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An ordinance relating to the construction, reconstruction, repair and inspection of piping for natural and artificial gas in buildings, and providing penalties for the violation thereof.

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•ORDINANCE NO. 109

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An Ordinance providing for the levying of city taxes.

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[ORDINANCE NO. 129](#)

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Being an Ordinance providing for a regular election of the City of LeRoy, Kansas.

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An ordinance providing for the levying of City Taxes.

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Being an ordinance providing for a regular election of the City of LeRoy, Kansas.

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An ordinance vacating a certain alley in the City of LeRoy.

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•ORDINANCE NO. 168

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•ORDINANCE NO. 169

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•ORDINANCE NO. 171

An Ordinance providing for the Regular City Election.

•ORDINANCE NO. 172

An Ordinance providing for the calling of a special election in the City of LeRoy, Coffey County, Kansas, for the purpose of submitting to the qualified electors of said city the question

of the issuance of general obligation bonds of said city in the amount of ten thousand dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said city pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and Article 1, Chapter 10, G.S. 1949.

● **ORDINANCE NO. 173**

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● **ORDINANCE NO. 181**

AN ORDINANCE GRANTING TO KANSAS GAS AND ELECTRIC COMPANY, A CORPORTION, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS THEREOF AND RELATING THERETO.

● **ORDINANCE NO. 182**

AN ORDINANCE authorizing and embodying a contract between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

● **ORDINANCE NO. 183**

AN ORDINANCE REPEALING CITY ORDINANCE NO. [84](#).

● **ORDINANCE NO. 184**

AN ORDINANCE PROVIDING FOR PRKING REGULATIONS IN THE CITY OF LEROY, KANSAS AND PROHIBITING DOUBLE PARKING IN SAID CITY.

•ORDINANCE NO. 185

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 186

AN ORDINANCE CALLING A SPECIAL ELECTION FOR THE PURPOSE OF VOTING ON A PROPOSITION TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER AUTHORITY OF SECTION 12-834 OF THE GENERAL STATUTES OF KANSAS, 1949, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE WATER WORKS SYSTEM OF SAID CITY FOR THE PURPOSE OF SUPPLYING SAID CITY AND IT'S INHABITANTS WITH WATER.

•ORDINANCE NO. 187

An Ordinance Vacating a Certain Alley in the City of LeRoy, Coffey County, Kansas, Pursuant to and Under the Authority of G.S. 1953, Supp. 15-427, and Providing for the Recording of the Same.

•ORDINANCE NO. 188

An Ordinance Providing For the Issuance of Notes In The Sum of \$35,000 Dollars To Improve The Waterworks System

•ORDINANCE NO. 189

AN ORDINANCE PRESCRIBING SPEED LIMITS WITHIN THE CITY OF LEROY, COFFEY COUNTY KANSAS, AMENDING *SECTION 1* OF ORDINANCE NO. [51](#) AND REPEALING SAID ORIGINAL *SECTION 1* OF ORDINANCE NO. [51](#).

•ORDINANCE NO. 190

ORDINANCE PROVIDING FOR THE ISSUANCE OF WATERWORKS IMPROVEMENT BONDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, IN THE SUM OF \$32,000.00 FOR THE PURPOSE OF PAYING THE COSTS OF EXTENDING AND IMPROVING THE WATERWORKS SYSTEM OF SAID CITY, THE SAME BEING AN IMPROVEMENT OF A GENERAL NATURE IN SAID CITY PURSUANT TO AND UNDER THE AUTHORITY OF G.S. 1949, 12-834 AND G.S. 1955 SUPP. 10-1234 AND AMENDMENTS THERETO AND LEVYING TAXES PROVIDING FOR THE PAYMENT THEREON AS PROVIDED BY LAW.

•ORDINANCE NO. 191

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 192

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 193

AN ORDINANCE REQUIRING PROPERTY OWNERS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO MAINTAIN ALL PROPERTY FRONTALS, PARKING AND SIDEWALKS; TO REPAIR THE SAME AND KEEP THE SAME FREE OF ANY AND ALL DEBRIS, OBSTRUCTIONS AND HAZARDS: PROVIDING NOTICE TO PROPERTY OWNERS AND PROVIDING PENALTY FOR VIOLATION OF SAME.

•ORDINANCE NO. 194

AN ORDINANCE DEEMING AND DECLARING IT NECESSARY TO APPROPRIATE PRIVATE PROPERTY FOR THE PURPOSE OF ENLARGING AND EXTENDING THE CITY CEMETERY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 195

AN ORDINANCE DEEMING AND DECLARING IT NECESSARY TO APPROPRIATE TAKE AND CONDEMN PRIVATE PROPERTY FOR THE PURPOSE OF ENLARGING AND EXTENDING THE CITY CEMETERY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 196

AN ORDINANCE PROVIDING FOR A SERVICE CHARGE TO BE PAID TO THE CTIY OF LEROY, COFFEY COUNTY, KANSAS FOR THE USE OF THE SEWAGE DISPOSAL SYSTEM OF SUCH CITY BY ALL PERSONS, FIRMS OR CORPORATIONS WHOSE PREMISES ARE CONNECTED TO THE SANITARY SEWER SYSTEM OF SUCH CITY.

•ORDINANCE NO. 197

AN ORDINANCE PROVIDING FOR THE REGULAR ELECTION.

•ORDINANCE NO. 198

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 199

AN ORDINANCE DECLARING AN EMERGENCY TO EXIST AND THAT THE PURCHASE OF FIRE DEPARTMENT EQUIPMENT IN THE MAXIMUM SUM OF \$5,000.00 IS NECESSARY IN ORDER TO PROPERLY PROTECT AND SERVICE THE CITY AND THE PUBLIC PURSUANT TO AND UNDER THE AUTHORITY OF G.S. 1961 SUPP., 12-110a.

•ORDINANCE NO. 200

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

•ORDINANCE NO. 201

AN ORDINANCE RELATING TO THE FIRE DEPARTMENT IN THE CITY OF LEROY, KANSAS, IT'S ORGANIZATION, GOVERNMENT, AND REGULATION AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

•ORDINANCE NO. 202

AN ORDINANCE FIXING THE MINIMUM WATER RATE IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND TO RAISE THE SANITARY SEWER CHARGE, AND AMENDING *SECTION ONE (1)* OF ORDINANCE NO. [177](#), AND AMENDING *SECTION ONE (1)* OF ORDINANCE NO. [196](#).

•ORDINANCE NO. 203

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 204

AN ORDINANCE CANCELLING TWENTY-FIVE (25) YEAR LEASE ON DUMPING GROUND OWNED BY BERTIE DRAPER.

•ORDINANCE NO. 205

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

•ORDINANCE NO. 206

AN ORDINANCE PROHIBITING THE SALE OF EDIBLE OR NON-EDIBLE PRODUCTS OR PRODUCE UPON THE STREETS, ALLEYS, SIDEWALKS, OR PUBLIC GROUNDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AND PROVIDING A PENALTY FOR THE VIOLATION OF SAID ORDINANCE.

•ORDINANCE NO. 207

AN ORDINANCE PROVIDING FOR A LICENSE FEE FOR CERAIN BUSINESSES, OCCUPATIONS OR PROFESSIONS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR A PENALTY FOR FAILURE TO OBTAIN SUCH LICENSE.

•ORDINANCE NO. 208

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS: IN CORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION OF 1965, AND REPEALING ALL ORDINANCES OF SAID CITY IN CONFLICT THEREWITHIN.

•ORDINANCE NO. 209

AN ORDINANCE DECLARING IT NECESSARY TO CONSTRUCT A SEWAGE DISPOSAL PLANT FOR THE CITY OF LEROY, COFFEY COUNTY, KANSAS, THE COST THEREOF TO BE PAID FOR BY ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY IN THE AMOUNT OF NOT EXCEEDING \$44,080.00, SAID BONDS TO BE ISSUED UNDER THE AUTHORITY OF K.S.A. 12-621 TO 12-624, BOTH INCLUSIVE AND ALL AMENDMENTS THERETO.

•ORDINANCE NO. 210

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT FOR THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE ISSUANCE OF \$49,683.00, GENERAL OBLIGATION BONDS. TO PAY THE COST OF CONSTRUCTING SAID SEWAGE DISPOSAL PLANT, UNDER AUTHORITY OF K.S.A. 12-621 TO 12-624, BOTH INCLUSIVE AND ARTICLE 1 OF CHAPTER 10 AND ALL AMENDMENTS THERETO.

•ORDINANCE NO. 211

AN ORDINANCE AMENDING *SECTION 3* OF ORDINANCE NUMBER [95](#) AND REPEALING ORDINANCE [100](#) OF THE LAWS OF LEROY, KANSAS,

•ORDINANCE NO. 212

AN ORDINANCE PROVIDING FOR THE CONDEMNING AND TAKING OF CERTAIN LANDS IN COFFEY COUNTY KANSAS FOR AND ON BEHALF OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, FOR THE PURPOSE OF CONSTRUCTING A SEWAGE DISPOSAL PLANT ON SAID PREMISES, UNDER AUTHORITY OF AND PURSUANT TO K.S.A. 1967 SUPP. 26-201.

•ORDINANCE NO. 213

AN ORDINANCE AMENDING *SECTION NO. 2* OF ORDINANCE NO. [212](#).

•ORDINANCE NO. 214

ORDINANCE GRANTING THE FRANCHISE, PRIVILEGES AND RIGHTS TO KANSAS TELEPHONE COMPANY. IT'S SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ACQUIRE, OPERATE AND MAINTAIN A TELEPHONE SYSTEM IN THE CITY OF LEROY, KANSAS, AND TO USE THE STREETS, ROADS, ALLEYS, AND OTHER PUBLIC PLACES WITHIN SAID CITY FOR SUCH PURPOSES.

•ORDINANCE NO. 215

AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE SAID CITY THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS OF SAID CITY IN THE AMOUNT OF \$17,272.75 FOR THE PURPOSE OF PAYING THE COSTS OF MAKING AN IMPROVEMENT OF A GENERAL NATURE IN SAID CITY; THE SAME BEING THE BUILDING AND CONSTRUCTING OF A FIRE DEPARTMENT BUILDING, THE SAME TO BE LOCATED ON CITY PROPERTY IN SAID CITY; FOR THE PURPOSE OF HOUSING THE CITY FIRE DEPARTMENT EQUIPMENT THEREIN ALL IN ACCORDANCE WITH UNDER THE AUTHORITY OF K.S.A. 15-408 AND ANY AMENDMENTS THERETO.

•ORDINANCE NO. 216

AN ORDINANCE DECLARING AN EMERGENCY TO EXIST AND THAT THE PURCHASE OF STREET DEPARTMENT EQUIPMENT IN THE MAXIMUM SUM OF \$6,000.00 IS NECESSARY IN ORDER TO PROPERLY MAINTAIN AND SERVICE THE STREETS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS. PURSUANT TO AND UNDER THE AUTHORITY OF K.S.A. 12-110a.

•ORDINANCE NO. 217

AN ORDINANCE AMENDING *SECTION 10* OF **ORDINANCE NO. [164](#)** OF THE LAWS OF THE CITY OF LEROY, KANSAS AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

•ORDINANCE NO. 218

AN ORDINANCE REGULATING THE USE OF B-B GUNS WITHIN THE CITY LIMITS OF THE CITY OF LEROY.

•ORDINANCE NO. 219

AN ORDINANCE PRESCRIBING FIRE LIMITS AND RELATING TO THE CONSTRUCTION OF BUILDINGS THEREIN, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

•ORDINANCE NO. 220

AN ORDINANCE AMENDING *SECTION 2* OF **ORDINANCE NO. [98](#)** OF THE LAWS OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 221

AN ORDINANCE RELATING TO CULVERTS OR WATERWAYS OR COVERINGS PLACED IN OR OVER THE GUTTERS OR DITCHES ALONG THE SIDES OF THE ROADWAYS OF THE STREETS TO AFFORD A MEANS OF ENTERING AND LEAVING PRIVATE PROPERTY AND THE OBSTRUCTION OF DRAINAGE DITCHES, AND REPEALING ANY ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE.

•**ORDINANCE NO. 222**

AN ORDINANCE GRANTING TO KANSAS GAS AND ELECTRIC COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS THEREOF AND RELATING THERETO, AND REPEALING **ORDINANCE NO. 181**

•**ORDINANCE NO. 223**

AN ORDINANCE ESTABLISHING THE COMPENSATION TO BE PAID TO THE COUNCILMEN OF THE LEROY CITY COUNCIL AND TO THE MAYOR OF THE CITY OF LEROY.

•**ORDINANCE NO. 224**

AN ORDINANCE PROVIDING FOR THE GRADING AND PAVING AND OTHERWISE IMPROVING CERTAIN STREETS IN LEROY, COFFEY COUNTY, KANSAS AND PROVIDING FOR THE PAYMENT OF THE COST OF SAME.

•**ORDINANCE NO. 225**

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF CERTAIN STREET IMPROVEMENTS IN THE CITY OF LEROY, KANSAS, TO BE PAID FOR BY THE ISSUANCE OF BONDS, UNDER THE AUTHORITY OF K.S.A. 10-123 AND K.S.A. 12-602 ET SEQ., AND ALL AMENDMENTS THERETO.

•**ORDINANCE NO. 226**

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

•**ORDINANCE NO. 227**

An Ordinance of the City of LeRoy, Kansas, granting to Kyle Moore and Albert M. Burrell, d/b/a LeRoy Community T.V. Company, its successors and assigns for a term of fifteen (15) years, acquire, maintain and operate a community antenna television and system within the City of LeRoy, Kansas; to render, furnish sell and distribute television and radio programs and entertainment for all purposes and environs thereof, and to use and occupy the streets, alleys, easements and other public places of said City for such community antenna television system.

•**ORDINANCE NO. 228**

AN ORDINANCE AUTHORIZING AND DIRECTING THE COUNTY CLERK AS ELECTION COMMISSIONER TO CALL A SPECIAL ELECTION IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID CITY A PROPOSITION TO ISSUE AND SELL GENERAL OBLIGATION BONDS OF SAID CITY IN THE AGGREGATE AMOUNT NOT EXCEEDING \$100,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY PART OF THE COST OF IMPROVING THE CITY WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO UNDER THE AUTHORITY OF K.S.A. 12-801 ET SEQ. AND K.S.A. ARTICLE 1 OF CHAPTER 10, THE TOTAL COST OF SAID PROJECT TO BE APPROXIMATELY \$160,000.00, THE BALANCE OF THE COST TO BE PAID FOR BY THE ISSUANCE OF REVENUE BONDS. UNDER THE AUTHORITY OF K.S.A. 10-2Q1 ET SEQ.

•**ORDINANCE NO. 229**

AN ORDINANCE APPROVING THE ENGINEER'S REPORT OF THE PROPOSED IMPROVEMENT OF THE CITY WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION OF THE GOVERNING BODY OF LEROY, KANSAS TO MAKE SUCH IMPROVEMENTS AND TO ISSUE REVENUE BONDS OF SAID CITY TO PAY PART OF THE COSTS THERE

●[ORDINANCE NO. 230 \(missing\)](#)

●[ORDINANCE NO. 231](#)

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF WATERWORKS SYSTEM REVENUE BONDS SERIES 1974 OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS IN THE PRINCIPAL SUM OF \$60,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY PART OF THE COST OF IMPROVING THE WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO: PRESCRIBING ALL OF THE DETAILS OF SAID BONDS, PROVIDING FOR THE COLLECTION, SEGREGATION, AND DISTRIBUTION OF THE INCOME OF THE WATERWORKS SYSEM OF SAID CITY FOR THE PURPOSE OF PAYING THE COST OF THE OPERATION, MAINTENANCE, AND IMPROVEMENT THEREOF, PROVIDING AN ADEQUATE DEPRECIATION FUND THEREFOR, AND FOR PAYING THE PRINCIPAL OF AND INTEREST ON SAID WATERWORKS SYSTEM REVENUE BONDS, SERIES 1974, UNDER THE AUTHORITY OF K.S.A. ARTICLE 12 OF CHAPTER 10 AND AMENDMENTS THERETO.

●[ORDINANCE NO. 232](#)

AN ORDINANCE AUTHORIZING THE IMPROVING OF THE WATERWORKS SYSTEM OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, AND PROVIDING FOR THE ISSUANCE OF \$100,000.00 GENERAL OBLIGATION BONDS OF SAID CITY TO PAY PART OF THE COST OF THE SAME:

●[ORDINANCE NO. 233](#)

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF ORDINANCE NO. [202](#).

●[ORDINANCE NO. 234](#)

AN ORDINANCE CONFIRMING THE REPORT OF APPRAISERS AND LEVYING SPECIAL ASSESSMENTS TO PAY THE COST OF CERTAIN STREET IMPROVEMENTS WITH IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-601 ET SEQ., AND ALL AMENDMENTS THERETO.

●[ORDINANCE NO. 235](#)

AN ORDINANCE AMENDING ORDINANCE NO. [234](#) IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

●[ORDINANCE NO. 236](#)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$146,854.69 STREET IMPROVEMENT BONDS, SERIES 1975-A, CITY OF LEROY, COFFEY COUNTY, KANSAS, TO PAY THE COST OF MAKING STREET IMPROVEMENTS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-601 ET SEQ. AND K.S.A. ARTICLE 1 OF CHAPTER 10, AND ALL AMENDMENTS THERETO.

●[ORDINANCE NO. 237](#)

AN ORDINANCE CREATING THE OFFICE OF BUILDING INSPECTOR IN THE CITY OF LEROY, KANSAS.

●[ORDINANCE NO. 238 \(missing\)](#)

●[ORDINANCE NO. 239](#)

AN ORDINANCE PROVIDING FOR DOG CONTROL REGULATIONS PERTAINING TO THE KEEPING OF DOGS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

●[ORDINANCE NO. 240](#)

AN ORDINANCE PRVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE OR DANGEROUS STRUCTURES AND PROVIDING FOR THE DESIGNATIN OF AN ENFORCING OFFICER TO DETERMINE THE CONDITION OF STRUCTURES LOCTED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 241

AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.

•ORDINANCE NO. 242

AN ORDINANCE CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH DEFINING CERTAIN TERMS USED THEREIN, REGULATING THE MANNER IN WHICH GARBAGE AND TRASH SHALL BE PREPARED, COLLECTED AND DISPOSED OF, AUTHORIZING THE MAYOR AND CITY COUNCIL OF LEROY TO ENTER INTO A CONTRACT, UNDER STATED CONDITIONS, FOR THE EXCLUSIVE PRIVILEGE OF COLLECTING AND DISPOSING OF GARBAGE AND TRASH WITHIN THE SAID CITY, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

•ORDINANCE NO. 243

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON TO SELL, DISPENSE DRINK OR CONSUME CEREAL MALT OR ALCOHOLIC BEVERAGES UPON CERTAIN PLACES, OR TO TRANSPORT CEREAL MALT OR ALCOHOLIC BEVERAGES UPON CERTAIN PLACES, EXCEPT WHERE UNOPENED OR INACCESSIBLE, IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 244

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF ORDINANCE NO. [233](#).

•CHARTER ORDINANCE NO. 244a

A CHARTER ORDINANCE EXEMPTING THE CITY OF LEROY, KANSAS, FROM THE PROVISIONS OF K.S.A. 15-201, RELATING TO THE ELECTION OF CITY OFFICERS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

•ORDINANCE NO. 245

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF ORDINANCE NO. [233](#).

•ORDINANCE NO. 246

AN ORDINANCE PROHIBITING CARELESS DRIVING IN THE CITY OF LEROY, KANSAS AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

•ORDINANCE NO. 247

AN ORDINANCE CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH DEFINING CERTAIN TERMS USED THEREIN, REGULATING THE MANNER IN WHICH GARBAGE AND TRASH SHALL BE PREPARED, COLLECTED AND DISPOSED OF, AUTHORIZING THE MAYOR AND CITY COUNCIL OF LEROY TO ENTER INTO A CONTRACT, UNDER STATED CONDITIONS, FOR THE EXCLUSIVE PRIVILEGE OF COLLECTING AND DISPOSING OF GARBAGE AND TRASH WITHIN THE SAID CITY, AND REPEALING **ORDINANCE NO. [242](#)** AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

•ORDINANCE NO. 248

AN ORDINANCE AUTHORIZING A SEWER CONNECTION FEE AND WATER CONNECTION FEE IN THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 249

AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR THE USE OF THE SANITARY SEWAGE DISPOSAL SYSTEM OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 250

AN ORDINANCE AMENDING **ORDINANCE NO. [227](#)**, ADDING *SECTION 17* TO SAID **ORDINANCE NO. [227](#)** OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 251

AN ORDINANCE DECLARING THE LANDOWNER RESPONSIBLE FOR WATER UTILITY BILLS ARISING OUT OF SERVICE TO THE LANDOWNER'S LAND IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 252

AN ORDINANCE OF THE CITY OF LEROY, KANSAS, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LAND FOR AND THE CONSTRUCTION OF EXTENSIONS, ADDITIONS, AND IMPROVEMENTS TO THE EXISTING SEWER TREATMENT FACILITY: PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF: AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY IMPROVEMENT NOTES IN ANTICIPATION OF FEDERAL AID FROM TIME TO TIME TO PAY THAT PORTION OF SAID COSTS TO BE PAID BY THE CITY AND THAT PORTION OF SAID COSTS TO BE PAID FROM THE PROCEEDS OF AN EXPECTED FEDERAL GRANT: AND AUTHORIZING AND PROVIDING FOR APPLICATION TO THE STATE BOARD OF TAX APPEALS FOR ITS APPROVAL OF THE ISSUANCE OF SAID TEMPORARY IMPROVEMENT NOTES IN ANTICIPATION OF FEDERAL AID.

•ORDINANCE NO. 253

AN ORDINANCE RELATED TO THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND DISCHARGE OF WATER AND WASTE IN TO THE PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATION THEREFORE IN THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS.

•ORDINANCE NO. 254

AN ORDINANCE ESTABLISHING A USER CHARGE SYSTEM IN THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS.

•ORDINANCE NO. 255

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A GENERAL OBLIGATION SEWER BOND IN THE CITY OF LEROY, KANSAS, IN THE PRINCIPAL AMOUNT OF \$170,000.00, TO PAY A PORTION OF THE COSTS OF THE ACQUISITION OF LAND AND CONSTRUCTION OF EXTENSIONS, ADDITIONS AND IMPROVEMENTS TO THE EXISTING SEWER TREATMENT FACILITY IN SAID CITY; AND PRESCRIBING THE TERMS AND DETAILS OF THE BOND.

•ORDINANCE NO. 256

AN ORDINANCE AMENDING ORDINANCE NO. 254, OF THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN THE SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS BY AMENDMENT OF ARTICLE IV, *SECTION I*, CLASS I A AND BY AMENDMENT OF ARTICLE IV, *SECTION I*, CLASS IV.

•ORDINANCE NO. 257

AN ORDINANCE LEVYING A CITY GROSS EARNINGS TAX ON INTANGIBLES FOR THE YEAR 1982.

•ORDINANCE NO. 258

AN ORDINANCE LEVYING A CITY GROSS EARNINGS TAX ON INTANGIBLES FOR THE YEAR 1983 AND THEREAFTER.

•ORDINANCE NO. 259

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY CLERK OF THE CITY OF LEROY, KANSAS, TO COLLECT A WATER DEPOSIT AND ESTABLISHING A PROCEDURE FOR REFUND OF THE SAME; ESTABLISHING A FEE FOR WATER METER RE-SETS IN THE CITY OF LEROY, KANSAS; AND REPEALING ANY ORDINANCES IN CONFLICT HERewith.

•ORDINANCE NO. 260

AN ORDINANCE ESTABLISHING AN EMPLOYEE BENEFITS CONTRIBUTION FUND IN THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 261

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS: INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 1982,

AND REPEALING ORDINANCE NO. [208](#) AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH, WITH THE EXCEPTION OF ORDINANCE NO. 246.

● **ORDINANCE NO. 262**

AN ORDINANCE AMENDING ORDINANCE NO. [227](#), *SECTION 3* OF THE CITY LEROY, KANSAS.

