

ORDINANCE NO. 1299

**AN ORDINANCE AMENDING CHAPTER VIII, SECTIONS 2A09 AND 2A10
OF THE CODE OF THE CITY OF COLUMBUS AND ESTABLISHING
UPDATED PROCEDURES PERTAINING TO ENVIRONMENTAL CODE VIOLATIONS.**

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

SECTION 1: That Chapter VIII, Sections 2A09 and 2A10 of the Columbus City Code are hereby amended as follows:

8-2A09. NOTICE Any person found by the public officer to be in violation of Section 8- 2A08 shall be sent a notice of such violation by the public officer. This notice is not required prior to the filing of a complaint in municipal court. The notice shall be sent by restricted mail, postage prepaid, return receipt requested. The notice shall state:

- (a) The condition which has caused the violation of this article; and
- (b) That the person in violation shall have:
 - (1) 48 hours from the date of the mailing of the notice to alleviate the exterior conditions (yard) violation; and/or;
 - (2) 48 hours from the date of the mailing of the notice to alleviate the exterior conditions (structure) violation;
 - or in the alternative to subsections (1) and (2) above,
 - (3) 48 hours from the date of the mailing of the notice to request, as provided in section 8-2A13 a hearing before the governing body on the mailer.

8-2A10. PENALTY. Notwithstanding any provision herein, the public officer may file a complaint in the municipal court against any person found to be in violation of section 8-2A08. Upon such complaint in the municipal court, any person found to be in violation of section 8-2A08 shall upon conviction be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment, for not more than 30 days, or by both such fine and imprisonment, for each offense. For the purposes of this article, a separate offense shall be deemed committed on each day during or on which such violation is permitted to exist. 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SECTION 3: All ordinances, resolutions or City policies or parts thereof in conflict herewith are expressly repealed and insofar as they conflict herewith.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, Mayor

ATTEST:-


City Clerk

(SEAL)