

ORDINANCE NO. 1296

**AN ORDINANCE AMENDING ORDINANCE 1153 AND CHAPTER VIII,
SECTIONS 307, 308 AND 309 OF CITY CODE AND ESTABLISHING
UPDATED PROCEDURES PERTAINING TO ORDERS OF JUNKED
MOTOR VEHICLES NUISANCE VIOLATIONS**

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

SECTION 1: That Ordinance 1153 and Chapter VIII, Sections 307, 308 and 309 of the Columbus City Code are hereby amended as follows:

- 8-307. NOTICE. Any person found by the public officer to be in violation of section 8-303 shall be served a notice of such violation. The notice shall be served by restricted mail, postage prepaid, return receipt requested; provided, that if the owner or his or her agent in charge of the property is a resident of Cherokee County, Kansas, the notice shall be personally served by the public officer or a law enforcement officer. This notice is not required prior to the filing of a complaint in municipal court.
- 8-308. SAME; CONTENTS. The notice shall state the condition(s) which is (are) in violation of section 8-303. The notice shall also inform the person that:
(a) He, she or they shall have 48 hours from the date of serving the notice to abate the condition(s) in violation of section 8-303; or
(b) He, she or they have 48 hours from the date of serving the notice to request a hearing before the governing body of the matter as provided by section 8-312.
- 8-309. FAILURE TO COMPLY; PENALTY. Notwithstanding any provision herein, the public officer may file a complaint in the municipal court of the city against such person and upon conviction of any violation of provisions of section 8-303, be fined in an amount not less than \$50.00 nor more than \$500, be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense. The public officer is not required to pursue the administrative remedy prior to filing of a municipal court complaint.

SECTION 3: All ordinances, resolutions or City policies or parts thereof in conflict herewith are expressly repealed and insofar as they conflict herewith.

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

PASSED AND APPROVED this 15th day of August 2011.

APPROVED:

Marie Nepple
Marie Nepple, Mayor

ATTEST:

Jamie Blawcett
City Clerk

(SEAL)