● **ORDINANCE NO. 263**

AN ORDINANCE AMENDING ORDINANCE NO. [247](#) CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH, AMENDING THE CHARGES FOR COLLECTION AND DISPOSAL.

● **ORDINANCE NO. 264**

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, it's successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

● **ORDINANCE NO. 265**

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF ORDINANCE NO. [233](#) AND REPEALING ORDINANCE NO. [245](#):

● **ORDINANCE NO. 266**

AN ORDINANCE AMENDING ORDINANCE NO. [247](#), REQUIRING THE PURCHASE OF A PERMIT BY ANY PERSONS, CORPORATIONS, OR ENTITIES OF ANY NATURE IN THE CITY WHO ELECT NOT TO BE SERVED BY THE CITY'S CONTRACT REFUSE SERVICE; AND OTHERWISE KEEPING SAID ORDINANCE NO. [247](#) IN FULL FORCE AND EFFECT.

● **ORDINANCE NO. 267**

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF ORDINANCE NO. [233](#) AND REPEALING ORDINANCE NO. [245](#).

● **ORDINANCE NO. 268**

AN ORDINANCE ESTABLISHING AMENDING *SECTION ONE* OF ORDINANCE NO. [227](#); PROVIDING FOR THE EXTENSION OF ORDINANCE NO. [227](#) FOR FIFTEEN (15) ADDITIONAL YEARS FROM JUNE 1, 1984; AND PROVIDING FOR INSTALLATION FOR SUBSCRIBERS TO SERVICE WITHIN CORPORATE LIMITS.

● **ORDINANCE NO. 269**

AN ORDINANCE PROHIBITING TURNS ACROSS THE CENTER LINE OF A TWO-WAY STREET IN THE CITY OF LEROY, KANSAS, FOR PURPOSES OF PARKING ON SAID STREET OR PROCEEDING IN THE OPPOSITE DIRECTION ON SAID ROADWAY, EXCEPT AT INTERSECTIONS WHERE U-TURNS ARE NOT PROHIBITED, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

● **ORDINANCE NO. 270**

AN ORDINANCE PROHIBITING MINORS FROM ENTERING INTO OR REMAINING IN ANY ESTABLISHMENT WHICH SELLS CEREAL MALT BEVERAGES OR ALCOHOLIC LIQUORS FOR CONSUMPTION ON THE PREMISES.

● **ORDINANCE NO. 271**

AN ORDINANCE ANNEXING CERTAIN LAND TO THE CITY OF LEROY, COFFEY COUNTY, KANSAS, PURSUANT TO AND UNDER TH AUTHORITY OF KSA 12-519 ET SEQ. AND AMENDMENTS THERETO.

● **ORDINANCE NO. 272**

AN ORDINANCE RENAMING THE FOLLOWING STREETS: SEVENTH STREET, EIGHTH STREET, NINTH STREET, TENTH STREET, BISMARK STREET, BROADWAY STREET, A STREET, AND DIVISIO STREET, ALL IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 273

AN ORDINANCE ESTABLISHING AN EMPLOYEE CONTRIBUTION FUND IN THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 274

AN ORDINANCE AUTHORIZING AND ESTABLISHING HOSPITALIZATION, HEALTH, AND ACCIDENT INSURANCE POLICIES FOR ALL FULL TIME EMPLOYEES OF THE CITY OF LEROY, KANSAS; PROVIDING FOR THE COSTS THEREOF AND FUNDS THEREFORE; CREATING AN INSURANCE FUND; PROVIDING FOR THE FINANCING OF THE PLAN AND PROVIDING FOR THE MANAGEMENT AND ADMINISTRATION OF THE PLAN.

•ORDINANCE NO. 275

AN ORDINANCE DEFINING THE CORPORATE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 276

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF ORDINANCE NO. [233](#), AND REPEALING ORDINANCE NO. [267](#).

•ORDINANCE NO. 277

AN ORDINANCE PERTAINING TO THE KEEPING OF ANIMALS WHICH ARE INHERENTLY DANGEROUS OR DESTRUCTIVE, VICIOUS DOGS, AND WILD ANIMALS, WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 278

AN ORDINANCE AMENDING *SECTION 1* OF ORDINANCE NO. [144](#) OF THE CITY OF LEROY, KANSAS PERTAINING TO THE LICENSE FEE OF PERSONS, FIRMS, AND CORPORATIONS ENGAGED IN THE SELLING OF CEREAL MALT BEVERAGES.

•ORDINANCE NO. 279

AN ORDINANCE REQUIRING THE PURCHASE OF A KANSAS RETAIL STAMP.

•ORDINANCE NO. 280

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF \$86,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 1988 OF LEROY, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS WHICH ARE, OR WILL BECOME AVAILABLE, TO REFUND CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM AND DETAILS OF SAID REFUNDING BONDS;

•ORDINANCE NO. 281

AN ORDINANCE AMENDING AND REPEALING CERTAIN SECTIONS OF ORDINANCE NO. [280](#) OF THE CITY OF LEROY, KANSAS,

•ORDINANCE NO. 282

AN ORDINANCE AMENDING ORDINANCE NO. [254](#) AND ORDINANCE NO. [256](#) OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN THE SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS, BY AMENDMENT OF *ARTICLE THREE* OF ORDINANCE NO. [254](#); BY AMENDMENT OF *ARTICLE FOUR* OF ORDINANCE NO. [254](#); AND BY AMENDING ORDINANCE NO. [256](#).

•ORDINANCE NO. 283

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1988.

•ORDINANCE No. 284

AN ORDINANCE REQUIRING A LICENSE TO OPERATE A DOG KENNEL, DEFINING A DOG KENNEL, PROVIDING FOR A LICENSE FEE, PROVIDING FOR REGULATION FOR OPERATING A DOG KENNEL, PROVIDING FOR THE REVOCATION OF SUCH LICENSES, AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith.

•ORDINANCE NO. 285

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1988; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

•ORDINANCE NO. 286

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF ORDINANCE NO. [233](#), AND REPEALING ORDINANCE NO. [276](#).

•ORDINANCE NO. 287

AN ORDINANCE ADOPTING A FAIR HOUSING POLICTY REGULATING THE SALE AND RENTING OF RESIDENTIAL PROPERTY IN THE CITY OF LEROY.

•ORDINANCE NO. 288

AN ORDINANCE APPROVING COST ESTIMATES OF THE PROPOSED IMPROVEMENTS TO THE MUNICIPALLY OWNED WATER SYSTEM OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, BY IMPROVING THE WATER INTAKE SUPPLY LINE AND THE WATER INTAKE PLANT AND DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF THE NOTIC OF INTENTION OF THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS, TO MAKE SUCH IMPROVEMENTS AND TO ISSUE AND SELL REVENUE BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

•ORDINANCE NO. 289

WATER SERVICE IMPROVEMENTS

•ORDINANCE NO. 290

AN ORDINANCE ESTABLISHING AN EQUIPMENT RESERVE FUND IN THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 291

AN ORDINANCE ANNEXING CERTAIN LAND TO THE CITY OF LEROY, COFFEY COUNTY, KANSAS, PURSUANT TO AND UNDER THE AUTHORITY OF K.S.A. 12-519 ET SEQ. AMENDMENTS THERETO.

•ORDINANCE NO. 292

AN ORDINANCE AMENDING *SECTION 2* OF **ORDINANCE #[219](#)** OF THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 293

AN ORDINANCE REQUIRING BACKFLOW PREVENTERS TO PREVENT CONTAMINATION OF THE POTABLE WATER OF THE CITY OF LEROY, KANSAS AND TO PROHIBIT IMPROPER CROSS CONNECTIONS BETWEEN THE PUBLIC WATER SUPPLY OF LEROY, KANSAS AND OTHER WATER SOURCES.

•ORDINANCE NO. 294

AN ORDINANCE CREATING A CITY PLANNING COMMISSION FOR THE CITY OF LEROY, KANSAS.

•ORDINANCE NO. 295

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF WATER SYSTEM REVENUE BONDS, SERIES 1990, OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, IN THE PRINCIPAL SUM OF \$195,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CERTAIN WATER SYSTEM IMPROVEMENTS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, PRESCRIBING THE FORM AND DETAILS OF SAID REVENUE BONDS, PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF REVENUES OF THE SYSTEM FOR THE PURPOSES AUTHORIZED BY LAW, INCLUDING PAYING THE COST OF OPERATING, MAINTENANCE AND IMPROVEMENT OF SAID SYSTEM, AND PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS, UNDER THE AUTHORITY OF K.S.A. 10-1201 ET SEQ., AS AMENDED.

•ORDINANCE NO. 296

AN ORDINANCE DECLARING CERTAIN MATTERS AS MOTOR VEHICLE NUISANCES WITHIN THE CITY OF LEROY, KANSAS; PROVIDING FOR THE

REMOVAL OR ABATEMENT OF MOTOR VEHICLE NUISANCES; AUTHORIZING THE ASSESSMENT OF COST AND PROVIDING FOR PENALTIES;

●[ORDINANCE NO. 297](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1990; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 298](#)

AN ORDINANCE REPEALING ORDINANCE NO. [292](#) OF THE CITY OF LEROY, KANSAS AND AMENDING *SECTION TWO* AND *SECTION THREE* OF ORDINANCE NO. [219](#) OF THE CITY OF LEROY, KANSAS.

●[ORDINANCE NO. 299](#)

AN ORDINANCE DEFINING THE CORPORATE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

●[ORDINANCE NO. 300](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1991.

●[ORDINANCE NO. 301](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1991; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 302](#)

AN ORDINANCE PROVIDING FOR THE RE-ESTABLISHMENT OF THE LEROY CITY PLANNING COMMISSION; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENTS OF ITS MEMBERS; DESCRIBING ITS POWERS AND DUTIES; DESIGNATING IT AS THE BOARD OF ZONING APPEALS AND PROVIDING FOR THE EXPENSES OF ITS OPERATION.

●[ORDINANCE NO. 303](#)

AN ORDINANCE RELATING TO STRUCTURES DAMAGED BY FIRE OR EXPLOSION; CREATING A LIEN UPON INSURANCE PROCEEDS WITH RELATION TO SAID STRUCTURE; PROVIDING FOR THE DISBURSEMENT OF SAID INSURANCE PROCEEDS; CREATING A FIRE INSURANCE PROCEEDS FUND; PROVIDING A LIEN FOR CERTAIN TAXES DUE ON STRUCTURES DAMAGED BY FIRE OR EXPLOSION.

●[ORDINANCE NO. 304](#)

AN ORDINANCE AMENDING *SECTION 1 AND 2* OF ORDINANCE [#47](#) OF THE CITY OF LEROY, KANSAS.

●[ORDINANCE NO. 305](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1992; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 306](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1992.

●[ORDINANCE NO. 307](#)

AN ORDINANCE RENAMING THE FOLLOWING STREETS: FRAWLEY STREET, ROSS STREET, SEYMOUR STREET, SPRINGFIELD STREET, AND ENNIS STREET, ALL IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

●[ORDINANCE NO. 308](#)

AN ORDINANCE AMENDING ARTICLE 1, *SECTIONS 1-104, 1-105, 1-106 AND 1-109* OF ORDINANCE NO. [239](#) PROVIDING FOR DOG CONTROL REGULATIONS PERTAINING TO THE KEEPING OF DOGS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

•ORDINANCE NO. 309

AN ORDINANCE OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS AND REPEALING ORDINANCE NO. 254, 256 AND 282.

•ORDINANCE NO. 310

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1993.

•ORDINANCE NO. 311

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITIONS 1993; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

•ORDINANCE NO. 312

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 1993; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

•ORDINANCE NO. 313

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a Kansas corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

•ORDINANCE NO. 314

AN ORDINANCE, granting to Kansas Gas and Electric Company, a Kansas Corporation and wholly owned subsidiary of Western Resources, Inc., a Kansas corporation, its successors and assigns, and electric franchise, prescribing the terms thereof and relating thereto, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

•ORDINANCE NO. 315

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1994.

•ORDINANCE NO. 316

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 1994; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

•ORDINANCE NO. 317

An ordinance authorizing the declaration of a water watch, warning or emergency; establishing procedures and voluntary and mandatory conservation measures; authorizing the issuance of administrative regulations; and prescribing certain penalties.

•ORDINANCE NO. 318

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES: EDITION 1995; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

•ORDINANCE NO. 319

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1995.

•ORDINANCE NO. 320

AN ORDINANCE GRANTING UNITED TELEPHONE COMPANY OF IOWA D/B/A UNITED TELEPHONE COMPANY OF EASTERN KANSAS A FRANCHISE TO USE THE STREETS, AVENUES, BOULEVARDS, ALLEYS, AND OTHER PUBLIC PLACES IN THE

CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, TO CONTINUE TO CONDUCT THE BUSINESS OF CONSTRUCTING, INSTALLING, MAINTAINING, MANAGING, AND OPERATING A TELEPHONE SYSTEM WITH ALL NECESSARY POLES, WIRES, CABLES, FIXTURES, CONDUIT AND APPARATUS.

●[ORDINANCE NO. 321](#)

AN ORDINANCE OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS PROVIDING FOR THE UNION PACIFIC RAILROAD COMPANY TO PERMENANTLY CLOSE AND BARRICADE CERTAIN PUBLIC AT-GRADE RAILROAD CROSSINGS IN THE CITY OF LEROY, KANSAS.

●[ORDINANCE NO. 322](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1996; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 323](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1996.

●[ORDINANCE NO. 324](#)

AN ORDINANCE RELATING TO THE CUTTING OF WEEDS AND VEGETATION, PROVIDING FOR NOTICE AND PROVIDING FOR CUTTING BY THE CITY OF LEROY, AND PROVIDING FOR CHARGES THEREFOR; AND REPEALING ORDINANCE NO. 43

●[ORDINANCE NO. 325](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSS CITIES” EDITION 1997; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 326](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSSA; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1997.

●[ORDINANCE NO. 327](#)

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF ORDINANCE NO. [233](#), AND REPEALING ORDINANCE NO. [286](#).

●[ORDINANCE NO. 328](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1998; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 329](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1998.

●[ORDINANCE NO. 330](#)

AN ORDINANCE EXTENDING THE EXPIRATION DATE OF THE CABLE TELEVISION FRANCHISE AGREEMENT AUTHORIZING THE OPERATION OF A CABLE TELEVISION SYSTEM

●[ORDINANCE NO. 331](#)

AN ORDINANCE GRANTING TO FRANCHISEE, THE NON-EXCLUSIVE RIGHT TO ERECT, MAINTAIN AND OPERATE IN, UNDER, OVER, ALONG, ACROSS THE STREETS, LANES, AVENUES, SIDEWALKS, ALLEYS, BRIDGES, HIGHWAYS, EASEMENTS DEDICATED FOR COMPATIBLE USES AND OTHER PUBLIC PLACES IN THE CITY OF LEROY, KANSAS, AND THE SUBSEQUENT ADDITIONS THERETO, TOWERS, CABLES, AND ANCILLARY FACILITIES FOR THE PURPOSE OF

CONSTRUCTING, OPERATING, MAINTAINING AND REPAIRING CABLE SERVICE FOR A PERIOD OF FIFTEEN (15) YEARS REGULATING THE SAME.

●[ORDINANCE NO 332](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1999; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 333](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1999.

●[ORDINANCE NO. 334](#)

AN ORDINANCE ESTABLISHING THE COMPENSATION TO BE PAID TO THE MAYOR, COUNCIL MEMBERS AND OTHER CITY OFFICERS OF THE CITY OF LEROY AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 335](#)

AN ORDINANCE DECLARING CERTAIN PROPERTIES LOCATED WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO BE NUISANCES; DIRECTING NOTICE TO BE GIVEN TO THE OWNERS THEREOF; AND AUTHORIZING THE ABATEMENT OF SAID NUISANCES IN ACCORDANCE WITH THE PROVISIONS OF K.S.A. 12-1617e.

●[ORDINANCE NO. 336](#)

AN ORDINANCE VACATING A CERTAIN ALLEY WITHIN THE CITY LIMNITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, RESERVING PUBLIC EASEMENTS AND PROVIDING FOR THE RECORDING OF THE SAME.

●[ORDINANCE NO. 337](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2000.

●[ORDINANCE NO. 338](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2000; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

●[ORDINANCE NO. 339](#)

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

●[ORDINANCE NO. 340](#)

AN ORDINANCE PROHIBITING OUTDOOR OPEN BURING ON OR ABOUT HALLOWEEN; ESTABLISHING, EXCEPTIONS THERETO; AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

●[ORDINANCE NO. 341](#)

AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.

●[ORDINANCE NO. 342](#)

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

●[ORDINANCE NO. 343](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2001.

●[ORDINANCE NO. 344](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE

THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2000; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

● **ORDINANCE NO. 345**

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGETED YEAR 2002 FOR THE CITY OF LEROY.

● **ORDINANCE NO. 346**

AN ORDINANCE AUTHORIZING THE CITY OF LEROY, KANSAS TO PURCHASE WATER FROM THE CITY OF BURLINGTON, KANSAS.

● **ORDINANCE NO. 347**

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

● **ORDINANCE NO. 348**

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING SECTION ONE OF ORDINANCE NO. [233](#), AND REPEALING ORDINANCE NO. [327](#).

● **ORDINANCE NO. 349**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2002; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

● **ORDINANCE NO. 350**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2002.

● **ORDINANCE NO. 351**

AN ORDINANCE REGULATING THE LOCATION AND SPACING OF MOBILE HOMES AND PROVIDING FOR PERMITS TO LOCATE MOBILE HOMES, AND CREATING MOBILE HOME PARKS AND LICENSING OF THE SAME WITHIN THE CITY OF LEROY, KANSAS

● **ORDINANCE 352**

AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO THE USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO.233 AND REPEALING ORDINANCE 348; AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309.

● **ORDINANCE NO. 353**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2003.

● **ORDINANCE NO. 354**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2003; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH

● **ORDINANCE NO. 355**

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

● **ORDINANCE NO 356**

AN ORDINANCE PROHIBITING THE PARKING OF TRUCKS, TRACTORS, BUSES, TRAILERS, MOTOR VEHICLES, ETC. ADJACENT TO LEROY CITY PARK DURING CERTAIN HOURS.

● **ORDINANCE NO. 357**

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

- [**ORDINANCE NO. 358**](#)

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2005 FOR THE CITY OF LEROY

- [**ORDINANCE NO. 359**](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2004.

- [**ORDINANCE NO. 360**](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2004; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

- [**ORDINANCE NO. 361**](#)

AN ORDINANCE ESTABLISHING THE POLICIES AND PROCEDURES FOR GRANTING PROPERTY TAX EXEMPTIONS IN ACCORDANCE WITH SECTION 13, ARTICLE 11 OF THE KANSAS CONSTITUTION AND KANDAS STATUTES ANNOTATED 12-1740 ET SEQ.

PLEASE SEE FULL COPY OF THIS ORDINANCE AT CITY HALL

- [**ORDINANCE NO. 362**](#)

AN ORDINANCE REPEALING AND AMENDING SECTION 3.1 OF ORDINANCE NO. 351 REGULATING SPACING OF MOBILE HOMES AND PROVIDING FOR PERMITS TO LOCATE MOBILE HOMES, AND CREATING MOBILE HOME PARKS AND LICENSING OF THE SAME WITHIN THE CITY OF LEROY, KANSAS

- [**ORDINANCE NO. 363**](#)

AN ORDINANCE RELATING TO DANGEROUS AND UNFIT STRUCTURES, AN APPOINTMENT OF ENFORCEMENT OFFICER AND PROVIDING FOR PROCEDURE FOR DETERMINATION OF UNSAFE OR DANGEROUS STRUCTURES AND PROVIDING FOR REMOVAL OR REPAIR AND FOR PAYMENT OF COST FOR REMOVAL OR REPAIR.

- [**ORDINANCE 364**](#)

AN ORDINANCE ESTABLISHING COURT COSTS AND FINE SCHEDULE IN CASES HEARD IN THE MUNICIPAL COURT FOR THE CITY OF LEROY, KANSAS.

- [**ORDINANCE NO. 365**](#)

AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO. 233 AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309 AND REPEALING ORDINANCE NO. 259 AND REPEALING ORDINANCE NO. 352.

- [**ORDINANCE No. 366**](#)

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2006 FOR THE CITY OF LEROY.

- [**ORDINANCE NO 367**](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2005; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

- [**ORDINANCE NO. 368**](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2005.

- **[ORDINANCE 369](#)**
AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2007 FOR THE CITY OF LEROY.

- **[ORDINANCE NO. 370](#)**
AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2006.

- **[ORDINANCE NO. 371](#)**
AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2006; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

- **[ORDINANCE NO. 372](#)**
AN ORDINANCE PROHIBITING THE USE OF JAKE/ENGINE BRAKES ON MOTOR VEHICLES WITHIN THE CITY OF LEROY, KANSAS, AND PROVIDING PENALTIES FOR VIOLATIONS.

- **[ORDINANCE NO. 373](#)**
AN ORDINANCE ESTABLISHING PROHIBITIONS AGAINST THE POSSESSION OR CARRYING OF CERTAIN FIREARMS WHILE UPON DESIGNATED PROPERTY OWNED AND/OR OPERATED BY THE CITY OF LEROY, KANSAS.

- **[ORDINANCE NO. 374](#)**
AN ORDINANCE SETTING THE RATE FOR SOLID WASTE COLLECTION WITHIN THE CITY OF LEROY, KANSAS.

- **[ORDINANCE NO. 375](#)**
AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2007; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH

- **[ORDINANCE NO. 376](#)**
AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2007.

- **[ORDINANCE NO. 377](#)**
AN ORDINANCE MAKING IT UNLAWFUL TO MAINTAIN OR PERMIT ANY NUISANCE WITHIN THE CITY OF LEROY, KANSAS; PROVIDING FOR THE DESIGNATION OF A PUBLIC OFFICER; COMPLAINTS; INQUIRY AND INSPECTION; RIGHT OF ENTRY, AN ORDER OF VIOLATION; CONTENTS OF ORDER OF VIOLATION; FAILURE TO COMPLY; PENALTY; ABATEMENT; HEARING; AND ASSESSMENT OF COSTS

- **[ORDINANCE NO. 378](#)**
AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO. 233 AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309 AND AMENDING SECTION 3 OF ORDINANCE NO. 365

- **[ORDINANCE NO. 380](#)**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2008; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

- **ORDINANCE NO 381**
AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2008.
- **ORDINANCE NO. 383**
AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.
- **ORDINANCE NO. 384**
AN ORDINANCE LEVYING A CITY RETAILERS’ SALES TAX IN THE AMOUNT OF ONE PERCENT (1%) WITHIN THE CITY OF LEROY, FOR THE PURPOSE OF PROVIDING ADDITIONAL REVENUE FOR AN ADEQUATE LEVEL OF PUBLIC SERVICES EFFECTIVE OCTOBER 1, 2009.
- **ORDINANCE NO. 385**
AN ORDINANCE MAKING IT UNLAWFUL TO KEEP LIVESTOCK WITHIN THE CITY OF LEROY, KANSAS; EXCEPTION; MAKING IT UNLAWFUL TO POSSESS EXOTIC ANIMALS WITHIN THE CITY OF LEROY, KANSAS; AND MAKING IT UNLAWFUL TO ALLOW ANIMALS TO RUN LOOSE WITHIN THE CITY OF LEROY, KANSAS; PENALTY; AND ASSESSMENT OF COSTS.
- **ORDINANCE NO. 386**
AN ORDINANCE VACATING A CERTAIN STREETS AND ALLEYS WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.
- **ORDINANCE NO. 387**
AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2009; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.
- **ORDINANCE NO. 388**
AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2009.
- **ORDINANCE NO. 389**
AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, ALL TERRAIN VEHICLES AND GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ORDINANCE NO. 387 SECTIONS 114.1 AND 114.2 OF THE 2009 STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. 387.
- **ORDINANCE NO. 390**
AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT LOT 14 AND THE SOUTH 17 FEET OF LOT 15 IN BLOCK 45 IN THE CITY OF LEROY, KANSAS, KNOWN AS THE UNION BLOCK BUILDING; AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE

FROM SUCH STRUCTURE, IF ANY, AND/OR FROM FUNDS OF THE CITY AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS OR PARCELS OF LAND ON WHICH SUCH STRUCTURE IS LOCATED.

