

(First Published in the Columbus Daily Advocate February 25, 2008)

**ORDINANCE NO. 1235**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, KANSAS, AMENDING SECTION 403 OF CITY CODE CHAPTER VIII INCREASING ADMINISTRATIVE FEES FOR PROCESSING THE CITY'S ABATEMENT ACTION FOR WEED CONTROL**

WHEREAS, standards for the maintenance and control of weeds and grasses within the City of Columbus, Kansas, and abatement procedures for remedial action were established by Ordinance No. 991 and Code 1999, amended by Ordinance No. 1151, Code 2005, at Article VIII, Sections 8-401 through 8-407.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS.

SECTION 1: That Section 8-403 of Ordinance No. 1151 be amended as follows:

SECTION 2: That Section 8-403 of Code 2005 be amended as follows:

- 8-403. OFFICER; NOTICE TO REMOVE. The officer or an authorized assistant shall notify in writing the owner, occupant or agent in charge of any premises in the city upon which weeds exist in violation of this article, by mail or by personal service, once per calendar year. Such notice shall include the following:
- (a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law.
  - (b) That the owner, occupant or agent in charge of the property is ordered to cut the weeds within 5 days of the receipt of notice.
  - (c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice.
  - (d) That if the owner, occupant or agent in charge of the property does not cut the weeds, the city or its authorized agent will cut the weeds and assess the cost of the cutting, including a **\$35.00** administrative fee, against the owner, occupant or agent in charge of the property.
  - (e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and if it is not paid, it will be added to the property tax as a special assessment.
  - (f) That no further notice shall be given prior to removal of weeds during the current calendar year; however, if the same property requires the weeds to be cut more than one time, an additional **\$35.00** administrative fee will be levied to offset additional costs, in the same manner addressed in section 8-403(d) above.
  - (g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title to such property is provided notice as required by this section.

SECTION 3: All ordinances, resolutions or policies or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 4: This ordinance shall take effect and be in force from and after passage and publication in the official city newspaper.

PASSED and APPROVED by the Governing body this 19<sup>th</sup> day of February, 2008.

  
HARLEY MCDANIEL, MAYOR

ATTEST:

  
JANICE BLANCETT, CITY CLERK

(SEAL)