

(First Published in the Great Bend Tribune on Oct. 16, 2016)

**ORDINANCE NO. 336**

AN ORDINANCE PERTAINING TO CHARGES FOR CITY EMPLOYEES ENFORCING COMPLIANCE WITH CERTAIN REMOVAL OR ABATEMENT OF WEED AND TRASH NUISANCES ON NONRESIDENTS OF THE CITY; AUTHORIZING THE ASSESSMENT OF COSTS AND ADDITIONS TO THE TAX ROLLS; AMENDING 8-404 OF THE 2011 PAWNEE ROCK CODE.

*BE IT ORDAINED AND ENACTED by the Governing Body of the City of Pawnee Rock, Kansas:*

Section 1. Section 8-404 of the Code of the city of Pawnee Rock (2011) is hereby amended to read as follows:

8-404. ABATEMENT; ASSESSMENT OF COSTS. (a) If the owner, occupant or agent in charge of the property has neither alleviated the conditions causing the alleged violation nor requested a hearing within the time periods specified in section 8-403, the public officer or an authorized assistant shall *take action to* abate or remove the conditions causing the violation. The costs *for residents of the city* under this subsection shall be sixty dollars (\$60.00) per hour for cutting weeds or high grass with a minimum charge ~~for two (2) hours of \$120.00~~, along with an administrative fee of fifty dollars (\$50.00). *The costs for nonresidents of the city of Pawnee Rock under this subsection shall be one hundred dollars (\$100.00) per hour for cutting weeds or high grass with a minimum charge of \$200.00, along with an administrative fee of fifty dollars (\$50.00).* In the event trash, limbs, tree stumps or any other debris, including junked or abandoned vehicles, need to be removed from the yard in order to facilitate the mowing of weeds or high grass, then in addition to the cost of mowing set forth herein, the city shall charge an administrative fee of one hundred dollars (\$100.00) and the actual cost of removal of such obstructions, and include the gross cost of private contractors who are paid by the city for this purpose in the fees and charges to be assessed against the property.

(b) If the city abates or removes the nuisance pursuant to this section, the city shall give notice to the owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice.

The city also may recover the cost of providing notice, including any postage, required by this section.


(c) The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

Section 2: REPEAL. City of Pawnee Rock Ordinance 313A is hereby repealed.

Section 3: This Ordinance shall take effect and be in force from and after its publication in the official city newspaper of the City of Pawnee Rock, Kansas or from and after compliance with K.S.A. 2012 Supp. 12-3007(b).

PASSED BY THE CITY COUNCIL OF THE CITY OF PAWNEE ROCK and signed by the Mayor this 3 day of October, 2016

APPROVED by the Mayor:

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