- **ORDINANCE 391**
AN ORDINANCE PROVIDING FOR THE INSPECTION AND REGISTRATION OF SPECIAL PURPOSE VEHICLES TO BE OPERATED ON THE CITY STREETS.
- **ORDINANCE NO. 392**
AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2010.
- **ORDINANCE NO. 393**
AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2010; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.
- **ORDINANCE NO. 394**
AN ORDINANCE PROHIBITING THE OPERATION OF LOUD SOUND AMPLIFICATION SYSTEMS WITHIN THE CITY OF LEROY, KANSAS
- **ORDINANCE NO. 395**
AN ORDINANCE ESTABLISHING A FUND FOR THE CONSTRUCTION AND MAINTENANCE OF A COMMUNITY BUILDING FOR THE CITY OF LEROY, KANSAS BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

City Ordinances

● ORDINANCE NO. 1

An ordinance defining the limits of the City of LeRoy.

Be it ordained by the mayor and council of the City of LeRoy:

The City of LeRoy is hereby declared to comprise and include the following territory, to-wit: The former or original town site of LeRoy, according to the recorded plat thereof on file in the office of the Register of Deeds of Coffey County, Kansas; ;the territory immediately north of said town site, known as North LeRoy Addition to LeRoy, according to the recorded plat thereof on file in the office of the Register of Deeds of Coffey County, Kansas; the territory west of the last named addition, known as Highland Park or Waage's Addition to the City of LeRoy, according to the recorded plat thereof; the territory south of said Highland Park addition, known as Robinson's Addition to LeRoy, according to the recorded plat of said addition in the office of the Register of Deeds of Coffey County, Kansas; also the territory south of said last named addition, known as Wilkinson's Addition and Scott's Addition to the City of LeRoy, according to the plats of said additions on file in the office of the Register of Deeds of Coffey County, Kansas; also, the territory east of the original town site; known as East LeRoy Addition to LeRoy, as shown by **Ordinance No. 119** published herein.

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

● ORDINANCE NO. 2

Be it ordained by the mayor and council of the City of LeRoy:

Section I

The regular meetings of the council of the City of LeRoy shall be held at the council room of said city on the first Wednesday of each month, commencing at 8 o'clock p.m. from the first meeting in April to the first meeting in October and at 7 o'clock p.m. from the first meeting in October to the first meeting in April in each year.

Section 2

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

● **ORDINANCE NO. 3**

Relating to City Officers.

All City Officers – Duties and Obligations.

Be it ordained by the mayor and council of the City of LeRoy:

Section 1

No member of the city council or other officer of said city shall be accepted as security on an official bond. Upon the oath and bond of any city officer being filed with the city clerk, he shall deliver to the person elected or appointed (except members of the city council) a commission in the name of, and signed by, the mayor, under the seal of the city, authorizing and empowering such person to discharge the duties of the office for the term for which he has been elected or appointed.

Section 2

If a vacancy occurs while the city council is not in session, in any office which is filled by the mayor's appointment the mayor shall appoint a person to fill the office until the next regular meeting of the city council, when a nomination to fill the same shall be made.

Section 3

Every officer shall upon going out of office, deliver to his successor all books, papers, furniture, and other things pertaining to his office.

Section 4

No officer of the city shall directly or indirectly, himself, or by another, for his own or for another's benefit, deal in the purchases of city orders, bonds or other obligations of the city.

Section 5

Every officer of the city shall, when called upon, submit the books and papers of his office to the inspection of the mayor, city attorney or any member of the city council.

Section 6

All officers of this city, unless otherwise provided by law or ordinance, shall hold their offices for one year and until their successors shall be duly elected or appointed, and qualified, and their terms of office, when not otherwise directed, shall commence ten days after the city election each year.

Section 7

City Treasurer – Appointment and Duties.

At the first regular meeting of the city council in the month of May of each year, it shall be the duty of the mayor to appoint, with the consent of the council, some competent person as treasurer of said city, who shall hold his office for one year, and until his successor is selected, appointed and qualified. Such person shall, before entering upon the duties of said office, execute a bond to the City of LeRoy, with at least two sufficient securities to be approved by the mayor and council, in the penal sum of five hundred dollars, conditioned that he will faithfully perform the duties of his office according to law.

Section 8

It shall be the duty of the treasurer:

1. To receive all moneys belonging to the city which may, from time to time, come into his hands, and disburse the same according to law.
2. To keep his books and accounts in such a manner as the mayor may prescribe and such books and accounts shall always be subject to the mayor and finance committee.
3. To keep a full and accurate account of all moneys received and disbursed by him in behalf of the city, specifying the time of receipt and disbursement, from whom received and to whom disbursed, and on what account.
4. To keep a separate account of each fund or appropriation and the debts and credits belonging thereto.
5. To keep a registry of all warrants redeemed or paid to into the treasury, describing such warrant by its date, amount, number and name of payee, specifying the time of receipt thereof and on what account and to cancel and file the same.
6. To deliver to every person making payments into the treasury receipts therefore, specifying the date of such payment, upon what account made, and whether paid in money, warrants, or other obligations, of the city. The treasurer is hereby expressly prohibited from using either directly or indirectly, for his own benefit or that of any other person, any moneys, warrants or other obligations of the city in his custody or keeping.

Section 9

The treasurer, shall on the fifteenth days of March, June, September, and December of each year, make a full and detailed statement of the receipts, expenditures and indebtedness of the City for the quarter ending on the fifteenth day of each said month respectively, and transmit the same to the city clerk forthwith.

Section 10

On the first Tuesday in April of each year the treasurer shall present to the city council, for final settlement, a general statement of his accounts for the past fiscal year. Such statement shall show the amounts of all receipts into the treasury and of all payments made by him during such term, and such statement when made and approved by the city council shall be entered upon the record book of the city.

Section 11

Any violations of the provisions of this ordinance by the treasurer shall subject him to immediate removal by the mayor with the consent of the city council.

Section 12

The treasurer shall receive as a compensation ten dollars per year and no more.

Section 13

City Clerk – Duties of.

The City Clerk of LeRoy shall before entering upon the duties of said office, execute a bond to the City of LeRoy with at least two sufficient securities to be approved by the mayor and council, in the penal sum of one hundred dollars, conditioned that he will faithfully discharge the duties of his office according to law.

Section 14

The City Clerk shall have custody of the city seal, the public records, the original ordinances and resolutions of the city council, and such other papers, records and documents, as may be delivered into his custody. He shall affix the seal to all public instruments, or official acts of the mayor, which are required to be attested by the City Clerk, and countersign the same.

Section 15

He shall prepare all commissions and other official documents which the mayor is required to issue, and shall keep a correct register of all such commissions and documents in which the

substance thereof shall be noted. He shall file the official bond of all city officers, and other bonds executed to the city, and placed in his office, and all official bonds of the city officers shall be recorded by said clerk in a suitable book kept for that purpose. He shall cause the ordinances of the city to be published in the manner and as required by the city council, and if published in a newspaper he must superintend the printing thereof.

Section 16

He shall procure, sign and affix the city seal to all licenses required to be issued under authority of the city.

Section 17

He shall attend at all regular and special meetings of the city council, and shall keep in a neat and systematic manner a true record of each meeting.

Section 18

The city clerk shall draw or cause to be drawn, all orders or drafts upon the treasurer, which shall be signed by the mayor and attested by the city clerk under the seal of the city. The orders shall be consecutively numbered, and no money thee treasury, except on warrants so signed and attested.

Section 19

Any violations of the provisions of this ordinance shall subject the city clerk to removal from office by the mayor with consent of the city council.

Section 20

Police Judge – Bond.

Upon entering upon the duties of the office of police judge of the City of LeRoy, the person elected or appointed thereto shall execute a bond to the City of LeRoy with at least two sufficient sureties to be approved by the mayor and council, in the penal sum of one hundred dollars, conditioned that he will faithfully discharge the duties of his office according to law.

Section 21

City Marshal – Duties and Fees.

The City marshal shall be charged with the duty of enforcing all the city ordinances of the City of LeRoy. It shall be his duty to arrest all persons found by him violating any of the city ordinances, and take them forthwith before the police court, and there cause them to be prosecuted upon the charge of violating the ordinances, which charge he shall state orally to the court.

Section 22

Upon complaint made to the marshal of the violation of any city ordinance, he shall forthwith investigate the charge, and if it shall appear to him that an offense has been committed, he shall cause a complaint to be filed in the office of the police court, and shall forthwith arrest the offender and present him before the police court for trial; and the marshal shall not be liable for costs in the case, provided the defendant is not convicted.

Section 23

The marshal shall serve all processes of the police court, and for such service shall receive the fees allowed constables for a like service in justice's court.

Section 24

City Attorney – Duties and Compensation.

The mayor of the City of LeRoy is hereby authorized to appoint a competent attorney for said city.

Section 25

It shall be the duty of the city attorney to give all necessary legal advice to the mayor and city council and all other city officers, in relation to their duties, privileges, and powers; to draft all new ordinances, and revise and compile all ordinances now in force that the city council shall require him to revise and compile; to conduct all suits, civil or criminal, to which the City of LeRoy is or may be a party and attend to all such legal business, as the mayor or city council may require.

Section 26

The city attorney shall receive, as compensation for his services the same percentage for all collections for the city; and the same fees in all criminal prosecutions in which there are convictions, or pleas of guilty entered, as are allowed by the state laws of Kansas to the several county attorneys of the State of Kansas, and to be collected in the same manner, from defendants in criminal actions, as costs therein.

Section 27

Street Commissioner – Duties of.

The street commissioner shall have charge of all the streets, alleys, avenues and lanes in the city of LeRoy, and keep the same in passable condition and good repair, see that all street work is performed and in due season, and perform all other duties that are prescribed for overseers of highways, as the same, are prescribed by the laws of the State of Kansas.

Section 28

It shall be the duty of the street commissioner, as soon as an ordinance shall be passed, ordering the construction of any sidewalk, to notify the parties required to build such sidewalk, of the kind and quality, as ordered by the council.

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

● **ORDINANCE NO. 4**

Licenses.

Be it ordained by the mayor and council of the City of LeRoy:

Section 1

No person, persons or corporation shall in the City of LeRoy, carry on or operate any of the following named callings, or occupations, without first having paid the city license tax therefore, which shall be in sums as follows:

Section 2

Photographers or other persons practicing the art of fixing images or pictures on any substance whatever, not residents of this City, three dollars per week.

Section 3

The city clerk shall issue each license for which a sum per diem is herein fixed, on receiving from the party applying therefore, a receipt of the city treasurer for the sum charged therefore, as fixed in *Section 2* of this ordinance, or on the order of the mayor, but not otherwise. Every person desiring a license for which a sum is herein fixed shall make application therefore to the city clerk, who shall if he grants such license, and before issuing the same, require the applicants to pay such sum to the city treasurer, except as herein before provided. When the cost of license

is not definitely fixed in this ordinance, the mayor may grant a license at any time upon the payment of a sum by him deemed sufficient.

Section 4

All licenses, as herein before provided, shall expire on the last day of June, or the last day of December next, after the same are issued; no license granted under this ordinance is transferable, and every license issued shall be attested to and a record be made thereof by the city clerk.

Section 5

Auctioneers.

Every person who shall desire to within the City of LeRoy, engage in the business of auctioneering in the sale of live stock, or any class of mercantile goods or articles, commonly sold at auctions, shall pay to the city an annual license of five dollars, the same to be paid in advance. In case, such persons wish to so engage in said business for a shorter period than a year, then a daily license of one dollar per day.

Section 6

All licenses granted under this ordinance, other than daily license, shall expire on the 1st day of May, next, after the same has been issued. No license shall be transferable and every license issued shall be attested by the city clerk and recorded by him. All annual licenses shall be paid into the city treasury in advance.

Section 7

Draying.

Every person who shall desire to engage in the business of draying, or transferring goods, or merchandise, shall before engaging in such occupation, pay into the city treasury the sum of five dollars and present the receipt therefore to the city clerk, who shall issue a license entitling such person to engage in such business for one year. Provided, this section shall not apply to the loading or unloading of goods in car-load lots.

Section 8

Bus or Transfer.

Every person desiring to operate a bus or transfer line for the purpose of carrying passengers or goods (*illegible*) before engaging in such business, pay to the city treasurer the sum of five dollars and present his receipt to the city clerk, who shall issue a license to such person to engage in such business for one year or until the 1st day of May following.

Section 9

Applications for license under this ordinance, or any part of it shall be made to the city council who shall, if they grant such license, before issuing the same, require the applicant to pay to the city treasurer the amount charged for said license, and no such license shall be granted for any period for a less sum than one-half of the annual license tax.

Section 10

Daily License.

The charge for all licenses other than annual licenses shall be as follows:

Any circus and menagerie or either of them which shall exhibit or parade within the city, shall pay therefore the sum of ten dollars per day.

Section 11

Any street exhibition, side or minstrel show, other than circus or menageries, exhibited under canvas, five dollars per day.

Section 12

Peddlers and hawkers of goods, wares and merchandise, notions, and other valuable articles other than grain, vegetables, fruits, ice, bread, milk, fish, fowls, or fuel, ten dollars per day.

Section 13

Public peddlers of patent inventions or agents, or peddlers not residing in the city, of any state, county, city or individual rights, for the manufacture or sale of any patent invention, two dollars per day.

Section 14

Book or map agents or canvassers, soliciting subscriptions for the sale of any book, map or chart, for future or immediate delivery, one dollar per day; Provided, that this shall not apply to commercial travelers selling to dealers, nor to actual residents of this city who shall engage in any business named in this section.

Section 15

Any machine, instrument, or device not herein before named, set up, practiced or operated, for amusement or profit, five dollars per day: Provided, that no gambling device, machine, or instrument shall be permitted within the city.

Section 16

The city marshal shall collect in advance any and all licenses and pay over the same, upon receipt thereof to the city treasurer, who shall receipt for the same.

Section 17

The city clerk, upon receiving the city treasurer's receipt for daily license, shall issue such license in accordance therewith, and not otherwise.

Section 18

Any person who shall violate any of the provisions of this ordinance, shall, upon conviction thereof, by the police judge, be fined in any sum not exceeding one hundred dollars, or by imprisonment not to exceed sixty days or both.

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

● **ORDINANCE NO. 5**

Nuisances and Misdemeanors, Dead Animals, Refuse, Etc.

Section 1: Any person or persons who shall, within the City of LeRoy, throw out, place or deposit any dead animals, offal, refuse, putrid, unwholesome, or other matter, dangerous to the health or offensive to the sense, in or upon any street, alley, or lane, gutter, or other public place, or upon any lot or piece of ground where upon the same may or shall be or become offensive to the occupants of such lot or piece of ground, or to the passerby, or injurious to the public health, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than five dollars and not more than twenty-five dollars.

Injuries to Property

Section 2: If any person shall, in this city willfully cut, break, injure, deface or destroy any building, door, railing, window, sign, gate or fence, or any ornamental, shade, or fruit tree, or any other public or private property within this city, or shall deface or besmear any public or private building or out-building, or fence, or any appurtenances belonging thereto or any public or private property in this city, he shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not less than two not more than one hundred dollars.

Stove Pipes and Smoke Escapes

Section 3: If shall be unlawful for any owner, or lessee of property or buildings in said city to keep, use or maintain a stove pipe running through the ceiling, roof or sides of any building or room, adjoining, situated in said city, which is liable to originate or communicate fires through that or adjoining buildings, and any one violating this ordinance, after three days notice from the city marshal shall be subject to a fine of five dollars, and one dollar for each and every day said owner or lessee refuses or fails to repair or perfect said flue on smoke escape.

Deadly Weapons

Section 5: Whoever shall, in this city, have or carry on or about his or her person any pistol, revolver, bowie-knife, dirk, slingshot, or other deadly weapon, shall, on conviction, be fined in any sum not less than five nor more than fifty dollars: Provided this section shall not apply to peace officers of the city, county or state.

Dogs Running At Large

Section 6: It shall be unlawful for any unlicensed dog or bitch to run at large within the corporate limits of LeRoy.

Section 7: Any person who owns, keeps, or harbors a dog or bitch, or permits a dog or bitch to be or stay on the premises occupied by such person within the City of LeRoy, and who shall allow or permit such dog or bitch to run at large within said city without first paying an annual license of one dollar for such dog and three dollars for such bitch, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fine in any sum not less than two dollars, nor more than ten dollars.

Section 8: Any person who shall permits any dog or bitch to stay or remain upon the premises which he or she occupies, for five days without notifying the city marshal to take and kill the same, shall be deemed the harborer or owner such dog or bitch, and subject to the penalties set out in Section 7 of this chapter.

Section 9: No dog shall run at large in the City of LeRoy unless the owners or harborers thereof shall place and keep on the neck of said dog a substantial metallic or leather collar.

Section 10: The owner or harbinger shall without delay, after the publication hereof, or as soon as any dog shall come into his or her possession and annually thereafter, before the first day of May in each years, give his or her name, with the names and description of his or her do or dogs to the city clerk, who shall register the name in a suitable book kept for that purpose.

The city clerk shall deliver to said owner or harborers a check with the year of the registry and said owner or harborers shall affix the said check to the collar of his or her dog.

The city clerk shall charge a fee of one dollar for each dog and three dollars for each bitch registered by him, one-fourth of which amount shall go to the city clerk and the other three-fourths shall be paid, by said clerk into the city treasury by the first day of the next month thereafter.

Section 11: When danger of hydrophobia may be deemed to exist in or near the city, the mayor may, by proclamation or by notice in the newspaper of the city or by printed handbills, require all persons to confine all dogs or securely muzzle them with wire muzzles for such times as may be designated by such proclamation or notice or until otherwise ordered.

All dogs found running at large in the city contrary to the provisions of this section whether owned or kept within or without this city, shall be killed by the city marshal, and the owner or harbinger of any such dog who shall knowingly permit the same to run at large contrary to the provisions of this section shall be subject to a fine of not more than twenty dollars.

Section 12: Any bitch running at large while in heat is hereby declared a nuisance, and the owner or harbinger of any such bitch so permitting the same to run at large, while in heat, shall be subject to a fine of not more than five dollars, and they city marshal shall kill such bitch, whether registered or unregistered.

Section 13: The city marshal shall prosecute the owner or harbinger of any dog permitted to run at large, contrary to the requirements of this ordinance, and shall kill all dogs found running at large and not registered and collared as herein required.

But the provisions hereof, except the tenth and eleventh sections, shall not apply to any dog brought into the city by any person not a resident thereof, until such dog shall have been in the city three days.

Section 14: The city marshal shall receive fifty cents for each dog by him killed and buried or removed the same to be reported to the city council upon oath within thirty days for allowance and payment by the city treasurer. And it shall be the duty of the city marshal to kill any fierce, vicious and dangerous dog, whether registered or unregistered, found running at large in this city.

Section 15: The owner or harbinger of any dog or dogs who shall refuse, fail, or neglect to comply with Section 6 and 7 of this chapter shall, upon conviction, be fined in any sum not exceeding ten dollars.

Offenses against Person & Property

Unlawful Assembly

Section 16: If three or more persons shall assemble together with intent to do an unlawful act with force and violence against the person or property of another or to do any unlawful act against the peace or being lawfully assembled shall agree with each other to do any unlawful act, and shall make any movement or preparation therefore, the persons so offending, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars.

Disturbing the Peace

Section 17: Every person who shall willfully disturb the peace and quiet of any person, family or neighborhood, shall upon conviction thereof, be fine in any sum not exceeding one hundred dollars.

Indecent Conduct

Section 18: Any person who shall, in this city, assault another or assault and beat another, or who shall wrangle, quarrel, fight, or challenge, or attempt to provoke others to wrangle, quarrel or fight, or shall use any abusive or indecent language, menaces or threats of violence, turbulent or tumultuous conduct, or conduct offensive to others, or who shall use any obscene or indecent language in any public street, lane or alley, or public place shall in the city, or any person who shall make or permit any offensive noises or disturbances about the premises under his control, shall be guilty of a misdemeanor and shall, upon conviction, be fined in any sum not less than one or more than one hundred dollars.

Disturbing Religious Assemblies

Section 19: Whoever shall disturb any congregation or assembly or part thereof met for religious worship, by making a noise, or by rude and indecent behavior within the place of worship, or so near the same as to disturb the order and solemnity of the meeting shall, on conviction, be fined in any sum not more than fifty dollars.

Disturbing Lawful Assemblies

Section 20: Whoever shall, in any manner, willfully disturb or interrupt any public meetings, peaceably and lawfully assembled, or shall encourage others so to do, shall, upon conviction, be fined in any sum not exceeding fifty dollars.

False Alarm of Fire

Section 21: Whoever shall, in this city, give or sound a false alarm of fire without reasonable or probable cause, shall be deemed guilty of a misdemeanor, and fined in a sum not exceeding one hundred dollars.

Throwing on the Street

Section 22: Any person who, in this city, shall in any manner throw any ball, stone, brick, piece of wood, clay, or any other substance along, over, or upon any street, alley, or sidewalk, at or against any buildings, sign or fence, or towards any person, shall be fined in any sum not exceeding five dollars.

Minors on Railroad Cars

Section 23: It shall be unlawful for any minor under eighteen years of age, to get on or off any railroad engine or car while in motion, or in any manner assisting in the making up, breaking up or preparation of trains or engines.

This section shall not apply to any employees of any railroad company or to regular passengers thereon.

Any person violating the provisions of this section shall, upon conviction, be fined in any sum not less than one nor more than five dollars.

Fruit Trees, Etc.

Section 24: Any person who shall, in this city, willfully, maliciously or without lawful authority cut down, root up, sever, peel or otherwise injure or destroy any fruit tree, shade tree or ornamental tree cultivated root or plant, grape or strawberry vine; or any other vine, plant, shrub or bush whether the property of another or standing on or attached to land of another; or shall pick, destroy or carry away there from, or in any way interfere with any part of the fruit thereof, or shall trespass upon the premises of another with such unlawful intent, or shall willfully and without lawful authority cut down, root up, or destroy, or in any manner injure or destroy any fruit, shade, or ornamental tree, shrub or vine, planted or growing on any street, lane, alley or public ground of the city, shall be deemed guilty of a misdemeanor, and be fined in any sum not exceeding one hundred dollars.

Theft

Section 25: Any person who shall steal, take and carry away, or embezzle any money or person property or effects of another, under the value of twenty dollars (not being subject to the charge of grand larceny by the laws of the state) shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in any sum not exceeding one hundred dollars, or imprisonment in the county jail not exceeding three months, or both such fine and imprisonment.

Defacing Buildings

Section 26: Any person who shall, in this city, purposely deface or besmear any public or private building, or out-building belonging thereto, or any of the appurtenances thereof, or any fence, well or railing enclosing the same, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in any sum not exceeding one hundred dollars.

Injuring Sidewalks

Section 27: Any person who shall loose or remove any plank, board, block, brick, stone, stringers or support from any sidewalk, or crosswalk, or loosen or remove any stone block or brick from any curbstone or gutter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding twenty-five dollars.

Destroying Property Fixtures

Section 28: Any person who shall unlawfully cut, mar, injure, deface, spoil, break or destroy any fence, monument railing, tombstone, house, building, lamp, lamppost, trees, herbage, shrubbery, plants or other property fixtures in the City of LeRoy, or in any cemetery under the control of the City of LeRoy, or who shall injure or deface, cut, tear down or destroy any fence or any enclosure of any such cemetery, shall upon conviction thereof, be fined in any sum not less than five nor more than fifty dollars.

Obstructing Sidewalks, Streets, Etc

Section 29: No crowd or collection of persons shall, in this city, loiter upon, or loiter about any railway, depot, or upon the platforms of any such depot, or in front of any store or place of business in this city. Any person or persons being among such crowd, or collection of persons who shall neglect or refuse to move on and cease to obstruct such sidewalk or depot platform, when requested to do so by the city marshal or any city officer or by the owner or occupant of any place of business, in front of which such crowd is collected, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not exceeding twenty-five dollars.

