violation of the terms and provisions hereof shall be given notice of said violation and advised to address the same within one hundred and eighty (180) days. If the owner of the property does not maintain the subject property or otherwise bring it into compliance with the standards herein prescribed within one hundred and eighty (180) days of the date on which notice to do so is given, the CITY OF THE HIGHLANDS, KANSAS or its authorized agents may maintain the property, or do whatever else is reasonably necessary to bring the subject property into compliance herewith and assess all costs associated therewith, including reasonable administrative costs, against the owner of the property.

SECTION 3: If the property owner shall neglect or fail to bring the subject property into compliance with this ordinance and the City therefore acts as reasonably required, the Chief Enforcement Officer of the CITY OF THE HIGHLANDS, KANSAS or some other person designated by the City shall give notice to the property owner regarding the costs associated with bringing the subject property into compliance. That notice shall state that payment of said costs is due and payable within thirty (30) days of the date thereof. If the costs remain unpaid after thirty (30) days following the giving of notice regarding such, a record of the costs shall be certified by the City Clerk to the County Clerk as an

assessment against the subject property to be included as a part of the real estate tax on said subject property.

SECTION 4: If the property owner cannot be served personally or by certified mail with notice of a violation or with notice regarding the City's costs in bringing the subject property into compliance, notice may be made by publishing in the official City Newspaper. If notice of costs due is given by publication, payment shall be due within thirty (30) days from the date of publication.

SECTION 5: Any person guilty of violating this ordinance shall additionally be responsible for the costs of certified mailings and publication of notifications in the official newspaper., in addition to being responsible for the costs as hereinabove provided, be fined for each violation a sum not greater than Two Hundred Fifty Dollars (\$250.00).

SECTION 6: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall be in full force and effect from and after its publication in the official city paper.

THIS ORDINANCE IS PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS THIS 11 DAY OF March 2021.



Cindy Dale
Cindy Dale, City Clerk

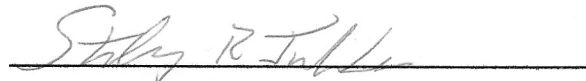
Carol Moore
Mayor, Carol Moore

Approved as to form: _____
City Attorney

Stacy Tubler

For publication: Regarding Ordinance NO 2020-23.

Summary notification of Ordinance NO 2020-23 is hereby incorporated by reference for the purpose of compelling landowners in the City of The Highlands, Kansas, to maintain their property which includes the area between their property; and the travelled portion (Right of Way) of the streets and alleys as prescribed. Any owner or entity in violation of the terms and provisions of this ordinance shall be given notice of said violation and advised to address the same within one hundred and eighty day. Failure to resolve the violation will result in costs assessed to the property taxes. Ordinance NO 2021-23 was passed and approved by the Governing Body of the City of the Highlands, Kansas, March 11, 2021 and is effective immediately. This Ordinance may be obtained or viewed free of charge at the office of the city clerk and is also available in its entirety on the city's official website at www.thehighlandsgov.net This summary is certified by Stanley R. Juhnke, city attorney.



Stanley R. Juhnke