

**ORDINANCE NO. 2653**

**AN ORDINANCE AMENDING SECTIONS 2.45.120, 11.05.090, 12.05.117(B), AND 14.01.607(A) OF THE GARDNER MUNICIPAL CODE RELATING TO THE PAYMENT OF FEES FOR CERTAIN SERVICES, PERMITS AND LICENSES.**

WHEREAS, THE CITY OF GARDNER KANSAS, ESTABLISHES FEES FOR CERTAIN SERVICES, PERMITS AND LICENSES; AND

WHEREAS, IT IS DETERMINED THAT SAID FEES SHALL BE SET BY RESOLUTION; AND

WHEREAS, IT IS THE INTENT OF THE GOVERNING BODY TO ACCOMPLISH A GENERAL HOUSEKEEPING ORDINANCE TO CLEAN UP THE CITY'S ORDINANCES RELATED TO FEES;

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

**SECTION ONE:** Chapter 2.45.120 is hereby amended to read as follows:

**2.45.120 - Fee Administration.** The official custodians are hereby empowered and authorized to promulgate appropriate rules and regulations for the collection of fees. Fees shall be set by the Governing Body by resolution. All fees charged pursuant to this Section shall be paid to the City of Gardner for credit in the General Fund.

**SECTION TWO:** Chapter 11.05.090 is hereby amended to read as follows:

**11.05.090 - Fees and Charges** - All aircraft hangar rental rates, and other fees and charges for the use of hangars, and services provided at the Gardner Municipal Airport shall be set by the Governing Body by resolution. The Airport Manager shall have the authority to set fuel prices

**SECTION THREE:** Chapter 12.05.117(B) is hereby amended to read as follows:

**12.05.117(B) – Right-of-way permit fees and costs**

B. The right-of-way permit fee may include a permit and inspection fee, and an excavation fee. This fee shall be set by the Governing Body by resolution.

**SECTION FOUR:** Chapter 14.01.607(A) is hereby amended to read as follows:

**14.01.607(A) – Fees –**

A. Prior to the issuance of the LDP, upon submission of an application for an LDP, each applicant shall pay to the City a fee. This fee shall be set by the Governing Body by resolution. Fees paid for an LDP which is subsequently revoked by the City Engineer are not refundable. A person operating in compliance with the regulations of this chapter shall not be charged a permit fee when obtaining an LDP for land disturbance activities, construction or renovation of City-owned and City-financed capital improvement projects

**SECTION FIVE: Effective Date.** This Ordinance shall take effect and be in force upon its passage by the City Council and publication in the official City Newspaper as required by law.

PASSED by the City Council this 2<sup>nd</sup> day of March, 2020.

SIGNED by the Mayor this 2<sup>nd</sup> day of March, 2020.

(SEAL)

CITY OF GARDNER, KANSAS

\_\_\_\_\_  
/s/

Steve Shute, Mayor

Attest:

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/s/

Sharon Rose, City Clerk

Approved as to form:

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/s/

Ryan B. Denk, City Attorney