Intoxication

Section 30: If any person shall be drunk in highway, street, or in any public place or building, or if any person shall be drunk in his own house or in any private building or place within the limits of the City of LeRoy, disturbing his family or others, shall be deemed guilty of a misdemeanor.

Section 31: It shall be the duty of the city marshal or policeman or any other peace officer to arrest, upon view with or without process, any person found violating Section 30 of this chapter and incarcerate such offender in the city prison until he shall be in quiet state, when he, she or they shall be taken before the proper court and dealt with, according to law.

Section 32: Any person violating Section 30 of this chapter shall, upon conviction thereof, be fined any sum not less than five dollars nor more than fifty dollars, or may be imprisoned in the city prison for a period not exceeding twenty days, or both fine and imprisonment.

Bawdy Houses

Section 33: Whoever shall, in this city, keep a bawdy house, brothel, house of assignation, or shall knowingly permit any tenement in his or her possession, or under his or her control, to be used for any such purposes, shall forfeit and pay a fine, not more than fifty dollars for each offense, or be imprisoned for not more than two months, or both such fine and imprisonment.

Master Of...

Section 34: Every person, appearing or acting as master or mistress, or having the care use or management for the time of any house mentioned in Section 33 of this chapter, shall be deemed a keeper thereof.

Room Used For...

Section 35: Every person who shall keep, use or occupy any room, tent, booth, out-house, dwelling house, or any other building, in this city for the purpose of having illicit sexual intercourse, or shall use or dwell in any room, tent, booth, out-house, dwelling, or any other building for said purpose, shall on conviction be fined in any sum not exceeding fifty dollars, or by imprisonment not exceeding two months, or both such fine and imprisonment: Provided, that on the trial of any such cases brought under this section, it shall not be necessary for the city to charge or prove that such room, tent, booth, dwelling, house, out-house or other building was used exclusively for the purpose of illicit intercourse.

Section 36: For the purpose of suppressing any such vices in any of the places described in Sections 33, 34, 35 of this chapter, or for arresting the inmates thereof, or any person found therein, the city marshal, assistant marshal, police, and the constable of said city, are hereby authorized and empowered to enter any house, or place described in said sections, or any part of such house or place which shall have the reputation in the neighborhood in which it is situated, of being a brothel-house of assignation, or being a place where any person shall keep, use or occupy, or resort to, for the purpose of illicit sexual intercourse, at any time of night or day, without being liable for trespass.

Inmates of Bawdy Houses

Section 37: Any person, male or female who shall be an inmate of any bawdy-house, or house of assignation, or who shall visit or frequent such houses, shall be fined in any sum not to exceed one hundred dollars, or by imprisonment in the city prison not exceeding sixty days: Provided, nothing in this section shall apply to physicians and officers of the law, attending to professional and official duties.

Keeping Prostitutes

Section 38: Any person who shall keep, maintain or harbor in this city any prostitute for lewd, licentious, obscene or indecent purposes, knowing her to be such prostitute, shall be fined in any sum not exceeding one hundred dollars.

Prostitutes Parading the Streets

Section 39: It shall be unlawful for any prostitute to parade any of the public streets, avenues, alleys, or public ground of this city, in the night time, or to be found about the streets of this city at a late hour. Any person violating any of the provisions of this section shall be fined in any sum not exceeding fifty dollars, or by imprisonment not exceeding sixty days.

Horse Racing, Cock Fighting, Etc

Section 40: Every person who shall be guilty of horse racing or cock fighting, or who shall be guilty of playing cards, billiards or games of any kind, on Sunday, in this city, shall be fined in any sum not exceeding fifty dollars and shall stand committed in the city prison or jail of Coffey County, until such fine and costs are paid.

Indecent Exposure

Section 41: Every person who shall appear in any public place in this city in a state of nudity, or in any dress not belonging to his or her sex, or in any indecent or lewd dress, or who shall make any indecent or public exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall exhibit or offer for sale any indecent, obscene or lewd book, or picture, or other thing, or shall exhibit or perform an indecent, immoral or lewd play or other representation, shall be fined not more than fifty dollars for each and every offense.

Unlawful Cohabitation

Section 42: It shall be unlawful for a man and woman to abide and cohabit together in this city as husband and wife, not being married. Any person violating this section shall be deemed guilty of a misdemeanor and fined in a sum not less than ten nor more than one hundred dollars.

Exhibiting Stallion

Section 43: Any person who shall exhibit any stallion, jack, bull, boar, or any other animal improperly on the public street of this city shall be fined in a sum not exceeding fifty dollars, and any person who shall stand any stud-horse, jack-ass, bull or boar within the corporate limits of this city, unless the same be concealed from public view, shall be subject to a fine of not less than five nor more than fifty dollars.

Gambling

Section 44: It shall be unlawful for any person or persons to set up, open, keep or maintain any gaming or gambling house in the City of LeRoy, or lease or let any house or other building for the purpose of setting up or keeping therein gaming or gambling devices, or permit any description of gambling or playing any game of chance for money or other valuable things, in any dwelling house, store, booth, tent, shop or other tenement building or place used, owned or occupied by any such person.

Section 45: It shall be unlawful for any person or persons to own, keep or possess, in this city, any shuffle board, keno table, faro bank, "wheel of fortune", roulette, equality, or any kind of gaming table or device adapted, devised and designed for the purpose of playing any game of chance, or to permit any person to bet, or play at or upon any such gaming tables or gambling devices.

Section 46: It shall be unlawful for any person or persons to bet or wager money or property upon any gaming table, game of cards, bank or device prohibited in the preceding sections, or induce, encourage or entice any person to bet or play at any game of cards for money or other valuable things in this city.

Section 47: No person shall be incapacitated or excused from testifying touching any offense committed by another, of the provisions of Sections 44, 45, 46 of this ordinance, by reason of his having bet or played at any of the prohibited games or gaming devices; but the testimony which may be given by such person shall in no case be used against him.

Section 48: It shall be the duty of the city marshal, policeman, or other peace officer of the city to arrest any person found violating any of the previous provisions of this ordinance and bring him before the police judge for trial; and in the execution of their duties they shall have the power, in necessary, to break open the doors or windows of any such place for the purpose of executing process or arresting any such person.

Vagrants

Section 49: Any person who shall be found loitering about, in or upon any street, alley or any public grounds of the city, without visible means of support or some legitimate business, and any able-bodied married man who shall neglect or refuse to provide for the support of his family shall be deemed a vagrant.

Section 50: Any person violating any of the provisions of this ordinance, where no penalty is fixed herein, shall be fined in any sum not to exceed one hundred dollars and any person adjudged to be a vagrant shall be fined in any sum not to exceed one hundred dollars.

To Abolish Card Tables & Prevent Card Playing

Section 51: It shall be unlawful hereafter for any person or persons within the city limits of the City of LeRoy to keep or maintain, either for himself or others, for profit, any card table or tables, or to allow the play of cards, for profit either on his premises, within his house or place of business. Any person or persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction before the police judge of LeRoy, shall be fined in any sum not less than twenty-five dollars nor more than fifty dollars, and shall be committed until such fine and costs shall be paid.

Fire Crackers, Torpedoes, Etc

Section 52: It shall be unlawful for any person or persons to set on fire or to explode any fire crackers, torpedoes, roman candles, squibs or other fireworks, or to build any bon-fire within the City of LeRoy between Fifth Street and California Street. Any person violating this section shall, upon conviction thereof in the police court of this city, be fined in any sum not exceeding twenty-five dollars, and shall stand committed until such fine and costs are paid.

Tearing up Sidewalks, Building Contrary to Grade, Etc

Section 53: It shall be unlawful for any person or persons to tear up, remove, injure or destroy, any part of any sidewalk in the City of LeRoy, or to ride or drive any horse or other animal, team or vehicle across the same, or to place any impediment to the public travel upon any of the sidewalks in the city: Provided, merchants shall be allowed the space of twenty-four inches next to their building for the purpose of displaying their goods and wares.

Section 54: It shall be unlawful for any person to build any sidewalk within the City of LeRoy contrary to the grade for sidewalks established by the street commissioner of the City of LeRoy, and it shall be the duties of any person so building to first ascertain from the street commissioner the grade upon which he is to build.

Section 55: Persons building and desiring to use any part of the streets or sidewalk for their material, must first get a written permit from the mayor, and upon the condition only that said person shall not obstruct the highway for public travel, nor the sidewalks so as to prevent the passage of the citizens, and shall protect the public from all dangerous places which they may make, both by guards and signal lights, which conditions must be made a part of said permit.

Section 56: Any person violating the provisions of Section 53, 54, 56 of this ordinance shall, upon conviction thereof in police court, be fined in any sum not exceeding fifty dollars, and shall be committed until such fine and costs shall be paid.

Dangerous Structures

Section 57: It shall be unlawful for the owner, lessee or keeper of any lot or premises, to permit or suffer to remain thereon, or any dilapidated or dangerous building wall or structure of any kind or part thereof, liable to fall or take fire, and which by reason of its proximity to adjacent buildings, premises, streets, sidewalks or other public places, does endanger persons or property, and such building, wall or structure, or part thereof as aforesaid, shall be deemed a nuisance, and the city council may order said nuisance removed or abated, and if such owner, lessee or keeper as aforesaid, shall fail, neglect or refuse to remove or abate the same after being notified so to do by the city marshal, he shall be deemed guilty of committing a nuisance and shall, upon conviction, be fined in any sum not less than two nor more than one hundred dollars; and every five days such nuisance is permitted to remain after notice as aforesaid, shall be deemed an additional offense, and upon such failure to so remove or abate the same by such

owner, lessee or keeper after notice as aforesaid, the said nuisance may be removed and abated by or under the direction of the city marshal or street commissioner, the costs of which shall be paid by and taxed to the person maintaining such nuisance, as costs in the prosecution against any such person.

Freight Cars on Switches and Crossings

Section 58: It shall be unlawful for any railroad company to allow its trains to remain standing on any railroad crossing within the city of for a longer time than fifteen minutes at any one time, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of said city, shall be fined in any sum not exceeding ten dollars nor less than five dollars.

Cleaning Privies

Section 59: The owner of any privy in the city, or the owner or occupant of any lot in this city upon which a privy is or may be located, which is or may become offensive to persons residing in the neighborhood, shall remove or cleanse the same, or cause the same to be removed or cleansed, within three days after being notified so to do by the city marshal; and any person or persons who shall refuse or neglect to remove or cleanse any privy as aforesaid, shall, upon conviction thereof, be fined not less than fifteen dollars: Provided, that no person or persons shall build or cause to be built any privy or allow any privy now erected to remain on any lot, piece or parcel of ground nearer than ten feet to any street in the City of LeRoy. Any person violating the last clause of this section shall, upon conviction thereof, be fined in any sum not exceeding twenty-five dollars, and the owner or person erecting or cause the erection of any privy in violation of this ordinance shall be subject to an additional fine of not exceeding five dollars per day for every day said privy is allowing to remain within the limits forbidden by this section.

Stagnant Waters, Etc

Section 60: If any person, owner or agent shall place or permit to remain on his or her premises, in this city, any offal, decaying vegetable or animal matter, or any excrement, or any standing or stagnant water, so as to cause or create any foul, unhealthy or offensive smell in the vicinity, or if any person, owner, or agent, shall permit any filth, decayed animal or vegetable matter, or stagnant water to remain in the cellar or basement of his or her house, or houses, or if any person shall engage in or carry on any business on his or her premises, or on premises occupied by such person, that shall cause or produce noxious, unhealthy or disagreeable and offensive smell in the neighborhood, to the annoyance of persons in the vicinity, he or she shall be deemed guilty of creating or maintaining a nuisance in the city, and shall be fined for the first offense not exceeding fifty dollars, and shall be subject to a like fine for every five days thereafter while such a nuisance shall continue, and the police judge may order any such nuisance, abated, and all costs thereof shall be taxed to the person maintaining such nuisance, not to exceed fifty dollars and to stand committed till such costs are paid.

Removal of Carcasses

Section 61: The owner of any animal that shall die within the city, shall within six hours cause the carcass to be removed beyond the city limits, and in no case shall such owner permit such carcass to remain in the open air in the city until it becomes offensive in smell. Any person violating this section shall be fined not less than five nor more than fifty dollars.

Stockyards, etc.

Section 62: If any person shall own, keep or use any yard, place or pen on his or her premises, under his or her control, in or upon which any number of cattle, swine or other animals may be kept in such manner as to be or become offensive to those residing in the vicinity or annoying to the public, he shall be deemed to maintain a nuisance in the city, and shall be fined in any sum not exceeding one hundred dollars.

Prohibiting Noxious Filth being Thrown in Street

Section 63: Any person in this city, who shall cause or suffer any offal, manure, filth, rubbish, still, slop, ashes, animal or vegetable matter, refuse or any foul or nauseous liquor to be discharged out of or flow from the premises occupied by him, or to be thrown into, deposited or left in or upon any street, alley or public avenue, vacant lot, or any other place in this city, shall be fined in any sum not more than one hundred dollars.

Offensive Grounds, Yards, Stables, etc.

Section 64: Any person who, in this city, shall keep any grounds, yard, stockyard, or any shop, meat market, stable or other place in this city, in such a condition as to be offensive and a nuisance, shall be fined any sum not exceeding fifty dollars for the first offense, and a like sum for each day thereafter while the same shall continue in such condition.

Cellars, Vaults, Sinks, etc.

Section 65: Any person who shall suffer or permit any cellar, vault, private drain, pool, privy, sewer or sink upon his premises under his or her charge in this city to become nauseous, foul, offensive or injurious to the public shall be guilty of maintaining a nuisance and fined in any sum not less than five nor more than fifty dollars.

Night Soil, Manure, etc.

Section 66: No person or persons shall place or deposit or cause to be placed or deposited any night soil, manure or other filth in or upon any street, alley, public road, public or private grounds, creek or river in this city, or within five miles from the limits of said city, in such a manner as to be offensive to any person or neighborhood. Provided, this shall not apply to any night soil or other manure properly buried outside the limits of said city.

Carcass of Dead Animal

Section 67: It shall be unlawful for any person or persons to put any carcass or part thereof, or any dead animal into any river, creek, pond, road, street, alley or lane, lot, field, meadow, or common situated within five miles of the City of LeRoy in such a manner as to be offensive to others.

Penalty Provided

Section 68: Any person violating any of the provisions of the last two preceding sections of this ordinance shall be fined any sum not exceeding fifty dollars.

Prohibiting Stock Running at Large

Section 69: It shall be unlawful for horses, mules, asses, bulls, steers, calves, cows, hogs, sheep, or stock of any kind to run at large or be herded at any time in the city limits of LeRoy.

Section 70: The city marshal shall take up and impound any animal or animals found running at large in violation of *Section 69*, of this chapter and shall provide proper sustenance for all animals impounded and shall within twenty-four hours after the impoundment of any animal post a notice in some conspicuous place, describing such animal or animals, and shall deliver to the keeper, or owner thereof, such animal, as shall have been redeemed as hereinafter provided.

Section 71: The city marshal shall collect from the owners, or persons desiring to redeem any animal mentioned in *Section 69*, of this chapter, the sum of fifty cents per head together with thirty cents per day for cost of feeding the same.

Section 72: If any person owning any animal taken up and impounded shall refuse or neglect to redeem the same within five days, the city marshal shall give an additional five days notice of the time and place where such animal will be sold, together with a description of such animal or animals, by posting three notices in as many public places in the city, one of which shall be in the post office building and the day of such sale shall be the tenth after the animals therein mentioned have been impounded, unless the same fall on Sunday or a legal holiday, or unless the marshal, for want of bidders or some other cause, shall be unable to sell the same, and in such case it shall be lawful for the marshal to sell such animal or animals on the day succeeding or, as soon thereafter as possible without further notice.

Section 73: At any time before sale, such animal or animals may be redeemed by the owners or keepers upon the payment of the penalties provided for in *Section 71* of this chapter.

Section 74: The owner of any animal or animals which may be sold, shall be entitled to receive any and all moneys arising from the said sale, over and exclusive of costs, provided in this ordinance, on petition and satisfactory proof of ownership to the city council, within one year from date of sale.

Hitching of Animals

Section 75: It shall be unlawful for any person or persons to leave standing in or upon any street, alley, avenue, park, vacant lot, or other unenclosed space of ground in the City of LeRoy, any horse, mule, oxen or team of any kind without being securely fastened by the head or neck to some permanent object, or hitchweight.

Any person violating this section shall upon conviction thereof, be fined in any sum not less than two dollars, not exceeding twenty dollars for each offense.

Default of Fines and Costs

Section 76: Whenever any person shall be convicted in the police court of this city of any offense against any ordinance of the City of LeRoy, and adjudged to pay a fine, penalty, or forfeiture, and the costs of the prosecution, the court shall order as part of the judgement, that such person be committed to the city prison or the jail of Coffey County, Kansas until such fine, penalty or forfeiture, and the costs of prosecution be fully paid.

Collection of Fines

Section 77: Whenever any person shall be convicted in police court of any offense against the ordinances of the City of LeRoy, and be adjudged to pay a fine, forfeiture or penalty, and such person shall fail to pay such fine, forfeiture or penalty and the costs of prosecution, or secure the payment of the same to the satisfaction of the police judge, and shall be committed to the city prison in default thereof, it shall be lawful for the marshal of the city to compel such person to work at hard labor, either on the streets, or public works, of the city or in any public or private place where employment can be found for such person, until such fine and costs are paid.

Section 78: Such person shall not be compelled to work more than ten hours per day and for each day's work performed by him he shall be credited fifty cents, on the judgement against him and when the judgment and costs are satisfied by such work, he shall be discharged from custody.

Section 79: Such person, when not at work, shall be confined in the city prison and when at work may be secured by such chains, guards, or other means of confinement, or restraint as may be necessary to prevent his escape.

Section 80: The marshal shall cause such person, during his imprisonment to be fed three meals per day of plain and wholesome food, at the expense of the city.

Section 81: If any person, liable to be set to work under the provisions of this ordinance, shall refuse to work when required, he shall be kept in close confinement and fed on bread and water until he consents to work, and shall have no allowance upon the judgement against him for any day on which he shall so refuse to work.

Gates Opening upon Sidewalks

Section 82: All gates which are now or may hereafter be constructed leading from or opening upon any sidewalk in the City of LeRoy, shall be so constructed or built, altered or changed that such gate shall not swing outward onto or over the sidewalk.

Any person having a gate or gates that now swing outward upon any sidewalk, shall within five days after receiving notice from the city marshal change such gate or gates so as to conform to the provisions of this section.

Any person violating the provisions of this section shall upon conviction be fined in any sum not exceeding ten dollars.

Billiard, Bowling Alley, etc.

Section 83: For each and every billiard or other table used for play or games and kept for pay or profit, and for each and every bowling or ten-pin alley used and kept for pay or profit, a

license tax shall be paid as follows: For the first five tables or less, the sum of thirty dollars for each six months; for each and every additional table, five dollars for each six months; for each and every bowling or ten pin alley, fifteen dollars for each six months. Said license tax shall be payable in advance, and no license shall be issued for any such tables or alleys for a less period than six months. The license tax for each and every target and shooting gallery shall be one dollar per day. No person licensed as aforesaid shall keep open or suffer to be kept open any billiard, or other room, alley or gallery mentioned herein, or any place coming within the provision of this section, on Sunday, nor on any other day later than 11 o'clock p.m., nor open earlier than 5 o'clock a.m., nor shall such person permit any minor under the age of eighteen years to play at, or take part in such games or pastime, or be in or loiter about the hall, room, or other place where such table or tables, alley or gallery as kept, and the premises whereany such business is conducted as aforesaid, shall not be obstructed from view by partitions, screens or painted windows or any other device.

Sale of Intoxicating Liquors

Section 84: It shall be unlawful for anyone, within the City of LeRoy, to sell or barter any intoxicating liquors; and any shift or device by which any intoxicating liquor is parted with, shall be deemed and held as selling, within the meaning of *Sections 85, 87 and 88.*

Section 85: It shall be unlawful for any person, directly, or indirectly, to keep on maintain, or to aid or abet in keeping or maintaining, any place where intoxicating liquor is received or kept for the purpose of barter or sale; and any person who shall be the owner of any room or place, or who shall be the owner or keeper of the furniture or fixtures in any room or place, or any person who shall rent or occupy any room or place where intoxicating liquor is sold, received or kept for the purpose of sale or barter, or any person who shall deliver or distribute any intoxicating liquor to another shall be deemed and held guilty of a violation of this section of this ordinance.

Section 86: Nothing in this ordinance shall apply to any lawful sale made to or by any druggist having a permit from the probate judge of Coffey County, Kansas, to sell intoxicating liquors, nor to any lawful purchase made by any person for medical scientific or mechanical purposes.

Section 87: Whiskey, wine, brandy, rum, gin, lager beer, and any fluid mixture of any kind that would produce intoxication shall be deemed intoxicating liquor within the meaning of this ordinance.

Section 88: Any person violating any of the provisions of the three preceding sections shall upon conviction thereof, be punished by fine in a sum not exceeding one hundred dollars, or imprisonment not more than sixty days in the city prison or county jail, or by both such fine and imprisonment.

Section 89: It shall be the duty of the city marshal, assistant marshal and police men to furnish the city attorney with the names of all witness and all necessary evidence in his or their power of any violation of this ordinance and to attend at the trial of any offender before the police judge.

Section 90: All places where intoxicating liquor is kept for sale, barter, use, distribution or division to any person or persons in violation of *Sections 84 and 85*, are declared common nuisances, and upon the judgment of the police judge finding such place to be a nuisance under this section, he shall order and adjudge that such place be abated and the owner, keeper or occupant thereof shall upon conviction thereof, be adjudged guilty of maintaining a common nuisance and shall be punished by a fine of not less than fifty dollars, and imprisonment not less than ten days or by fine not exceeding one hundred dollars and imprisonment not exceeding sixty days and shall forfeit all intoxicating liquor found in such place.

Section 91: It shall be the duty of the city marshal when there is probable cause and he has good reason to believe that in any place in the City of LeRoy intoxicating liquor is kept for sale, barter, gift, distribution, or division to any person or persons in violation of this ordinance, to make his complaint in writing thereof, under oath or affirmation before the police judge, particularly describing the place where such intoxicating liquor is so believed to be so kept, and the person who is the owner, keeper or occupant thereof, and the intoxicating liquor to be searched for shall be described as intoxicating liquor and any other person may make such

complaint and it shall be the duty of the city attorney on such cause and belief to make such complaint and on such complaint being made the police judge shall issue the warrant to the city marshal particularly describing the place, person and property to be searched and seized, as, described in such complaint commanding the city marshal to enter and search such place, and to seize all intoxicating liquors there found, and if any intoxicating liquors there be found, to arrest the owner, keeper or occupant of said place and bring him before the police judge to be dealt with according to law, and to make return on such warrant of the manner of its execution.

Section 92: All intoxicating liquor forfeited under this ordinance shall be, by order of the police judge, poured upon the ground by the city marshal.

Section 93: If the city attorney or city marshal shall fail or refuse to perform any duty imposed by this ordinance upon him, he shall upon conviction, be fined in a sum not exceeding one hundred dollars, and forfeit his office.

Section 94: Any person, owner, keeper or occupant of any place, adjudged a common nuisance and adjudged and ordered to be abated under *Section 90*, of this chapter, who shall fail to close up and discontinue such nuisance shall be in contempt of the police court and police judge, and shall be fined one hundred dollars for each day that he shall continue such nuisance and be imprisoned not less than ten days or more than twenty days for each day that such nuisance is so continued, and the police judge shall order the city marshal to close up such place so found, and adjudged a common nuisance.

Resisting Officers

Section 95: Any person or persons who shall willfully hinder, delay, oppose or resist or encourage any person to hinder, delay, oppose or resist any city officer or person legally authorized to act as such in the discharge of his duties as such officer, shall be deemed guilty of a misdemeanor.

Section 96: Any person or persons who shall when called upon by any officers of this city, refuse to aid or neglect to assist such officer so calling upon him or them in making any lawful arrest, or enforcing any of the ordinances of this city, shall be deemed guilty of a misdemeanor.

