

ORDINANCE NO. 2518

AN ORDINANCE ADOPTING A NEW TITLE 17 LAND DEVELOPMENT CODE OF THE CITY OF GARDNER, KANSAS BY REPEALING AND REPLACING IN ITS ENTIRETY THE EXISTING TITLE 17 OF THE GARDNER MUNICIPAL CODE; AND REPEALING TITLE 18 OF THE GARDNER MUNICIPAL CODE INCLUDING THE INCORPORATED BY REFERENCE GARDNER DESIGN STANDARDS.

WHEREAS, the City of Gardner, Kansas initiated the changes to Title 17 and Title 18 within the Municipal Code of the City of Gardner, Kansas; and

WHEREAS, a public hearing on the City's request was held before the Planning Commission of the City of Gardner, Kansas, on the 24th day of May, 2016 regarding the adoption of a new Land Development Code for the City of Gardner; and

WHEREAS, said Planning Commission has recommended that said Land Development Code of the City of Gardner, Kansas be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

Section 1: The existing Title 17 of the Code of the City of Gardner, Kansas, 2008 shall be repealed and replaced in its entirety with the Land Development Code.

Section 2: The Gardner Land Development Code, as set forth in Articles 1 through 10 and the Appendices, is hereby adopted and shall replace Title 17 of the Code of the City of Gardner, Kansas, 2008. There is hereby incorporated by reference, for the purpose of an ordinance establishing rules and regulations for land development, the Gardner Land Development Code as recommended by the Planning Commission, such code being made as a part of the ordinance and code of the city, subject to amendments, changes, omission and additions, hereinafter set forth, as if the same has been set out in full herein, all as authorized in the manner prescribed by K.S.A. 12-3009 through 12-3012 including any amendments thereto.

No fewer than one (1) copy of the Gardner Land Development Code, shall be marked or stamped "Official Copy as Incorporated by the Code of the City of Gardner" with all sections or portions thereof intended to be omitted clearly marked to show may omission or showing the sections, articles, chapters, parts or portions that are incorporated as the case may be to which shall be attached a copy of the section. The copies shall be filed with the city clerk to be open to inspections and available to the public at all reasonable business hours. The police department, municipal judge and all administrative departments of the city charged with the enforcement of the code shall be supplied a copy of the code without cost, all the copies marked as indicated above.

Section 3: Title 18 of the Code of the City of Gardner, Kansas is hereby repealed and reserved.

Section 4: All other ordinances and provisions of the Gardner Municipal Code not in conformity herewith are hereby repealed or amended to conform hereto.

Section 5: This ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law and effective August 1, 2016.

PASSED by the City Council this 20th day of June, 2016.

APPROVED by the Mayor this 20th day of June, 2016.

(SEAL)

CITY OF GARDNER, KANSAS

/s/ Chris Morrow
Chris Morrow, Mayor

Attest:

/s/ Jeanne Koontz
Jeanne Koontz, City Clerk

Approved as to form:

/s/ Ryan B. Denk
Ryan B. Denk, City Attorney