

ORDINANCE NO. 2017-3125

AN ORDINANCE PERTAINING TO THE DISCHARGE OF VEGETATION, DIRT, WASTE, TRASH OR OTHER DEBRIS UPON THE CITY STREETS OF CONCORDIA, KS, ESTABLISHING A NEW SECTION 12-138 TO THE CONCORDIA CODE.

BE IT ORDAINED by the governing body of the City of Concordia, Kansas:

SECTION 1. The Code of Ordinances of the City of Concordia is hereby amended, by adding a new section 12-138, which shall read as follows:

Sec. 21-138. Grass clippings on public streets and sidewalks.

(a) It shall be unlawful for any person to make, cause, rake, place or mow fallen trees, branches, grass, grass clippings, leaves, dirt, trash, waste, or any other debris into the street, gutter or curb of any public street or sidewalk in the City of Concordia, unless expressly directed to do so by the City of Concordia.

(b) Definition of public street or sidewalk for the purposes of this ordinance shall include alleyways.

(c) Upon a notification from an individual of a potential violation, or an investigation by the City of Concordia, whereupon the accused person is found in violation of any provision of this ordinance, shall upon conviction thereof, be fined in a sum of no less than Twenty Dollars (\$20), not to exceed One Hundred Dollars (\$100).

(d) Liability for fines under this ordinance for the purposes of the landlord/tenant relationship, shall be governed by the lease agreement upon who is responsible for maintenance of the exterior of the leased structure, including by not limited to mowing, debris removal and overall care of the exterior of the dwelling. When such an agreement is absent either from a written lease agreement or the absence of a lease agreement overall, responsibility shall lie with whomever caused such violation to occur.

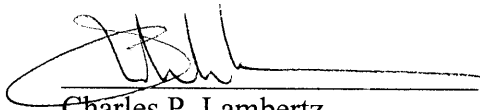
(e) For the purposes of commercial landscape for hire, including but limited to mowing, debris removal, and overall maintenance of the exterior of the dwelling, responsibility for fines assessed for violation of this ordinance shall be the responsibility of the individual hired to conduct work on the exterior of the dwelling. For the purpose of this ordinance a commercial landscape for hire, shall be defined as any individual hired for any type of compensation to conduct work on the exterior of a dwelling.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication of the above ordinance summary in the official city newspaper. The provisions hereof are severable, and in the event of invalidity, for any reason, of any portion of this ordinance, the remaining provisions of the ordinance shall remain in full force and effect, with the invalid provisions deemed excised.

SECTION 3. This ordinance shall be summarized for publication as follows:

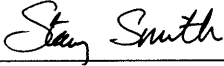
On October 4, 2017, the City of Concordia adopted Ordinance No. 2017-3125, adding new Section 21-138 to the Concordia Code for the purpose of stating what is unlawful to place on public streets and sidewalks. A reproduction of this ordinance will be available for not less than one week following the publication of this summary of the ordinance at the website address of the City of Concordia, <http://www.concordiaks.org>. This summary is certified by the city attorney to be legally accurate and sufficient.

PASSED by the governing body and signed by the mayor this 4th day of October, 2017.


Charles P. Lambertz
Mayor

(Seal)

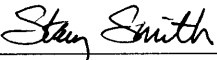
ATTEST:



Stacey Smith
City Clerk

ORDINANCE CERTIFICATE

I hereby certify that the foregoing is an original ordinance; that said ordinance was passed on the 4th day of October, 2017; that the record of the final vote on its passage is found on page ____ of the minutes journal; that the ordinance summary was published in the Concordia Blade-Empire on the 6th day of October, 2017.


_____, City Clerk