Section 97: Any person or persons who shall rescue, aid, assist, or encourage the rescue or escape of any person while legally in the custody of any officer, or shall supply or attempt to supply any person, while in the custody of such officer, with any weapon, implement, or means of escape the same shall be deemed guilty of a misdemeanor.

Section 98: Any person violating any of the provisions of this ordinance shall upon conviction, be fined in, any sum not exceeding one hundred dollars, or may be imprisoned in the city prison or the jail of Coffey county, not exceeding ninety days or by both such fine and imprisonment, and stand committed with such fine and costs of the prosecution are paid.

Firearms

Section 99: It shall be unlawful for any person or persons to discharge or shoot off any pistol, revolver, gun or other firearms in the city limits of LeRoy. Any person violating the provisions of this section shall on conviction thereof, be fined in any sum not less than one nor more than twenty-five dollars. **Provided**, that this section shall not apply to police officers in the discharge of their official duties.

Fast Driving

Section 100: Whoever shall in this city ride or drive any horse, mule, or other animal faster than an ordinary traveling gait, on any street, or alley or who shall so ride or drive recklessly so as to endanger the safety of others, shall be deemed guilty of a misdemeanor and shall upon conviction be fined in any sum not less than one no more than fifty dollars for each offense described in this section.

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 10th day of July 1900.

Published August 10, 1900

● **ORDINANCE NO. 6**

Be it ordained by the mayor and council of the City of LeRoy.

Work Streets

Section 1

All male persons between the age of twenty-one and forty-five years who have resided thirty days in this city and who are capable of performing labor on the streets and are not a township or a city charge, shall be liable each year to perform two days work or eight hours each on the streets, avenues, alleys or public grounds in the City of LeRoy, Kansas, under the direction of the street commissioner, or furnish a substitute to do the same, or pay the sum of one dollar and fifty cents per day in lien thereof to the street commissioner, Provided, that any person working one day with a team shall be credited with the full two days work.

Time

Section 2

The work provided in the preceding section shall be done between the first day of April and the first day of October of each year, and the street commissioner shall give notice to all persons required by this ordinance to perform work or pay money as aforesaid of the time and place he will attend and direct the work to be performed, and he shall direct what implements such person shall bring with which to perform such work, and whenever it shall happen in consequence of sickness, absence from home, or other sufficient cause, that any person so notified shall not be able to perform such work at the time he is so notified, said street commissioner is hereby authorized to require such person to perform such work at any time prior to the first day of October then next ensuing.

Neglect or Refusal to Work

Section 3

Any such person mentioned in *Section 1* of this ordinance who having been duly notified, shall fail, neglect or refuse to perform the two days work or furnish a substitute so to do, or to pay the sum of one dollar and fifty cents per day as provided in this ordinance, or who shall fail, neglect, or refuse to appear at the proper time, and place in accordance with the notice of the street commissioner, or appearing shall fail, neglect or refuse to do a reasonable day's work according to his ability, shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined in the sum of five dollars.

Street Commissioner's Report

Section 4

The street commissioner shall keep full, complete and accurate account of all moneys received by him in lieu of work, and from whom received, also the days work performed, where and by whom performed, and he shall keep an accurate account of the receipts and disbursements of any and all moneys which may come into his hands or which may be expended by virtue of his office, and shall render monthly statements to the city council and to work persons convicted of offenses against the city ordinances on the streets, alleys, or public grounds of said city, when so directed by the city marshal, and include a statement thereof in his monthly report to the city council.

Section 5

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 10th days of July 1900.

Published August 10, 1900

● **ORDINANCE NO. 7**

Relating to Railroads.

Be it ordained by the mayor and council of the City of LeRoy:

Speed

Section 1

No locomotive engine, railroad, passenger or freight car shall be driven, propelled, or run upon or along any railroad track within this city at a greater speed than the rate of six miles per hour.

Ring Bell, etc.

Section 2

No person having control of any railroad locomotive or engine shall run the same through the said City of LeRoy without continuously ringing the bell or blowing the whistle while passing through said city.

Crossings

Section 3

All railroad companies whose track or tracks cross or intersect any of the streets or avenues of the city shall thoroughly plank over the entire width of the streets, or avenues so crossed or intersected, with substantial three inch plank laid even with the top of the rails and grade the approaches so as to make no inconvenience or obstruction to the use of the streets, avenues and alleys so crossed, and shall operate and maintain their said roads in such manner as not to unnecessarily obstruct the sidewalks on said streets and alleys, and shall at all points where it's tracks cross any street or avenue in said city, construct without delay, good, safe and sufficient crossings, and shall on each and every street or avenue in said city, occupied by their railroad tracks leave a sufficient road way in good condition for traveling with teams on the outside of said tracks, sufficient for teams to pass between the sidewalks and said tracks, and said railroad companies shall provide all necessary drains and culverts beneath their said road beds in this city, that the flow of water in the streets and alleys thereof be not obstructed, said drains and culverts to be built subject to the approval of the street commissioner of said city.

Penalty

Section 4

Any railroad company, agent or employees who shall violate or fail to observe any of the provisions of this ordinance shall, on conviction for each violation or failure to observe the same, be fined in any sum not less than one no more than fifty dollars.

Section 5

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 10th day of July 1900.

Published August 10, 1900

● **ORDINANCE NO. 8**

Repealing Certain Ordinances

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

All ordinances, or parts of ordinances in conflict with Ordinances No. 1 to No. 7 inclusive are hereby repealed.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 10th day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

Published August 10, 1900

● **ORDINANCE NO. 9**

An Ordinance Defining Fire Limits and Prescribing Condition of Same.

Be it ordained by the mayor and council of the City of LeRoy.

Wooden Buildings, etc.

Section 1

It shall be unlawful for any person or persons to erect, add to or move within, or into the limits herein after described, within this city, or cause the same to be done, any wooden building or part thereof, or any other wooden structure, or any tent. The limits above referred to shall include the east half of blocks thirty-eight, forty-five, and fifty-two, and the west half of blocks fifty-three and forty-six. Provided, that mines and coal houses may be erected in said limits by consent of the city council.

Fire Walls

Section 2

No building shall be erected, if built of stone or brick, within the limits above specified, unless such building shall be protected by substantial fire walls extending at least 18 inches in height above the point where the roof of such building connects with the side walls and is covered with a fire-proof roof; and no building shall be erected within said fire limits where the walls shall be less than eighteen inches in thickness if built of stone, and less than thirteen inches if built of brick; Provided, buildings may be erected within said described limits, the outer walls of which are composed of iron, or steel and the roof of the same or other fire proof material so constructed that no wood be exposed, except door and window frames, and all flues built on any building erected within said fire limits shall be of brick.

Combustible Material

Section 3

No person shall stack or pile or caused to be stacked or piled, any hay, straw or other combustible material within the limits above described nor at or on any place within this city within fifty feet of any building belonging to another without first obtaining the consent of the owner of such building, in writing.

Building Moved, etc.

Section 4

Any building or part of a building or any tent erected or moved, or any hay, straw or other like combustible or inflammable material stacked or piled in violation of this ordinance, shall be deemed a nuisance subject to being removed by the city marshal at the expense of the owner thereof, and any person or persons resisting the officer or his assistants in making such removal, shall on conviction thereof, be fined in any sum not exceeding one hundred dollars.

Penalty

Section 5

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in any sum not less than one nor more than one hundred dollars, and the owner or person erecting or removing any building or part of building, or stacking or piling, or causing to be stacked or piled, any hay, straw or other like combustible or inflammable material in violation of this ordinance shall be subject to an additional fine of not less than two nor more than twenty-five dollars for each and every day said building or part of building, or any such hay, straw or other like combustible or inflammable material, is allowed to remain in violation of this ordinance.

Section 6

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 7

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 23rd day of July, 1900.

Geo. J. Philo, Mayor

Attest: C.T. High, City Clerk

Published February 15, 1901

● **ORDINANCE NO. 10**

Being an ordinance for the levying of tax to pay interest on the City bond; Provide a sinking fund for the redemption of same, and for the general revenue of the city.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1. That there be levied on all property in the City of LeRoy, Kansas, for the year 1900, real, personal and mixed, on each dollar of the assessed value of said property, for interest on bonds 20 mills, sinking fund 8 mills, City revenue 5 mills.

Section 2. This ordinance shall take effect and be in force from and after it's passage.

Passed by the council and approved the mayor this 1st day of August 1900.

H.C. Abbott, Acting Mayor

Attest: C.T. High, City Clerk

(Journal No. 1 – Page 10)

● **ORDINANCE NO. 10**

Be it ordained by the mayor and council of the City of LeRoy:

That *Section 11* of Ordinance No. 4 be and the same is hereby amended so as to read as follows:

Section 11. Any street exhibition, side or minstrel show other than circus or menageries, exhibited under canvas, five dollars per day. All other shows or exhibitions in hall or building for pay or profit two dollars per day: Provided, no license shall be charged when such exhibition shall be for any charitable purpose or for public improvement, nor when rendered by home talent.

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of February, 1901.

H.C. Abbott, Acting Mayor

Published March 15, 1901

● **ORDINANCE NO. 11**

Being an ordinance providing for the election of city officers, for the City of LeRoy, Coffey County, Kansas.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That an election be held on the first Monday in April, 1901, being the first day of April at office, of city clerk, situated on Lot 16, Block 46, in said city for the purpose of electing a mayor, five councilmen and a police judge.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of March, 1901.

H.C. Abbott, Mayor

Attest: C.T. High, City Clerk

● **ORDINANCE NO. 12**

Being an ordinance for the levy of tax on all real, personal and mixed property in the City of LeRoy, Kansas for the year 1901.

Be it ordained by the mayor and council of the City of LeRoy, Coffey county, Kansas.

Section 1

That there be levied on all real, personal and mixed property in said City of LeRoy, for ensuing year the amounts following: for interest on bonds 20 mills, for sinking fund 8 mills, for city revenue 5 mills.

Section 2

This ordinance shall take effect and be in force from and after its passage and publication in the Neosho Valley Blade.

Passed by the council and approved by the mayor this 7th day of August, 1901.

S.B. Rohrer, Mayor

Attest. C. T. High, City Clerk

● **ORDINANCE NO. 13**

Being an ordinance relating to the running at large of fowls.

Being it ordained by the mayor and council of the City of LeRoy:

Section 1

It shall be unlawful for any person to permit any chickens, ducks, geese or other domestic fowls to run at large within the limits of the city of LeRoy from the 1st day of March to the 1st day of November each year.

Section 2

Any person violating this ordinance shall on conviction in police court be fined in a sum not less than one dollar nor more than five dollars for each offense.

Section 3

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of November 1901.

S.B. Rohrer, Mayor

Attest: C.T. High, City Clerk

Published Oct. 4, 1901

● **ORDINANCE NO. 14**

Being an ordinance prohibiting the erection, use or occupancy of buildings for extra hazardous purposes in certain localities within the city limits.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

It shall be unlawful for any person or persons to erect, move within or into, or to use or occupy any building or structure in the City of LeRoy, within the limits herein described, to wit: the east half of the blocks forty-five and thirty-eight and the west half of forty-six, for any business deemed extra hazardous on account of fire, such as machine shops, blacksmith shops, or any business where steam engines are used in connection therewith.

Section 2

Any person violating any of the provisions of this ordinance shall on conviction, be fined in any sum not exceeding one hundred dollars. And each day that any such building or structure shall be so used or occupied, the person or persons occupying the same shall be subject to a fine of ten dollars.

Section 3

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 2nd day of October A.D. 1901.

A.D. Finley, Act. Mayor

Attest: C.T. High, City Clerk

Published Nov. 1, 1901

● **ORDINANCE NO. 15**

Being an ordinance granting the right-of-way through the City of LeRoy, Kansas to lay down, operate, and maintain an additional track on D St. to the Missouri Pacific Railway Company.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

That in consideration of the benefits to be derived by the inhabitants of the City of LeRoy, in the County of Coffey, and State of Kansas, by having the depot of said company removed to some point between Fourth and Sixth streets, on the west half of Block 55, on the west half of block 62. Authority is hereby given and granted to the said Railway Company and it's successors and assigns the privilege to lay down operate and maintain double tracks in the center of "D" Street between the "Y" near Tenth street and the St. Louis and Emporia Junction near Second street.

Section 2

That for the purpose of determining the injury to private property and to compensate the owners of Lots 1 to 10, inclusive Block 55, 1 to 10, inclusive, Block 62, 1 to 10 inclusive Block 698. Whereby adequate compensation therefore by the reason of the use and occupancy of the said above described lots by the said Railway Company heretofore set forth and provided for the may shall appoint by and with the consent of the council of the City of LeRoy, five disinterested house holders of the said city whose duty it shall be, after being first duly sworn to faithfully and impartially to make the assessment to them submitted to appoint a time certain when they will proceed to examine the lots and blocks and pieces of ground heretofore granted said Railway Company and give notice thereof to the proper owners of said lots or blocks of ground by written or printed notice served on each person, so claiming damage or on their authorized agents, at least ten days next before the time for their meeting to assess said damages or injuries.

Section 3

That it shall be and it is hereby made the duty of said person so appointed to assess such damages or injuries to meet at such time and place as they shall appoint and after being duly sworn as provided by the statute to proceed and examine Lots 1 to 10, inclusive, Block 55, 1 to 10, inclusive, Block 62, and 1 to 10, inclusive, Block 69, heretofore granted to assess and determine the amount of injury to each individual person and lots above described and return and file their report in writing, duly signed, to the clerk of the City of LeRoy, within ten days thereafter.

Section 4

In granting said Company right-of-way as set forth in *Section 1*, it is understood and agreed that the conditions and restrictions of the ordinances now in force, relative to the operations of said railway Company shall still be in full effect by the passage of this ordinance.

Section 5

This ordinance shall take effect and be in full force from and after it's passage and publication in the Neosho Valley Blade.

Passed by the council and approved by the mayor this 26th day of October 1901.

S.B. Rohrer, Mayor

Attest: C.T. High, City Clerk

•ORDINANCE NO. 16

Being an ordinance extending the corporate limits of the City of LeRoy, Coffey County, Kansas, and more definitely defining the corporate lines so far as they include Wilkinson's addition to said City of LeRoy.

Be it ordained by the mayor and council of the City of LeRoy, Coffey County, Kansas.

Section 1

That the corporate line of the City of LeRoy be and the same is hereby extended and defined so as to include within the corporate limits of said City of LeRoy the following described tracts or parcels of land to wit: Beginning at the south east corner of Section thirty-four (34), township twenty-two (22), range sixteen (16), and running thence west sixty-seven and one-half (67 ½) rods, thence north forty (40) rods, thence east sixty-seven and one-half (67 ½) rods, thence south forty (40) rods to place of beginning.

Section 2

Also tract commencing six hundred and sixty-one (661) feet north and forty feet west of the southeast corner of said southwest quarter of Section thirty-four (34) thence north two hundred forty-seven and one-half (247 ½) feet, west two hundred and sixty-four (264) feet, south two

hundred forty-seven and one-half (247 ½) feet, east two hundred sixty-four (264) feet to beginning.

Section 3

Also tract beginning eleven hundred ninety-three and one-half (1193 ½) feet north and forty (40) feet west of south east corner of southwest quarter of said Section thirty-four (34) and running thence north three hundred and twenty (320) feet, thence west three hundred and twelve (312) feet, thence south three hundred and twenty (320) feet, thence east three hundred and twelve (312) feet to place of beginning.

Section 4

Also tract commencing at the northeast corner of said southwest quarter of Section thirty-four (34) and running thence south twelve (12) rods, thence west two hundred and six (206) feet, thence north twelve (12) rods, thence east two hundred and six (206) feet to beginning. All of said tracts or parcels of land having been here before sub-divided into tracts, of less than five acres each.

Section 5

This ordinance shall take effect and be in full force from and after its passage and publication in the Neosho Valley Blade.

Passed by the council and approved by the mayor this 5th day of February 1902.

A.D. Finley, Acting Mayor
Attest: C.T. High, City Clerk

Published February 7, 1902

● **ORDINANCE NO. 17**

Being an ordinance granting to the LeRoy Telephone Co. the right to erect and maintain their poles and lines in the City of LeRoy, state of Kansas, Coffey County, on the conditions herein provided.

Section 1

Be it ordained by the town council of the City of LeRoy, State of Kansas that the right is hereby granted to the LeRoy Telephone Company and their successors and assigns to erect and maintain upon the streets, alleys and public highways of said town, the poles, wires and fixtures necessary and convenient for the supplying to the citizens of said town, and the public communication by telephone or other electric signals, such as to be and continue upon the terms and conditions herein stated.

Section 2

The location of the poles and lines now in use is hereby approved and any change therein or extension thereof shall be done under the direction of the committee on streets or street commissioner.

Section 3

Said poles and wires shall be placed and maintained so as not to interfere with travel on said highways, and said LeRoy Telephone Company shall hold said town free and harmless from all damages, arising by reason of any abuse or negligence in said occupancy; and this grant is made and is to be enjoyed subject to all reasonable regulations or ordinances, of a police nature as said town council may be authorized and see proper at any time to adopt, not destructive to the rights hereby granted.

Section 4

The rights of use hereby granted shall not be exclusive. The town trustees reserve the power to grant a like right of way to any person or persons for similar uses, the same however not to interfere with a reasonable exercise of the privileges hereby granted.

Section 5

In consideration whereof said LeRoy Telephone Company shall agree to allow the town to attach at any time to any of said poles the town fire alarm and police wires, provided the same shall not be done so as to interfere with said LeRoy Telephone Company's use, and such attachments shall be made under the directions of said Telephone Company in said town.

Section 6

In consideration of the franchise herein granted the LeRoy Telephone Company agrees to furnish to their subscribers and patrons of their system a day and night service, Sunday excepted, when from 10 a.m. to 2 p.m. there will be no service giving operator church privileges, upon the following prices: The said Telephone Company, or assigns will charge \$1.00 per month for all residence phones and \$1.50 per month for any office, store or business phone.

Section 7

The said LeRoy Telephone Company or their assigns, shall commence the construction of said telephone system and telephone exchange within thirty days from the publication of this ordinance and the same shall be in full and complete operation ninety days from the publication thereof, or forfeit all right to the franchise herein granted.

Section 8

This ordinance shall be in full force and effect from and after it's publication in the LeRoy Reporter, a newspaper of general circulation and published in the city of LeRoy, Coffey County, state of Kansas.

Done the 5th day of February 1902.

Passed by the council and approved by the mayor.

A.D. Finley, Acting Mayor
Attest: C.T. High, City Clerk

● **ORDINANCE NO. 18**

Being an ordinance to provide for the holding of annual election of the city officers for the year 1902 and designating the place of holding the same.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That an election be held on the first Monday of April, 1902 being the 7th day of April, 1902, at the city clerk's office situated on Lot 16, Block 46, in said city of LeRoy, for the purpose of electing a mayor, five councilmen and a police judge.

Section 2

This ordinance shall take effect and be in full force from and after its passage and publication in the Neosho Valley Blade.

Passed by the council and approved by the mayor this 5th day of March 1902.

A.D. Finley, Acting Mayor
Attest: C.T. High, City Clerk

Published May 8, 1903

● **ORDINANCE NO. 18a**

Being an ordinance to protect the birds and prevent the use of sling shots on the streets of LeRoy.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

Any person who shall shoot or kill any songbird or who shall carry or use any sling shot (sometimes called “nigger shooters”) on the streets or alleys of the City of LeRoy, shall be deemed guilty of a misdemeanor and upon conviction in police court shall be adjudged to pay a fine in a sum not less than one dollar nor more than five dollars, and costs, and shall be committed until such fine and costs are paid.

Section 2

This ordinance shall take effect and be in force from and after it’s publication in the Neosho Valley Blade.

Passed by the council and approved by the mayor this 6th day of May, 1903.

C.W. Settle, Mayor

Attest: C.T. High, City Clerk

Published January 22, 1904

• **ORDINANCE NO 23**

Being and ordinance for the levying of taxes for the payment of interest on City bonds, to create sinking fund for redemption of bonds and for city purposes.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1. That a tax be levied on all real, personal and mixed property in the City of LeRoy, Coffey County, Kansas, for the ensuing year as follows to wit:

For interest fund to pay interest on bonds, 18 mills, sinking fund for redemption of bonds, 8 mills; for general fund for City purposes, 7 mills.

Section 2. This Ordinance shall take effect and be in force from and after it’s passage and publication in the leRoy Reporter.

Approved this 5th day of August 1903.

Passed by the council and approved by the mayor this 5th day of august 1903.

C.W. Settle, Mayor

C. T. High, City Clerk

• **ORDINANCE NO. 24**

Being an ordinance providing for the construction of a sidewalk along the north side of Kansas Avenue and levying a tax on abutting lots for the cost of constructing same.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That a sidewalk be constructed on the north side of Kansas Avenue commencing at the southeast corner of Block 42 and running thence west to the southwest corner of Block 40.

Section 2

That said sidewalk be constructed of gravel evenly spread, not less than four inches in thickness and four feet in width.

Section 3

That the lots abutting on said sidewalk be and the same are hereby assessed, fifty cents per running foot to pay for the construction of said sidewalk as follows, to-wit: Lots 10, 11,12, 13,

14, 15, 16, 17, and 18, in Block 42, each \$16.00; Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, Block 41, each \$16.00; Lots 11 and 10, Block 40, each \$77.00; Provided, Persons owning the lots so abutting on said proposed sidewalk shall be permitted to construct or cause to be constructed said sidewalk, as herein provided, along their respective lots within seventy days from the passage of this ordinance, and if said owners of lots shall so construct or cause to be constructed said sidewalk, as above set forth the street commissioner shall give such owner, or owners a receipt for the same signed by the mayor and attested by the city clerk, which receipt shall be received in payment of sidewalk tax herein provided for.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 13th day of January 1904.

C.W. Settle, Mayor

Attest: C.T. High, City Clerk

Published January 22, 1904

● **ORDINANCE NO. 25**

Being an ordinance for the construction of a sidewalk on the west side of Main street, along the east side of Block thirty-eight (38), and levying a side walk tax on lots abutting on said proposed sidewalk for the purpose of paying for the construction of said sidewalk.

Be it ordained by the mayor and council of the city of LeRoy, Kansas.

Section 1

That a sidewalk be constructed on the west side of Main street, along the east side of Block thirty-eight (38), commencing at the southeast corner of Lot eleven (11), in said block, and running thence north along the ends of Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, in said Block thirty-eight (38).

Section 2

Said sidewalk shall be constructed of stone flagging, smoothly and evenly laid, and closely fitted; said flagging shall not be less than 2x3 feet square; said sidewalk shall be ten feet in width, with curbing not less than four inches in thickness and eighteen inches in depth, properly dressed and set on outside of said walk along the gutter. The grade and bedding of said sidewalk shall be under the supervision and direction of street committee.

Section 3

That the lots abutting on said sidewalk be and the same are hereby taxed for the purpose of constructing side walk as follows:

Lot eleven (11)	Block 38	\$43.20
Lot twelve (12)	“ 38	43.20
Lot thirteen (13)	“ 38	43.20
Lot fourteen (14)	“ 38	43.20
Lot fifteen (15)	“ 38	43.20
Lot sixteen (16)	“ 38	43.20
Lot seventeen (17)	“ 38	43.20
Lot eighteen (18)	“ 38	43.20
Lot nineteen (19)	“ 38	43.20
Lot twenty (20)	“ 38	43.20

Provided that the owners of said lots or any of them may construct or cause to be constructed, within four months from the date of the passage of this ordinance, his or her proportion of said sidewalk, according to the provisions of this ordinance, and when so completed and approved by the street committee, a receipt shall be given by the chairman of street committee, countersigned by the mayor and attested by the city clerk and such receipt shall be accepted in full payment of said sidewalk tax.

Section 4

This ordinance shall take effect and be in full force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 13th day of January 1904.

C.W. Settle, Mayor

Attest: C.T. High, City Clerk

Published August 19, 1904

● **ORDINANCE NO. 27**

Being an ordinance for the levying of taxes for the payment of interest on city bonds, to create a sinking fund for the redemption of bonds and for city purposes.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That a tax be levied on all real, personal and mixed property in the city of LeRoy, Coffey county, Kansas, for the ensuing year as follows to wit: For interest fund to pay interest on city bonds, 6 mills on the dollar. For sinking fund, for redemption of bonds, 8 mills on the dollar. For general fund, for city purposes, 6 mills on the dollar.

Section 2

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 12th day of August, 1904.

C.W. Settle, Mayor

Attest: C.T. High, City Clerk

Gas Franchise

Exhibit A

Published October 14, 1904

● **ORDINANCE NO. 28**

Being an ordinance granting the Sherbrooke Gas and Oil Co., a Corporation incorporated under the laws of the state of Maine, one of the United States of America, it's successors, and assigns for a period of twenty years, the right to construct, maintain, and operate works for natural gas and artificial gas, together with the right to use all streets, avenues, and public grounds of said city of LeRoy, for the purpose of laying their mains and pipes, supplying and delivering to said city and the inhabitants thereof, gas and electric light for manufacturing, heating, illuminating, and for all other purposes for which natural or artificial gas and electric light is or may be used, during said period, and to regulate the price thereof.

Be it ordained by the mayor and councilmen of the City of LeRoy, Kansas.

Section 1

That The Sherbrooke Gas and Oil Co., of the state of Maine, is hereby granted the right and privilege to use all streets, avenues, alleys, and public grounds of the City of LeRoy, Kansas, including all additions that may hereafter be made hereto, for the purpose of laying their mains and pipes to furnish to the said city and it's inhabitants thereof, natural and artificial gas for the term of twenty years from the date of the passage and publication of this ordinance, and shall have the right and authority to open and use the streets, avenues, alleys, and public grounds of the said city for the introduction of, refraining and taking up mains, pipes and lines.

Section 2

That all mains and leading pipes from which gas is distributed throughout the said city shall be placed not less than fifteen (15) inches beneath the surface of the earth where laid, and not less than twelve (12) feet from the curb line, subject to the direction of the mayor and councilmen.

Section 3

That in the laying of said mains, and pipes and the exercise of the rights hereby granted, no streets, alleys or public grounds shall be at any time un-necessarily obstructed and all excavations or openings made therein by said Sherbrooke Gas and Oil Co., shall within a reasonable time be repaired and placed in as good a condition as before excavations or openings were made, under the direction of the mayor and council of said city, and shall thereafter be kept in such condition satisfactory to said mayor and council, provided that if any excavation, opening or ditch in any of the streets, alleys or public grounds shall be left open or unrepaired or any unnecessary obstruction left thereon by said The Sherbrooke Gas and Oil Co., in violation of this section, the said City may cause such excavation, opening or ditch to be repaired and obstruction removed and the expense thereof shall be charged to and collected from the said The Sherbrooke Gas and Oil Co.

Section 4

That said The Sherbrooke Gas and Oil Co., shall not charge for the use of gas that it may furnish to said City or any of the inhabitants thereof, a price greater than is from time to time during said twenty years usually charged for the same in cities of a similar size and with like facilities for furnishing gas and said prices shall at no time exceed twenty-five cents per thousand cubic feet.

Section 5

That the said The Sherbrooke Gas and Oil Co., shall within ninety (90) days from the publication of this ordinance commence the laying of mains and pipes in accordance with this ordinance, and shall thereafter diligently continue the work of laying mains and pipes until the principal part of the said city is supplied with pipes and gas.

Section 6

The rates for general purposes shall be as follows:

Cook stoves or ranges, family use, Oct. 1st to April 1st, \$2.00 per month.

Heater and cook stove same as live heaters April 1st to Oct. 1st, \$1.50 per month.

Cook stove or ranges, hotel, restaurant or boarding houses \$2.00 to \$4.00 per month.

Monkey or combination stoves, Oct. 1st to April 1st, \$2.00; April 1st to Oct. 1st, \$1.50 Per month.

Gasoline stoves or hot plates, 1 hole 50 cents per month.

Gasoline stoves or hot plates, 2 holes 75 cents per month.

Gasoline stoves or hot plates, 3 holes or over \$1.00 per month.

Heater, family use \$2.00; two \$1.50; 3 or over \$1.25 each, per month.

Heater, office, \$1.00 to \$2.00 per month.

Heater, stoves, \$2.00 to \$5.00 per month.

Furnances, family, \$2.50 to \$5.00 per month.

Furnace for halls, \$2.50 to \$6.00 per month.

School and churches shall be charged one half of hall rate.

Grates \$1.50 per month.

Radiators, \$1.00 to \$1.50, per month.

Water heaters, 25 cents to \$1.25 per month.

Bunsen burners, 25 cents to 50 cents per month.

Cigar lighters, 20 cents per month.

Incan descent lights, 20 cents for nights only, per month.

Jumbo tips, 25 cents per month, for nights only.

Bake ovens, \$2.00 to \$5.00 per month.

Meter Rates for heat and lights, 25 cents per thousand cubic feet.

Meter users shall deposit with company, cost of meter.

Section 7

Manufacturing Purposes: The rates for manufacturing purposes shall be as follows:

1 thousand cubic feet per month	\$0.20
2 “ “ “ “ “	.35
3 “ “ “ “ “	.50
4 “ “ “ “ “	.65
5 “ “ “ “ “	.80
6 “ “ “ “ “	.90
7 “ “ “ “ “	1.00
8 “ “ “ “ “	1.10
9 “ “ “ “ “	1.20
10 “ “ “ “ “	1.25
11 “ “ “ “ “	1.30
12 “ “ “ “ “	1.35
13 “ “ “ “ “	1.40
14 “ “ “ “ “	1.45
15 “ “ “ “ “	1.50
16 “ “ “ “ “	1.55
17 “ “ “ “ “	1.60
18 “ “ “ “ “	1.65
19 “ “ “ “ “	1.70
20 “ “ “ “ “	1.75
21 “ “ “ “ “	1.80
22 “ “ “ “ “	1.85
23 “ “ “ “ “	1.90
24 “ “ “ “ “	1.95
25 “ “ “ “ “	2.00

For each thousand over twenty-five thousand, and not exceeding one hundred thousand feet add six (6) cents. One hundred thousand cubic feet per month, \$6.50.

For each thousand over one hundred and not exceeding five hundred thousand feet, add four (4) cents.

500 thousand cubic feet per month, \$22.50.

For each thousand cubic feet over five hundred thousand and not exceeding one million feet, add three and one-half (3 ½) cents.

1,000,000 cubic feet per month \$40.00.

All over, one million cubic feet three and one-half (3 ½) cents per thousand.

Section 8

The Superintendent of the gas plant may place a meter on the service pipe of any consumer at any time by direction of the Company and thereafter such consumer shall pay meter rates. Said meter shall be paid for by such consumer at the time it is installed, or the Superintendent may cut off the gas.

Section 9

That for the purpose of supplying said city and citizens with natural or artificial gas and electric light. The Sherbrooke Gas and Oil Co., shall at their own expense, furnish and lay all pipes necessary to convey the gas to the curb line of any property to be supplied, and all expenses from the curb line shall be maintained and paid for by the owner or tenant and shall at all times by the owner or tenant, be kept in good repair.

Section 10

For and in consideration of the rights and privileges hereby granted by the said City of LeRoy, the said The Sherbrooke Gas & Oil Co., while continuing in the enjoyment thereof, shall furnish free of expense to the said City of LeRoy, gas in sufficient quantities for light and heat

for one hall or Council Chamber for the transaction of the city business, not exceeding two ordinary grates or gas stoves, and six gas jets or burners.

The said, The Sherbrooke Gas & Oil Co., shall also provide and furnish to the said City of LeRoy, gas for any number of incandescent, gas lights, according to the American Meter's Company's standard, for all night lighting which may be required by said City, and at such rates as may be agreed upon, not exceeding fifty (50) cents per month, payable monthly; the City to furnish burners, lamp posts, and to provide at its own expense for lighting, extinguishing, cleaning and keeping said street lights in good order, and repairs, said lights not to burn to exceed fourteen (14) hours, during any twenty-four (24) hours.

Section 11

That said The Sherbrooke Gas & Oil Co., shall not be compelled to lay or furnish pipes for the purpose of furnishing gas to any person unless said person shall pay to said company at least all costs accruing to said company and for gas one month in advance or shall secure the payment of same and said company shall have the right to cut off the supply of gas to any person or persons who shall neglect or refuse for more than ten (10) days to pay same or who shall allow unnecessary leak or waste of same, and shall not be compelled to turn it on again to such persons until all past due charges shall be paid, and said company may charge said person one dollar for re-connection.

Section 12

That said The Sherbrooke Gas & Oil Co., shall be liable to said City of LeRoy, for any and all damages and costs which said City may sustain or be compelled to pay by reason of the rights and privileges hereby granted or on account of any excavation, opening or ditch in the streets, alleys, or public grounds left open or unrepaired, or any obstruction thereof by said Company or that may in any manner result from the negligence of said Company in the construction or operation of their gas lines, or the exercise in any manner of said rights.

Section 13

Said city council shall from time to time pass such ordinances as may be necessary for the protection of the rights and property of said company and for the enforcement of all reasonable rules and regulations hereafter made by said Company. It is further understood and agreed that if for any reason the contract between the Sherbrooke Gas & Oil Co., of the one part, and the City of LeRoy, of the other part should become null and void, the said The Sherbrooke Gas & Oil Co., retain the right and can remove from the streets of the city all it's pipes and connections and be allowed a reasonable time to do so, provided in removing said pipes from said streets that said The Sherbrooke Gas & Oil Co., must leave said streets in as good and serviceable condition as they found them.

Section 14

If for causes unknown, the supply of gas in this field is exhausted and it becomes impossible for The Sherbrooke Gas & Oil Co., to secure gas from their holdings or leases in this territory, then and then only, will the obligations of The Sherbrooke Gas & Oil Co., to the said City of LeRoy cease and the contract become null and void.

Section 15

It is further agreed and understood that The Sherbrooke Gas & Oil Co., has and retains the right to furnish all mixers and which are and shall remain the property of the said The Sherbrooke Gas & Oil Co.

Section 16

This ordinance and the written acceptance thereof by the said The Sherbrooke Gas & Oil Co., shall constitute the contract between the City of LeRoy and the Sherbrooke Gas & Oil Co., and the covenants, conditions and provisions in said ordinance contained shall have the full force and effect of a contract and shall extend to and be mutually binding upon the said City of LeRoy and The Sherbrooke Gas & Oil Co., their successors and assigns.

Section 17

Upon the failure or refusal of the said The Sherbrooke Gas & Oil Co., at any time, for a period of six consecutive months, to comply with the terms and provisions of this ordinance on its part to be complied with this ordinance and all the rights and privileges conferred thereunder shall at the option of the City of LeRoy be forfeited, and the same shall be and become null and void.

This section is not intended to conflict with *Section No. 5.*

Section 18

This ordinance shall take effect and be and remain in force from and after the acceptance of same in writing from The Sherbrooke Gas & Oil Co., and it's publication in the LeRoy Reporter of Kansas.

Passed by the council and approved by the mayor this 6th day of Oct., 1904.

C.W. Settle, Mayor

Attest: C.T. High, City Clerk

Published Nov. 25, 1904

● **ORDINANCE NO. 29**

Being an ordinance providing for the construction of a sidewalk and gutters on the west side of Main Street along the east side of Block fifty-two (52) and levying a tax on abutting lots for the cost of constructing said sidewalk and gutter.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That a sidewalk and gutter be constructed on the west side of Main street, commencing at the southeast corner of block fifty-two (52) and running thence north to the northeast corner of said block fifty-two (52), Provided, this ordinance shall apply to the gutter only as to lots nineteen (19) and twenty (20) in said block.

Section 2

Said sidewalk shall be constructed of stone flagging smoothly and evenly laid and closely fitted, said flagging stone to be not less than four inches in thickness and to contain not less than six square feet of surface. Said sidewalk to be ten feet in width, with curbing not less than four inches in thickness and eighteen inches in depth, properly dressed and set on outside of said sidewalk so as to form part of gutter. The base of gutter to be flagging smoothly and evenly laid and closely fitted to curb and to be not less than two feet in width, and four inches in thickness. Said sidewalk and gutter to be constructed under the supervision of the street committee and in accordance with established grade.

Section 3

That the lots abutting on said sidewalk be and the same are hereby taxed for the purpose of paying for the construction of said sidewalk and gutter as follows:

Lot eleven (11)	per	front	foot	\$1.70	total	\$54.40
“ twelve (12)	“	“	“	1.70	“	54.40
“ thirteen (13)	“	“	“	1.70	“	54.40
“ fourteen (14)	“	“	“	1.70	“	54.40
“ fifteen (15)	“	“	“	1.70	“	54.40
“ sixteen (16)	“	“	“	1.70	“	54.40
“ seventeen (17)	“	“	“	1.70	“	54.40
“ eighteen (18)	“	“	“	1.70	“	54.40
“ nineteen (19)	“	“	“	0.50	“	16.00

Provided that the owners of said lots or any of them may construct or cause to be constructed within six months from the date of the passage of this ordinance, his or her proportion of said sidewalk and gutter according to the provisions of this ordinance and when so completed, and approved by the mayor and council, a receipt shall be given by the chairman of street committee, by the city clerk and such receipt shall be accepted in full payment of said sidewalk and gutter tax.

Section 4

This ordinance shall take effect and be in full force from and after it’s passage and publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 19th day of November, 1904.

C.W. Settle, Mayor
Attest: C.T. High, City Clerk

Published March 10, 1905

● **ORDINANCE NO. 30**

Being an ordinance to provide for holding an election of city officers for the years 1905-6 and designating the place of holding the same.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That an election be held on the first Monday of April, 1905, being the 3rd day of April, at the city clerk’s office, situated on lot 16, block 46, in said city of LeRoy, for the purpose of electing a mayor, five councilmen and a police judge.

Section 2

This ordinance shall take effect and be in full force from and after it’s passage and publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this first day of March, A.D., 1905.

D.J. Davis, Acting Mayor
Attest: C.T. High, City Clerk

Published July 14, 1905

● **ORDINANCE NO. 31**

An ordinance providing for the amendment of *Section 3*, of Ordinance No. 9, of the ordinances of the City of LeRoy, Kansas, thbe same being “an ordinance defining fire limits, and prescribing conditions of same.”

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

That *Section 3*, of Ordinance 9, be amended by adding the words: Provided, that the building of a lumber yard on lots 6, 7 and 8 in Block 53, shall not be construed to violate this ordinance.

Section 2

This ordinance shall take effect and be in full force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 5th day of July, A.D. 1905.

J.R. Ahlefeld, Mayor
Glick Fockele, City Clerk

Published July 14, 1905

● **ORDINANCE NO. 32**

Being an ordinance providing for the levying of taxes for a street fund, to create a sinking fund for the redemption of bonds, and for city purposes.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That a tax be levied on all real, personal and mixed property in the city of LeRoy, Coffey county, Kansas, for the ensuing year as follows to wit:

For sinking fund, for redemption of bonds, seven and one-half mills on the dollar.

For street fund, for work and material for streets, five mills on the dollar.

For general fund, for city purposes, ten mills on the dollar.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 5th day of July, A.D., 1905.

J.R. Ahlefeld, Mayor
Attest: Glick Fockele, City Clerk

Published January 12, 1906

● **ORDINANCE NO. 33**

Being an ordinance providing for the construction of a sidewalk along the north side of Nebraska avenue and levying a tax on abutting and adjacent lots for the cost of constructing same.

Be it ordained by the mayor and council of the city of LeRoy, Kansas.

Section 1

That a sidewalk be constructed on the north side of Nebraska avenue, commencing at a point 46 feet east of the southwest corner of block 33 and running thence east to the southeast corner of Block thirty-four (34).

Section 2

That said sidewalk be constructed of gravel, evenly spread, not less than four (4) inches in thickness, and four (4) feet in width. Exception; That from a point thirty (30) feet west of the southeast corner of Block thirty-three (33), thence west twenty (20) feet, the sidewalk shall take the form of a plank bridge, four (4) feet wide, laid on three (3) timber stringers not less than two (2) inches by six (6) inches, resting on four (4) cross pieces of similar dimension which shall be attached to eight (8) posts set as follows:

Two (2) at each end of the bridge and two (2) on each side of the water channel. Said posts to be securely anchored. The floor of said bridge to be constructed of planking not less than two (2) inches in thickness. Said bridge to be two and one-half (2 ½) feet above the ground at east

end and to be leveled from said east end. Said bridge to be protected by hand railings on each side. Approaches to said bridge being properly brought to the level with the bridge.

Section 3

That the lots lying adjacent to and abutting on, said proposed sidewalk be and the same, are hereby assessed fifty cents (\$0.50) and seventy-five (\$0.75) per running foot to pay for the construction of said sidewalk, as follows, to wit:

Lot 10	Blk 33	50 cents per foot,	total	\$54.00
“ 11	“ “	“ “ “ “	“	13.00
“ 12	“ “	“ “ “ “	“	16.00
“ 13	“ “	“ “ “ “	“	16.00
“ 14	“ “	75 cents per foot,	“	24,00
“ 15	“ “	“ “ “ “	“	24.00
“ 11	“ 34	50 cents per foot,	“	16.00
“ 12	“ “	“ “ “ “	“	16.00
“ 13	“ “	“ “ “ “	“	16.00
“ 14	“ “	“ “ “ “	“	16,00
“ 15	“ “	“ “ “ “	“	16.00
“ 16	“ “	“ “ “ “	“	16.00
“ 17	“ “	“ “ “ “	“	16.00
“ 18	“ “	“ “ “ “	“	16.00
“ 19	“ “	“ “ “ “	“	16.00
“ 20	“ “	“ “ “ “	“	16.00

Provided: Persons owning the lots adjacent to or abutting on said proposed sidewalk, shall be permitted to construct or cause to be constructed, said sidewalk as herein provided, along their respective lots within six (6) months from the publication of this ordinance. And if said owners of lots shall so construct or cause to be constructed, said sidewalk as above described, the street commissioner shall give such owner or owners a receipt for the same, signed by the mayor and attested by the city clerk; which receipt shall be received as payment of such sidewalk tax herein provided for.

Section 4

This ordinance shall take effect and be in force from and after it’s publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 3rd day of January, A.D., 1906.

J.R. Ahlefeld, Mayor

Attest: Glick Fockele, City Clerk

Published January 12, 1906

● **ORDINANCE NO. 34**

Being an ordinance granting to G.W. Ringle, his successor and assigns, the right to lay down and maintain a spur track in the City of LeRoy, Kansas.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That G.W. Ringle, his successors and assigns, be and are hereby granted the right to lay down, operate and maintain a spur track along D street and across 5th street, as follows: Commencing at a point about 200 feet south of the crossing of D Street and 5th street and running thence north along D street to, and across 5th street.

Section 2

That the said G.W. Ringle, his successors and assigns, shall be subject to all the rules and requirements in laying down, operating and maintaining the said spur track, together with the construction of the crossing of street, as is now provided by Ordinance No. 64, granting the right-of-way to the V.V.I and W. railway, and be subject to the same obligations and penalties.

Section 3

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 3rd day of January, A.D., 1906.

J.R. Ahlefeld, Mayor

Attest: Glick Fockele, City Clerk

Published July 13, 1906

● **ORDINANCE NO. 35**

Being an ordinance providing for the levying of taxes for a street fund, to create a sinking fund for the redemption of out-standing city bonds and for general city purposes.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That a tax be levied on all real, personal and mixed property in the city of LeRoy, Coffey county, Kansas, for the ensuing year, as follows:

For sinking fund, for redemption of bonds, 6 mills on the dollar.

For bridge and culvert fund, 3 mills on the dollar

For general fund, for city purposes, 10 mills on the dollar.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 10th day of July 1906.

J.R. Ahlefeld, Mayor

Attest: Glick Fockele, City Clerk

● **ORDINANCE NO. 36**

Being an ordinance granting to the Missouri Pacific Railway Co., the right to lay down, operate and maintain a spur track across Broadway near the northwest corner of Block 8, in the city of LeRoy, Kansas.

Be it ordained by the mayor and council of LeRoy, Kansas.

Section 1

That the privilege is hereby granted to the Missouri Pacific Railway Company, to lay down, operate, and maintain a spur track across Broadway at the northwest corner of Block 8, LeRoy, Kansas from the west.

Section 2

That the said Missouri Pacific Railway Company, their successors and assigns, shall be subject to all the rules and requirements in laying down operating, and maintaining the said spur track together with the construction of the crossing of the street, as is now provided by Ordinance No. 64, granting right-of-way to the V.V.I., and W. Railway Co., and be subject to the same obligations and penalties.

Section 3

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 2nd day of January, A.D. 1907.

A.S. Vannordstrand, Acting Mayor

Attest: Glick Fockele

Published March 8, 1907

● **ORDINANCE NO. 37**

Being an ordinance to provide for holding an election of city officers for the years 1907-8 and designating the place of holding the same.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That an election be held on the first Monday in April, 1907, being the 1st day of April, in the building situated on the south twelve feet of Lot 19, and north 10 feet of Lot 20, in block 46, in the city of LeRoy, Kansas, for the purpose of electing a mayor, five councilmen and a police judge.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of March, A.D., 1907.

J.R. Ahlefeld, Mayor

Attest: Glick Fockele, City Clerk

Published March 22, 1907

● **ORDINANCE NO. 38**

Being an ordinance amending *Section 10*, of Ordinance No. 5, of the laws of LeRoy, Kansas.

Be it ordained by the mayor and council of the city of LeRoy, Kansas.

Section 1

That *Section 10* of Ordinance No. 5 of the laws of the city of LeRoy, Kansas, be and is hereby amended by the addition of the following: In case the owner or harbinger of such dog or bitch shall not have paid, prior to the 1st day of May, the license tax for the ensuing year of one dollar for each dog, and three dollars for each bitch, then a penalty of fifty cents shall be added to said license tax and the city marshal shall collect said license tax and penalty, prior to the tenth day of May. The city marshal shall retain as his fee in each such case the penalty of fifty cents, and shall immediately turn the license tax in to the city clerk with a description of the dog or bitch, as is required in the first paragraph of *Section 10* of Ordinance No. 5.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of March, A.D., 1907.

J.R. Ahlefeld, Mayor

Attest: Glick Fockele, City Clerk

● **ORDINANCE NO. 39**

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

That it shall be unlawful for any person to conduct any games, tables, disorderly houses, and practice in the city of LeRoy, for profit, provided that baseball, football, basketball and lawn tennis may be so conducted.

Section 2

Section 83 of Ordinance No. 5. and all other sections and ordinances conflicting with this ordinance are hereby repealed.

Section 3

Any person or persons violating any of the provisions of this ordinance, shall upon conviction, be fined in any sum not exceeding fifty dollars, or may be imprisoned in the city prison or jail of Coffey County, Kansas, not exceeding thirty days, or by both such fine and imprisonment and stand committed until such fine and costs of the prosecution are paid.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of November, A.D. 1907.

F.W. Schmitt, Mayor

Attest: J. Thornton, City Clerk

Published April 10, 1908

● **ORDINANCE NO. 40**

An ordinance relating to sidewalks, curbing and guttering, and repealing all ordinances or parts of ordinances in conflict herewith.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Constructing Sidewalks

Section 1

The city council of the city of LeRoy may upon it's own notion or upon the petition of ten or more citizens of said city to be benefited by said proposed walk order any sidewalk constructed, as provided in the ordinance.

When Constructed

Section 2

That whenever a petition signed by ten or more such citizens of this city shall be presented to the council asking for the construction of any sidewalk, or whenever the council of said city shall deem the same necessary, said council may order the same to be constructed and it shall be the duty of the street commissioner forth with to notify the owner or occupier of any lot or lots or parcels of ground adjacent to which any sidewalk is to be built, provided such owner or occupier can be found in this city, that such sidewalk has been ordered by the council and that such owner or occupier shall construct such sidewalk within thirty days from the date of the making of such order. If the owner or occupier of such lot or lots or parcels of ground cannot be found within this City, then no such notice shall be required. If such owner or occupier shall fail to construct such walk within thirty days after the date of service of said notice, if such owner or occupier can

be found in said city or if not, within thirty days after the date of the making of the order aforesaid, it shall be the duty of the street commissioner to build such sidewalk, or cause the same to be built, reporting the cost thereof together with a penalty of 10 per cent to the council for assessment.

Material

Section 3

All sidewalks hereafter constructed shall be of brick or cement and shall be well underlaid with cinders, sand, gravel, shell rock, or Joplin Ballast constructed upon a firm and durable foundation, and in a workmanlike manner, unless the council may grant special permission to construct walks of material other than mentioned in this *section*, provided, however, that the sidewalks on Main street between Nebraska avenue and Fifth street shall be constructed of cement, only.

Dimensions

Section 4

All sidewalks hereafter constructed in this city shall be of such width as the city council may direct, not, however to be less than four feet wide, unless otherwise ordered by the council and shall be built on such grade and line as the street commissioner may direct. All sidewalks shall be built according to the provisions of the Ordinance, unless the council otherwise directs.

Crossings

Section 5

It shall be the duty of the street commissioners, when ordered by the council, to construct, at the expense of the city, suitable crossings, across streets and alleys to connect lines of sidewalks ordered by the city council.

Repairing and Reconstructing Sidewalks

Section 6

No formality whatever shall be required to authorize the repairing of sidewalks or the reconstruction of such sidewalks as are in the judgement of the council worn out and unfit for repair, and making assessments therefore and each lot or parcel of ground shall be liable for the costs of repair and reconstruction of sidewalks made along or in front of such lot, or parcel of ground, as reported to the city council, together with a penalty of 10 per centum of the amount thereof and it shall be the duty of the owner of the lots or parcels of ground abutting on, any sidewalk in this city to keep such sidewalks in good repair and safe condition for public travel.

Owners to Repair

Section 7

If, any person owning such lot or lots, or parcels of ground, shall neglect to keep such sidewalk in good repair, or shall fail or neglect to reconstruct such sidewalk when in the judgment of the council it is worn out and unfit for repair, the street commissioner shall cause said sidewalk to be repaired or reconstructed, as the case may be, and placed in a good, safe condition, and shall certify the expense thereof to the city council, together with the Number of Lot or Lots and Block or parcels of land in front of which such work has been done, and the amount of such expense chargeable to each lot or parcel of ground. The city clerk shall at the time of making out the next annual levy or assessment thereafter shall certify such expense of assessment for building, repairing or reconstructing such sidewalks, and the amount chargeable to each lot or parcel of ground, together with a penalty of 10 per centum, to the county clerk of this county, to be placed on the tax roll for collection, as provided by law.

Sidewalks Repaired, or Reconstructed

Section 8

All sidewalks heretofore constructed may be repaired by the owner of the lot or parcel of ground adjacent thereto of the same material, of which the same is now constructed, but this shall not be construed to allow any person to reconstruct a sidewalk out of any or other or different material than that provided for in this Ordinance.

Curbing and Guttering

Section 9

All blocks shall also be properly curbed and guttered by the property owners, said curbing to be of the same height as the sidewalk and not less than 6 inches in thickness and extend below the line of guttering, said guttering to be not less than 30 inches wide and 4 inches in thickness, unless the council otherwise direct, both to be built in good workmanlike manner and of cement, the said curbing and guttering to be constructed by the owners or occupiers of such lot or lots or parcels of ground after ordered by the council and within thirty days from the making of such order by the council. If the owner or occupier of such lot or lots or parcels of ground cannot be found within this city then no such notice shall be required. If such owner or occupier shall fail to construct such curbing or guttering within thirty days after the date of said notice, if such owner or occupier can be found within said city, or if not, within thirty days after the date of the making of the order aforesaid, it shall be the duty of the Street Commissioner to build such curbing or guttering, or cause the same to be built, reporting the cost thereof, together with a penalty of 10 per centum to the Council for assessment, which assessment shall be collected in the same manner as provided herein for the collection of assessments for the construction of sidewalks.

Repeal *Section 10*

All Ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.

Effective

Section 11

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council this 1st day of April, 1908.

Attest: City Clerk, J. Thornton

Passed over the Mayor's veto: H. W. Schwalm, President of the Council

Published March 12, 1909

● **ORDINANCE NO. 41**

Being an ordinance to provide for holding an election of City officers for the years 1909-1910, and designating the place of holding the same.

Be it ordained by the may and council of the City of LeRoy, Kansas.

Section 1

That an election be held on the first Monday in April 1909, being the 5th day in April, in the building situated on lot 1, block 53, in the city of LeRoy, Kansas, for the purpose of electing a mayor, five councilmen and a police judge.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this, the 3rd day of March, A.D., 1909.

F.W. Schmitt, Mayor

Attest: J. Thornton, City Clerk

Published August 6, 1909

● **ORDINANCE NO. 42**

An ordinance relating to tobacco and cigarettes, and prohibiting the sale and giving away of tobacco, cigarettes and cigarette papers, and prohibiting the use of tobacco by any minor person, and providing penalties for the violation thereof.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

It shall be unlawful for any person, company or corporation to sell or give away any cigarettes or cigarette papers in or about any store or other place in the city of LeRoy, Coffey County, Kansas, for free distribution or sale.

Section 2

It shall be unlawful for any minor person to smoke or use cigarettes, cigars or tobacco in any form on any public road, street, alley, tract or other land used for public purposes in the city of LeRoy, Coffey county, Kansas, or in any public place of business in said city, and upon conviction, such minor shall be punished for each offense by a fine of not more than ten dollars, and every person who shall furnish cigarettes, cigars, or tobacco in any form to such minor person, or who shall permit such minor person to frequent any premises owned, held or managed by him, for the purpose of indulging in the use of digarettes, cigars, or tobacco in any form, shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Section 3

Every person, company or corporation violating any of the provisions of *Section 1* of this act shall on conviction be fined not less than twenty-five dollars nor more than one hundred dollars.

Section 4

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5

This ordinance shall take effect from and after it's publication in the LeRoy Reporter.

Passed by the council this 4th day of August, 1909.

Approved by me this 4th day of August, 1909. J.S. Johnson, Mayor

Attest: Glick Fockele, City Clerk

Published June 10, 1910

● **ORDINANCE NO. 43**

An ordinance requiring the owners of real estate to keep streets, parks and alleys, abutting thereon, clear of weeds, brush and rubbish to the center of alleys and to the ditch on each street.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

It shall be the duty of the owners of all lots or pieces of ground within the city of LeRoy, Kansas, to keep all streets, park, and alleys abutting thereone clear of weeds, brush and rubbish, between said lots or pieces of ground and the center of each alley and to the ditch on each street.

Section 2

If any such owner shall fail to keep said abutting street or alley clear of weeds, brush and rubbish as provided by *Section 1* of this ordinance, it shall be the duty of the committee on streets and alleys to condemn the abutting lots or pieces of ground, specifying with reference to such failure, and to direct the city marshal to notify such owner or his agent or tenant of such condemnation and that unless such weeds are cut or said brush or rubbish is forthwith removed to conform to the said provisions of *Section 1* of this ordinance, the city marshal shall cause the

same to be done and the expense thereof shall be charged against said abutting lots or pieces of ground.

Section 3

Upon the failure of said owner or owners to comply with this ordinance and the requirements of said notice, it shall be the duty of the city marshal to cause said weeds to be cut or said brush or rubbish to be removed and to certify the expense, thereof to the city council together with the description of the lands in front of which or on which such work shall have been done and the name of the owner thereof, and unless said council shall for good cause shown, set aside said condemnation, the city clerk shall certify said expenses, together with the annual tax levy to the county clerk to be placed on the tax roll of said county and collected the same as other taxes.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 1st day of June, 1910.

J.S. Johnson, Mayor

Attest: Glick Fockele, City Clerk

● **ORDINANCE NO. 44**

Being an ordinance amending *Section 8*, of Ordinance No. 4 of the laws of LeRoy, Kansas.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

That *section 8* of Ordinance No. 4 of the laws of LeRoy, Kansas, be hereby amended by substituting the word "baggage" for the word "goods".

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 6th day of July, A.D. 1910.

J.S. Johnson, Mayor

Attest: Glick Fockele, City Clerk

● **ORDINANCE NO. 45**

Being an ordinance relating to automobiles and motor vehicles, regulating the speed and operation on the public streets, and alleys of this city and providing penalties for the violation thereof.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

That the term automobile or motor vehicle as used in this ordinance shall be construed to include all types and grades of motor vehicles propelled by electricity, steam, gasoline or other source of energy, commonly known as automobiles, motor vehicles or horseless carriages, using the public streets and not running on rails or tracks.

Section 2

Every automobile or motor vehicle shall be equipped with a suitable bell, horn or other warning device and shall be equipped with good and sufficient brakes. Every automobile or motor vehicle shall be equipped with one or more lamps, so placed on the vehicle as to be plainly seen for a reasonable distance in the direction in which the vehicle is proceeding. It shall also be equipped with a "tail" lamp, which shall be placed at the rear of the machine so as to be visible for a reasonable distance from behind said machine. Said tail lamp shall show a red, white or any colored light but said other lamps must show a white light, between one hour after sunset to one hour before sunrise.

Section 3

No person driving or in charge of any automobile or other motor vehicle on any street, alley, avenue, parkway, or driveway or public highway in this city, shall drive or operate the same, at any time at a speed greater than is reasonable and proper, having due regard to the traffic and use of the highway, or so as to endanger the life or limb of any person.

Section 4

No automobile or other motor vehicle shall be run at a speed exceeding 10 miles per hour upon Main street between fifth street and Nebraska avenue, nor, at a speed exceeding 15 miles per hour upon any other street, avenue, alley, parkway, or highway within the limits of the City of LeRoy, Kansas.

Section 5

Every person having control or charge of an automobile or other motor vehicle shall, whenever upon any public street or highway, and approaching any vehicle drawn by a horse or horses, or any horse or horses or other domestic animal ridden or driven by any person or persons, operate, manage, and control such automobile, or motor vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse or horses or other domestic animals, or the person or persons driving the same; and if such horse or domestic animal, appear restive or frightened, the person in control of the motor vehicle shall reduce the speed thereof, and if practical, turn to the right and give the road, and if requested by signal or other intelligible means by the driver of such horse or domestic animals, shall proceed no further toward such animal or animals but shall remain stationary so long as may be necessary to allow such horse or horses or other domestic animal to pass.

Section 6

In approaching, a crossing or intersecting ways and also in traversing the intersection, the person in control of any automobile or motor vehicle shall reduce the speed thereof to less than the maximum required herein for such street and not greater than is reasonable and proper, having regard to the traffic and the use of the intersecting ways.

Section 7

Any person having charge of an automobile or other motor vehicle in the city of LeRoy, shall stop his engine when leaving the automobile or other motor vehicle upon the streets of the city.

Section 8

Any person violating any of the provisions of this ordinance or failing to comply therewith, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one dollar nor more than fifty dollars and for costs.

Section 9

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 5th day of October, A.D. 1910.

J.S. Johnson, Mayor
Attest: Glick Fockele, City Clerk

Published March 3, 1911

● **ORDINANCE NO. 46**

Being an ordinance calling a city election to be held in the city of LeRoy, Kansas.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

There shall be a city election held in the City of LeRoy, Kansas on Monday, the 3rd day of April, 1911 for the election of the following city officers to serve for the ensuing two years: Mayor, five councilmen, and a police judge.

Section 2

The place of holding the election shall be in the building located in Block forty-six (46) of said city and occupied by the LeRoy Realty Company. The polls will open at 8 o'clock a.m. and close at 6 o'clock p.m.

Section 3

The election board shall be as follows: Judges, J.M. Davis, Frederick Hilderbrand and T.S. Chamberlain; Clerks, J. P. Hamilton and Edward Kenney.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 1st day of March, 1911.

J.S. Johnson, Mayor

Attest: Glick Fockele, City Clerk

● **ORDINANCE NO. 47**

Being an ordinance preventing minors being on the streets and public grounds after a certain hour at night.

Be it ordained by the mayor and council of the City of LeRoy, Kansas.

Section 1

It shall be unlawful for any minor under the age of sixteen years to be upon the public streets, and grounds of the City of LeRoy after the hours of 9:30 p.m., from October 1st until April 1st and 10 p.m. from April 1st until October 1st, unless such minor shall be *accompanied* by parent or guardian.

Section 2

Any person violating the provisions of this ordinance shall upon conviction, be fined in any sum not less than one dollar nor more than five dollars.

Section 3

This ordinance shall take effect and be in force from and after it's passage and approved by the mayor and it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 3rd day of May, 1911.

L. Martin, Mayor

Attest: L.V. Watson, City Clerk

● **ORDINANCE NO. 48**

Being an ordinance to prevent spitting on sidewalks and in public buildings.

Be it ordained by the mayor and council of the city of LeRoy, Coffey County, Kansas.

Section 1

It shall be unlawful for anyone to spit upon any sidewalk along any street in the city of LeRoy, or in any public hall or in any church or other place used for public gatherings.

Section 2

Any person convicted of a violation of *Section 1* of this ordinance shall be fined in a sum not less than two dollars nor more than ten dollars for a second offense. And shall be committed until fine and costs are paid.

Section 3

This ordinance shall take effect from and after it's passage by the council and approval of the mayor and it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 7th day of August, 1912.

W.W. Smith, Mayor

Attest: L.V. Watson, City Clerk

● **ORDINANCE NO. 49**

Being an ordinance fixing the licenses for picture shows and skating rinks.

Be it ordained by the mayor and city council of LeRoy, Coffey county, Kansas.

Section 1

Every person who shall desire to engage in the operation of a moving picture or other picture show or in the operation of a skating rink, in the City of LeRoy, shall, before operating such picture show, or skating rink, pay into the city treasury the sum of twelve and one-half (\$12.50) dollars, and present the receipt therefore to the city clerk who shall issue a license entitling such person to operate such picture show or skating rink for the period of one year.

Section 2

This ordinance shall take effect and be in force from and after it's passage by the council and approval of the mayor and it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 4th day of December, 1912.

W.W. Smith, Mayor

Attest: L.V. Watson, City Clerk

Published March 14, 1913.

● **ORDINANCE NO. 50**

Being an ordinance calling a city election to be held in the city of LeRoy, Kansas.

Be it ordained by the mayor and city council of the City of LeRoy, Kansas.

Section 1

There shall be a city election held in the City of LeRoy, Kansas on Monday, the 7th day of April, 1913, for the election of the following city officers to serve for the ensuing two years, mayor, five councilmen, and a police judge.

Section 2

The place of holding the election shall be in the west end of the building located on lot 20 in Block 52 of said city and occupied by W.R. Stewart. The polls will open at 8 o'clock a.m. and close at 6 o'clock p.m.

Section 3

The election board shall be as follows: Judges, J.M. Davis, A.D. Finley and W.R. Stewart; Clerks, George Sims and Claude Chamberlain.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayhor this 5th day of March, 1913.

W.W. Smith, Mayor

Attest: L.V. Watson, City Clerk

● **ORDINANCE NO. 51**

An ordinance to control and regulate the use and speed of automobiles and motor vehicles in the City of LeRoy, Kansas, and to repeal Ordinance No. 45 of the City of LeRoy, Kansas.

Be it ordained by the mayor and councilmen of the city of LeRoy, Kansas.

Section 1

No person shall operate a motor vehicle on any street, avenue, or highway within the said city at a speed greater than twelve miles an hour or at a rate of speed greater than is reasonable and proper, and having regard for the traffic and use of the street, avenue or highway, and the condition of the street, avenue or highway, nor at a rate of speed such as to endanger the life or limb of any person. When crossing an intersection of streets, avenues or highways, within the said city, motor vehicles shall not be driven at a speed exceeding six (6) miles per hour. Provided, that the speed limits in this section shall not apply to physicians or surgeons or police or fire vehicles or ambulances, when answering emergency calls demanding excessive speed.

Section 2

Every motor vehicle while in use on the public streets, avenues and highways of the said city shall be provided with good and sufficient brakes, and with a suitable bell, horn or other signal, and shall have exhibited during the period from one-half hour after sunset to one-half hour before sunrise one or more lamps showing shite lights visible within a reasonable distance from the direction toward which such vehicle is proceeding, and a red light visible from the reverse direction.

Section 3

Whenever any person traveling with any vehicle or conveyance on any street, avenue or highway within the said city shall overtake another vehicle or conveyance traveling in the same direction and shall by sound or call indicate to the driver thereof his or her desire to pass, it shall be the duty of the driver of the vehicle or conveyance in front, if the nature of the ground or the condition of the load will permit it, to promptly turn to the right of the center of the street, avenue or highway, and the driver of the vehicle or conveyance behind shall then turn to the left of the center of the street, avenue or highway and pass by without interfering or interrupting and the driver of said vehicle or conveyance passing shall not return to the center of the street, avenue or highway until at least thirty feet ahead of the vehicle or conveyance passed.

Section 4

No person, when operating a motor vehicle on any street, avenue or highway within the said city, shall open the cut-out on the motor vehicle so operated, but shall keep the same closed so that the exhaust from the engine shall pass through the muffler.

Section 5

The violation of any of the provision of this ordinance shall be deemed a misdemeanor punishable by a fine not exceeding fifty dollars for the first offense, and punishable by a fine of not less than fifty dollars nor more than one hundred dollars, or imprisonment not exceeding sixty days in the city jail, or by both such fine and imprisonment for each subsequent offense.

Section 6

That Ordinance No. 45 be, and the same is hereby repealed.

Section 7

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 3rd day of September, 1913.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

•ORDINANCE NO. 52

An ordinance directing the calling of a special election for the purpose of submission to the electors of LeRoy, Kansas, the proposition of voting bonds for the purpose of constructing works for the purpose of supplying said city and it's inhabitants with electric lights.

Be it ordained by the mayor and councilmen of the City of LeRoy, Kansas.

Section 1

That there be a special election held in the City of LeRoy, Kansas, on the 9th day of December, 1913, for the purpose of submitting to the election of said city, the question of granting said mayor and councilmen of the City of LeRoy, Kansas, authority to issue negotiable coupon bonds of said city, for the purpose of constructing works for the purpose of supplying said city and it's inhabitants with Electric Lights.

Section 2

That said amount of bonds to be issued is \$13,000.00 to be in denominations not exceeding \$1,000.00 each, to bear interest at a rate not in excess of five per-cent per annum and to mature not more than thirty-years after their date.

Section 3

That the mayor and city clerk of the City of LeRoy, Kansas, be and are hereby directed to cause to be published for three consecutive weeks, a notice calling said special election, said notice to state the amount of bonds proposed to be issued, the purpose of the issue and the polling place at which the election shall be held.

Section 4

That said election shall be held in the south room of the building on Lot fifteen (15) of Block thirty-eight (38) in the City of LeRoy, Kansas.

Section 5

This ordinance shall be in full force and effect upon its passage and publication in the LeRoy Reporter, the official newspaper of said city.

Dated this 5th day of November, 1913.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

● **ORDINANCE NO. 53**

An ordinance authorizing the issuance of bonds to the amount of \$13,000.00 for the purpose of constructing works for the purpose of supplying the City of LeRoy, Kansas, and its inhabitants with electric lights.

Whereas, pursuant to an ordinance duly and regularly passed and published directing the calling of an election for the submission to the electors of the City of LeRoy, Kansas of the proposition to vote bonds for the purpose of constructing works for the purpose of supplying said city and its inhabitants with electric lights, passed on November 5, 1913, and published, November 14, 1913, an election was duly and regularly called under a notice stating the time thereof, the amount of bonds proposed to be issued, the purpose of the issue and designating the polling place, at which the election should be held, said notice being duly signed by the mayor and city clerk and published in the official newspaper of said city for three consecutive weeks; the first publication being more than twenty days prior to the day fixed for such election, and such election was duly and regularly held in said city of LeRoy, Kansas, on December 9, 1913, for the purpose mentioned in said ordinance, and said notice said election being conducted in all respects as provided by law for the holding of elections in cities of the third class, and the ballots used in said election being in the form prescribed by Chapter 101 of the laws of Kansas of the year 1909; and

Whereas, it appears from the canvass of the returns of said election duly and regularly made by the mayor and councilmen of said city sitting as a board of canvassers on December 18, 1913 that the mayor and council were authorized and directed by a majority of the electors voting at such election to issue bonds of said city to the extent of \$13,000.00 for the purpose of constructing works for the purpose of supplying said city and its inhabitants with electric lights. Now therefore,

Be it ordained by the mayor and councilmen of the City of LeRoy, Kansas:

Section 1

That for the purpose of constructing works for the purpose of supplying the City of LeRoy, Kansas, and its inhabitants with electric lights, the mayor and city clerk be and they are hereby authorized and directed to prepare, execute and issue under the seal of the City of LeRoy, Kansas, negotiable coupon bonds of said City of LeRoy in the principal sum of \$13,000.00 (thirteen thousand dollars). Said bonds shall be designated, "Electric Light Bonds" series 1 and shall be 26 in number, numbered from 1 to 26 both inclusive and of the denomination of \$500.00 each. They shall bear date of March 1, 1914, and bear interest from date at the rate of five per centum per annum, payable semi-annually on the first days of March and September of each year. Both principal and interest shall be payable at the office of the state Treasurer of the city of Topeka, Kansas. The principal of said bonds shall be payable in 20 years from the date of their issuance. Said bonds and interest coupons shall be made payable to bearer. The city shall have the right on any interest paying date on and after the first day of March 1922 to take up any of said bonds by depositing the principal and interest then due in the office of the State Treasurer at Topeka, Kansas, accompanied by the number or other appropriate designation of the bonds to be taken up. The fac-simile signature of the mayor and city clerk printed or stamped on the coupons, shall be taken and the same are hereby adopted as the official signature of said officers on said coupons.

Section 2

That said bonds, when signed by the mayor and attested by the signature of the city clerk with the seal of the city, affixed thereto shall be registered by the city clerk and the county clerk of Coffey County, and shall then be presented to and registered with the state auditor, as required by law,. After being so registered said bonds shall be negotiated at not less than their par value and the proceeds of such sale shall be placed in the city treasury and designated “Electric light construction fund”, and used solely for the purpose of constructing works to supply the city and it’s inhabitants with Electric lights.

Section 3

That the mayor and council shall levy taxes on all the property in the city in addition to other taxes, and at the time of making the levy for other city taxes in an amount sufficient to pay all of the interest coupons on said bonds, as they become due, and shall make provision from time to time for a sinking fund to redeem at maturity all of the bonds hereby authorized, which sinking fund shall remain irrevocably pledged for the redemption of said bonds so long as any of them remain outstanding.

Section 4

That this ordinance shall take effect and be in force from and after it’s passage and publication in the LeRoy Reporter.

Passed in council February 4, 1914.

Harry L. Covert, City Clerk

Approved February 4, 1914, A.S. Green, Mayor

First Published March 27, 1914

● **ORDINANCE NO. 54**

Being an ordinance providing for Municipal Supervision of Electric wiring and apparatus in the City of LeRoy, Kansas.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

The mayor shall appoint, with the consent of the council, some competent person to act as Electrical Inspector, who shall hold office until May 1st, 1915, or until his successor has been appointed and qualified, and at the regular meeting of the council in May 1915, and each two years thereafter a new Electrical Inspector shall be appointed.

Section 2

The Inspector shall have jurisdiction over both inside and outside wiring and apparatus, and shall have power to direct the installation, maintainance or removal thereof, and to this end, he shall have access to all building etc., at all reasonable hours.

Section 3

Persons desiring to install electric wiring or apparatus, either inside or outside, whether new or alterations in or additions to the old, shall first be required to get a permit. The application for the permit shall be to the Electrical Inspector and shall be in writing describing in detail the work to be undertaken. Due notice shall be given on completion of the work, so that the Inspector can make final examination, and the Inspector shall issue a certificate of satisfactory inspection before current shall be turned on.

Section 4

All work and equipment shall conform to the “National Board of Underwriter’s” latest code.

Section 5

Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof, by the Police Judge, be fined in any sum not less than \$5.00 nor more than \$50.00.

Section 6

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed and approved this 18th day of March, 1914.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

Published July 10, 1914

● **ORDINANCE NO. 55**

An ordinance prescribing rules and regulations for the maintenance of the LeRoy Electric Light Plant, of LeRoy, Kansas, and providing penalties for the violation of the same.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

The LeRoy City Municipal Electric Light Plant of LeRoy, Kansas, shall be under the immediate charge and supervision of the Superintendent of said LeRoy Municipal Electric Light Plant, who shall be appointed by the mayor, by and with the consent of the council. The said superintendent shall obey all orders of the mayor and council when legally and properly communicated to him and he shall be at all times accountable to them. He shall receive such salary as may be agreed upon, to be paid monthly, and he shall hold his office for such time as the Mayor and Council may deem proper. Said superintendent shall have direction and authority over any assistant or assistants, as the Mayor and Council shall employ from time to time.

Section 2

It shall be the duty of the superintendent to superintend all machinery owned by the city to install new machinery and electrical apparatus, to do the necessary repairing on the same, to do the necessary line work and running of service to houses, to inspect all electrical work with approval, of the Mayor, approve or condemn the same, to place all meters, to do house wiring if instructed to do so by the council, to purchase with the approval of the Mayor and Council, all oil, supplies and material for the upkeep and extension of the plant and to perform such other services, as may be imposed upon him by order of the Mayor and Council, or as shall come properly in his department and not herein specially specified.

Section 3

Any person may obtain electric current at the following rates per kilowatt hour:

12 cents per kilowatt for first 25 kilowatts use

10 cents per kilowatt for second 25 kilowatts used

8 cents per kilowatt for third 25 kilowatts used

6 cents per kilowatt for all current used over 75 kilowatts, with a minimum rate of one dollar per month.

All electric current so used shall be measured by an integrating Watt hour meter, said meter to be furnished and installed free by the City, the consumer to first have installed all necessary wire supplies and appliances including fuse block and service switch with service lines three feet outside of building, and an asbestos covered meter board.

Section 4

Upon written application being filed with the City Clerk or Superintendent, the city will install, as soon as practicable and keep in repair free of charge, a standard service for light, consisting, of wire from pole to building, necessary insulation pins, braces and brackets. Provided that all material used shall remain the property of the city, and subject to it's direct control. Provided further; That should it appear that any injury to a standard service has been caused by the fault of the consumer or member of his family, said injury will be repaired by the city at the cost of the consumer.

Section 5

The city shall keep all meters in good repair and the superintendent may enter any premises at any reasonable hour for the purpose of testing or changing the meter without expense to the consumer.

Section 6

Any person not licensed by the city who shall change, molest or interfere with any wiring, meter, transformer pole or other part of the Municipal Electric Light Plant, of the City of LeRoy, or any person who shall nail, tie, or make fast any sign, board, wire or fence to any pole or lamp post, or who shall tie or hitch or make fast any horse, mule, cow or any other domestic animal to any pole or lamp post, to injure, deface or destroy any building or other property belonging to or connected with the Municipal Electric Light Plant of the City of LeRoy, shall upon conviction, be deemed guilty of a misdemeanor and fined in a sum not less than one dollar or more than one hundred dollars.

Section 7

It shall be the duty of the superintendent to read or cause to be read by an assistant all electric light meters not earlier than the 25th, or later than the last day of each month. All bills and charges on account of the Municipal Electric Light Plant are due the City the first day of each month and at the office of the City Clerk, and if not paid by the 10th of the month the superintendent shall dis-connect the consumer so owing the City, and no service shall be rendered the consumer until such bill is paid.

Section 8

Any consumer desiring to leave premises vacant for one month or more may notify the superintendent of his desire and said superintendent shall disconnect his premises from service wire and connect the same again when premises are occupied. Provided, if such vacancy is not reported to the superintendent then the minimum price will be collected.

Section 9

The regular hours of service shall be from dusk to 12 o'clock midnight, with morning service from 5 o'clock A.M., to daylight.

Section 10

This ordinance shall be in full force and effect from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor the 1st day of July, 1914.

A.S. Green, Mayor

Attest Harry L. Covert, City Clerk

Being an ordinance regulating the moving of buildings on the streets of the City of LeRoy.

Be it ordained by the Mayor and Council of the City of LeRoy.

Section 1

Any person who shall desire to move any house or other building over the streets of LeRoy shall first make application to the Mayor of said City for permission to do so and at the time of making said application shall deposit with said Mayor, to be by him approved, a good and sufficient bond of not less than Fifty dollars to secure said City, or property owners of said City, against any damage to electric or telephone wires or other property, and to recompence them for any trouble caused by having to remove or change said wires.

Section 2

Upon receiving application to move any building over and across the streets of said City, the Mayor shall instruct the Street Committee to go over and designate the best route for the building to be moved, and the person making the application shall move the building along the route specified by said Street Committee.

Section 3

When ready to move a building, the person moving same, shall notify any and all persons having wires crossing the route over which the building will be moved, and the person or persons owning said wires shall removed or change the same so that the building can pass.

Section 4

Persons having wires which they have to move or change in order to let a building through the street, shall receive a reasonable compensation for their trouble, the same to be paid by the person moving the said building, and if they are unable to agree on the amount to be paid, then the amount to be so paid shall be so decided by the said street committee.

Section 5

Any person who shall violate any of the provisions of this ordinance, shall upon conviction thereof, by the Police Judge, be fined in any sum not exceeding one hundred dollars.

Section 6

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 3rd of February, 1915.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

Published March 12, 1915

● **ORDINANCE NO. 57**

Being an ordinance appropriating money for lighting of the streets of LeRoy.

Be it ordained by the Mayor and Council of the City of LeRoy.

Section 1

The City of LeRoy shall pay into the Electric Light Fund of the City, the sum of Fifty Dollars each month in payment for the electric current furnished by said Light Plant to operate the street lights of said City.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 3rd day of March, 1915.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

Published March 12, 1915

•ORDINANCE NO. 58

Being an ordinance calling a city election to be held in the City of LeRoy, Kansas, designating polling place and providing judges and clerks for same.

Be it ordained by the Mayor and City Council of the City of LeRoy, Kansas.

Section 1

There shall be a city election held in the City of LeRoy, Kansas, on Monday the 5th day of April, 1915 for the election of the following city officers to serve for the ensuing two years: Mayor, five Councilmen and a Police Judge.

Section 2

The place of holding the election shall be in the South Room of the building located on Lot 15 of Block 38 of said City. The polls will be open at 8 o'clock a.m. and close at 6 o'clock p.m.

Section 3

The Election Board shall be as follows: Judges – W.R. Stewart, J. Johnson and W.S. Murrah. Clerks – E.L. Gentry and J.C. Kitterman.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 3rd day of March 1915.

A.S. Green, Mayor

Attest: Harry L. Covert, City Clerk

Published June 11, 1915

•ORDINANCE NO. 59

Being an ordinance to amend *Section Three (3)* of Ordinance No. Fifty-five (55).

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

That that part of *Section Three (3)* of Ordinance No. Fifty-three reading a minimum rate of one Dollar per month "be changed to read" a minimum rate of Seventy-five Cents per month.

Section 2

This Ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this second day of June, 1915.

W.W. Smith, Mayor

Attest Harry L.

•ORDINANCE NO. 60

Being an ordinance requiring the owners of real estate to keep their property and lots clear of weeds, brush and rubbish.

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas.

Section 1

It shall be the duty of the owners of all lots and pieces of ground within the corporate limits of the City of LeRoy, Kansas, to keep said property clear of all weeds, brush and rubbish.

Section 2

If any such owner shall fail to keep said lots or pieces of ground clear of weeds, brush or rubbish as provided by *Section 1* of this Ordinance, it shall be the duty of the Committee on Health to condemn the lots or pieces of ground, specifying with reference to such failure and to direct the City Marshal to notify such owner or his agent or tenant of such condemnation, and that unless said weeds are cut or said brush or rubbish is forthwith removed to conform to the said provision of *Section 1* of this ordinance. The City Marshal shall cause the same to be done and the expense thereof shall be charged against said lots or pieces of ground.

Section 3

Upon the failure of said owner or owners to comply with this ordinance and the requirements of said notice, it shall be the duty of th City Marshal to cause said weeds to be cut or said brush or rubbish to be removed and to certify the expense thereof to the City Council together with the description of the lands on which said work shall have been done and the name of the owner thereof, and unless said council shall for good cause shown set aside said condemnation, the City Clerk shall certify said expenses, together with the annual tax levy, to the County Clerk to be placed on the tax roll of said county and collected the same as other taxes.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor, this 7th day of June, A.D. 1916.

W.W. Smith, Mayor

Attest: Harry L. Covert, City Clerk

•ORDINANCE NO. 61

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas.

That *Section 7* of Ordinance No. 5 be and the same is hereby amended so as to read as follows:

Section 7

Any person who owns, keeps or harbors a dog or bitch, or permits a dog or bitch to be or stay on the premises occupied by such person within the City of LeRoy, and who shall allow or

permit such dog or bitch to run at large within said city without first paying an annual license of five dollars (\$5.00) for such dog and ten dollars (\$10.00) for such bitch, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than two dollars, nor more than ten dollars.

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 7th day of June, A.D. 1916.

W.W. Smith, Mayor

Attest: Harry L. Covert, City Clerk

•ORDINANCE NO. 62

Being an ordinance calling a City Election to be held in the City of LeRoy, Kansas.

Section 1

There shall be a City election held in the City of LeRoy, Kansas on Monday the 2nd day of April A.D. 1917 for the election of a Mayor, five Councilmen and a Police Judge to serve for the ensuing two years.

Section 2

The place of holding the election shall be in the building occupied by the Brant Real Estate office on Lot 18, Block 52, in said city.

Section 3

The election Board shall be as follows: Judges, F.F. Havens, Geo. Cox, F.W. Sidofsky. Clerks, C.C. Gray, Elmer Lankton.

The polls will open at 8 o'clock A.M. and close at 6 o'clock P.M.

Section 4

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 7th day of March, 1917.

W.W. Smith, Mayor

Attest: R.J. McKinney, City Clerk

•ORDINANCE NO. 63

Being an ordinance repealing Ordinance No. 61 of the Laws of the City of LeRoy, Kansas, and amending Section 7 of Ordinance No. 5 of the Laws of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas:

Section 1

That Ordinance No. 61 be and hereby is repealed.

Section 2

That Section 7 of Ordinance No. 5 be and hereby is amended to read as follows: *Section 7*, any person who owns, keeps or harbors a dog or bitch, or permits a dog or bitch to be or stay upon the premises occupied by such person with in the city of LeRoy, Kansas, and who shall allow or permit such dog or bitch to run at large within said city without first paying an annual license tax of two dollars for each dog and four dollars for each bitch, shall be deemed guilty of a

misdemeanor and upon conviction thereof shall be fined in any sum not less than two dollars nor more than ten dollars.

Section 3

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 4th day of April, 1917.

A.D. Finley, Mayor

Attest: R.J. McKinney, City Clerk

•ORDINANCE NO. 64

An ordinance requiring automobiles to be parked in center of Main Street between Sixth street and Kansas Ave., only, also requiring all vehicles and automobiles to go to intersections of above named streets to turn and observe rules of keeping to right at all times.

Be it ordained by the Mayor and Council of the city of LeRoy, Kansas.

Section 1

Any person parking an automobile on Main street, between Sixth street and Kansas Avenue, must park said automobile in center of street and no driver of an automobile or vehicle of what soever kind shall be permitted to turn said automobile or vehicle within said above described place but at all times must go to the intersection of the above named streets to turn and must observe rules of keeping to rights at all times.

Section 2

The violation of the provisions of *Section 1* of this Ordinance shall be deemed a misdemeanor, punishable by a fine not exceeding \$2.50 for the first offense, and punishable by a fine of not less than \$5.00 nor more than \$25.00 or imprisonment not exceeding 10 days in the city jail or by both such fine and imprisonment for each subsequent offense.

Section 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 7th day of August A.D. 1918.

A.D. Finley, Mayor

Attest: George Sims, City Clerk

Published December 26, 1885

•ORDINANCE NO. 64a

Being an ordinance granting the right-of-way through the City of LeRoy to the Verdigris Valley, Independence and Western Railroad.

Be it ordained by the mayor and council of the City of LeRoy.

Section 1

That in consideration of the benefits to be derived by the inhabitants of the City of LeRoy, in the County of Coffey, and State of Kansas, provision and authority is hereby given and granted to the said railway company, and they are hereby authorized under the conditions and restrictions herein after set forth, to lay down, operate, maintain, and establish a railroad track upon, along

and across the following described streets and alleys and also upon and across the following described lots and blocks in said city, viz: Across tenth street, and across lots 1, 2, 3, 4, 5, 6, and 7, in block No. 13 in a southwesterly direction to "D" street thence south on "D" street across Ninth, Eight, Seventh, Nebraska avenue, Kansas avenue, Sixth, Fifth, Fourth, Third, and Second Streets, at their junction with "D" street thence in a southwesterly direction along "D", and across and through Lots 11, 12, 13, 14, 15, 16, and 17 in Block No. 82, thence in same direction across First street, and Lots 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, and 20, in Block No. 89, and across the alley in said Block, thence in same direction across Walnut Street, and across Lots 1, 2, and 3, in Block No. 96, thence across California street and Lots 16 and 17 on Fractional Block No. 95, to the bank of the Neosho River, and said Railway Company are authorized under the conditions and restrictions hereinafter set forth, to lay down, operate, and maintain their track and road along, and across the streets, alleys, lots, and blocks, aforesaid, within the limits of said city.

Section 2

The above granted right and authority to lay down, operate and maintain said railroad track above mentioned, be and the same is hereby granted to the said railway company and their successors and assigns perpetually, and the said company shall maintain and keep the same, when established, in good repair and proper condition at the expense and cost of the said company.

Section 3

That said railway company shall not at any time allow or permit their engines, freight or passenger cars to stand upon or occupy the crossings of any of the streets or avenues, intersections, or crossing the same or for getting on or off the passengers and the discharge of freight.

Section 4

That the said railway company shall so construct and maintain the road bed, and tracks as aforesaid, over and along the said streets and avenues, as aforesaid, so as not to prevent or interfere with the passage of wagons, drays, or other vehicles, along, and across said railroad, or track and at the crossings of all the streets and avenues the said company shall cover their track for a space of three feet outside the same with some material (except the iron rails) or pave and macadamize the same under the directions of the city street commissioner or engineer (if there be one) and keep the same in good repair for the term of this ordinance.

Section 5

That nothing herein contained or expressed shall be held or understood to mean that the City of LeRoy shall be prevented from giving permission ;to any other railway, or individual or company to lay down, operate, and maintain, a railway track or tracks on the said streets, avenues and grounds specified as, aforesaid, should it hereafter be deemed proper by said city so to do, and to regulate the speed of all trains within the incorporated limits of the city.

Section 6

That said railway company shall protect and indemnify and hold harmless the City of LeRoy from all liability from damages resulting to private individuals and citizens of property by reason of any rights herein conferred except as to the right-of-way which is to be paid for, and settled by the city, and that no exclusive right of the streets, alleys and lots, and blocks, above described and mentioned wherein said track may be laid, as aforesaid, shall be taken to have been granted herein but only the location of said track thereon, as shall be necessary for the operation of said road afore mentioned and full police power and authority is hereby retained, and assumed by the City of LeRoy to enforce the due observance of the provisions of this ordinance.

Section 7

That if said railway company violates the provisions of this ordinance or any of them or shall permit the same to be done or if any of the officers, agents, or employers shall violate the same, or neglect or refuse to perform the requirements herein contained or fail to perform any of the obligations herein required to be performed on their part, then this ordinance shall be null and void, so far as any right-of-way or grants to said company are concerned and the said company or successors or assigns shall in all respects be deemed to have forfeited the same, and it shall be lawful for said city to take full possession of the portion of said streets, avenues, or alleys, lots or blocks, the use of which by said railroad company is given, as aforesaid, and remove and take up any and all tracks which may be laid down as aforesaid under this ordinance.

Section 8

That for the purpose of determining the injury to private property and to compensate persons injured there by adequate compensation therefore by reason of the right-of-way to said railway company heretofore set forth and provided for, the mayor shall appoint, by and with the consent of the councilmen of the City of LeRoy, five disinterested householders of said city whose duty it shall be after being first duly sworn to faithfully and impartially to make the assessments to them submitted, to appoint a time certain when they will proceed to examine the lots and blocks and pieces of ground heretofore, given for right-of-way of said railroad company, and give notice thereof to the proper owners of said lots or blocks or ground by written or printed notice served on each person, so claiming damage or on their authorized agents, if there be one in the county, if not, by one insertion of said notice in the LeRoy Reporter at least ten days next before the time for their meeting to assess said damages or injuries.

Section 9

That it shall be, and it is hereby made the duty of said persons so appointed to assess such damages or injuries, to meet at such time, and place as they shall appoint, and after being duly sworn as provided by statute to proceed and examine each piece, lot, or block, affected by the right-of-way heretofore given, and to assess and determine the amount of injury to each individual person and lot or part of lot, affected thereby, and return and file their report in writing duly signed to the clerk of the City of LeRoy within ten days thereafter.

Section 10

That said commissioners, so appointed, shall receive for their compensation from the city treasurer on the order of the council the sum of two dollars each for each and every day they shall necessarily be employed in their duties as such commissioners.

Section 11

That this ordinance shall not take effect nor confer any right until the said railway company, or their legal representatives, shall file in the city clerk's office their written acceptance of the terms thereof which acceptance shall be filed within twenty days from the publication of this ordinance and after the said acceptance of the terms of this ordinance, as aforesaid and the publication of the same. The said railway company shall proceed within a reasonable time and without unnecessary delay, to work in laying down and establishing the track as aforesaid and effecting the end proposed by this ordinance.

This ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter, and the filing of the acceptance by said railway company, as herein provided.

Passed by the council and approved by the mayor this 22nd day of December, AD 1885.

•ORDINANCE NO. 65

Being an ordinance calling a city election to be held in the city of LeRoy, Kansas.

Section 1

There will be a city election held in the city of LeRoy, Kansas, on Monday the 7th day of April, A.D. 1919, for the election of a mayor, five councilmen and a police judge to serve for the ensuing two years.

Section 2

The place of holding the election shall be the north room of the Frank Fokele building on Lot 17, Block 45 of said city.

The polls shall be open at 8 o'clock A.M. and close at 6 o'clock P.M.

Section 3

The electing board shall be as follows: Judges – M.H. Beard, J.A. Smith and Geo. Cox.
Clerks – Andrew Lankton and Frank Sidorfsky.

Section 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 5th day of March, 1919.

Mayor A.D. Finley
Attest: Clerk George Sims

Published Nov. 14, 1919 in LeRoy Reporter

•ORDINANCE NO. 66

Be it ordained by the City Council of the City of LeRoy, Kansas, of the County of Coffey, State of Kansas.

Section 1

That permission and authority is hereby given and granted to the Standard Oil Company, a corporation organized and doing business under and by virtue of the laws of the State of Indiana, to construct and maintain for a period of twenty (20) years on the following described property, to wit: "Beginning at a point two Hundred and Twenty-four (224) feet North of the Northeast corner of "E" and Tenth Street, thence East Fifty (50) feet; thence North one Hundred and Forty-five (145) Feet; thence West Fifty (50) Feet; thence South One Hundred and Forty-five (145) Feet to point of beginning, in the City of LeRoy, County of Coffey, State of Kansas". Warehouse, tanks and other buildings necessary for it's business, and to store therein Coal Oil and Gasoline, the products of Petroleum, in quantities sufficient to meet the requirements of its said Business.

Section 2

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3

This ordinance shall be in force and effect one and after it's passage and acceptance in writing by the said Standard Oil Company, an Indiana Corporation.

Passed by the council and approved by the mayor this 5th day of November 1919.

Mayor M.H. Beard
Attest: Clerk J.S. Johnson

•ORDINANCE NO. 67

An ordinance for the organization of a fire department in the city of LeRoy, Kansas and to define the duties and privileges of the department.

Be it ordained by the Mayor and Councilmen of the City of LeRoy.

Article I

Section 1

The department shall consist of one fire chief, first assistant fire chief, second assistant fire chief and twelve or more firemen.

Article II

Section 1

The duties of the fire chief shall consist of (first) to have control of all fire fighting apparatus belonging to the city of LeRoy, Kansas;; (second) to be in charge of all the force (under the mayor) in case of fire and to command and direct the same; (third) to have care and keeping of all fire apparatus.

Article III

In the absence of the fire chief, the first assistant shall be in full charge the same as fire chief, in the absence of the fire chief and first assistant, the second assistant shall be in charge.

Article IV

Section 1

The fire company shall have the undisputed right of way on all streets, alleys or any passage way within the city of LeRoy, Kansas, and it shall be unlawful for any person to obstruct the passage of the fire company in going to or from any fire.

Section 2

It shall be unlawful for any person to refuse to give assistance, assistances without reasonable excuse when ordered to do so, by any member of the fire company.

Article V

Any person or persons violating any of the provisions of this ordinance shall upon conviction thereof be deemed guilty of a misdemeanor, and shall be fined in the sum of not less than \$50. nor more than \$100.00 or 10 days in jail.

Article VI

This ordinance shall be in force and effect from and after it's passage and publication in the LeRoy Reporter.

Passed this 9th day of February, 1921

Approved this 9th day of February, 1921, William H. Cox, President of Council.

Attest: J.S. Johnson, City Clerk

•ORDINANCE NO. 68

Being an ordinance calling as city election to be held in the City of LeRoy, Kansas.

Section 1

There will be a City election held in the city of LeRoy, Kansas, on Monday the 4th day of April A.D. 1921, for the election of a Mayor, Five Councilmen and a Police Judge to serve for the ensuing two years.

Section 2

The place of holding the election shall be in J.M. Holmes Garage on lots one and Two Block 46 in said City.

Section 3

The election board shall be as follows: Judges, E.A. Ross, T.W. Sidorfsky, J.A. Smith. Clerks, Hellen Cox, Grace Kersey.

Section 4

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed this 2nd day of March 1921.

Approved this 2nd day of March 1921, W.H. Cox, Act. Mayor

Attest: J.S. Johnson, City Clerk

•ORDINANCE NO. 68a

An ordinance directing the calling of an election for the submission to the electors of the city of LeRoy, Kansas, of the question whether said city shall issue bonds to the amount of \$20,000.00 for the purpose of extending and improving works for the purpose of supplying said city and it's inhabitants with electric lights.

Whereas, the Mayor and Council of said city deemed it necessary and advisable for the interests of said city and it's inhabitants that the works owned by said city for the purpose of supplying such city and it's inhabitants with electric light should be extended and improved and desire to submit to the electors of said city the question whether said city shall issue bonds to the amount of \$20,000.00 for the purpose of extending and improving said works for the purpose of supplying said city and it's inhabitants with electric lights.

Wherefore, Be It Ordained by the Mayor and Council of the City of LeRoy, Kansas.

Section One

That the Mayor and City Clerk of the city of LeRoy, Kansas, be and they are hereby authorized and directed to call an election to be held in said city on July 26, 1921, in accordance with the laws of the State of Kansas for the submission to the electors of said city of the question whether said city shall issue bonds to the amount of \$20,000.00 for the purpose of extending and improving works for the purpose of supplying such city and it's inhabitants with electric lights.

Section Two

The question of the issuance of said, bonds shall be submitted at such election in the following form: "Proposition to issue bonds of the city of LeRoy, Kansas, to the Amount of

\$20,000.00 for the purpose of extending and improving Works for the purpose of supplying said city and it's inhabitants with electric lights.

Section Three

The Mayor and Council are directed to give notice of such election in the time and manner provided by law.

Section Four

This ordinance shall take effect and be in force from and after it's passage, approval and publication according to law.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

• **ORDINANCE NO. 69**

An ordinance directing the calling of an election for the submission to the electors of the City of LeRoy, Kansas, of the question whether said city shall issue bonds to the amount of \$20000.00 for the purpose of extending and improving works for the purpose of supplying said city and it's inhabitants with electric lights.

Whereas the Mayor and Council of said City deemed it necessary and advisable for the interests of said city and it's inhabitants that the works owned by said city for the purpose of cupplying such city and it's in inhabitants with electric light chall be extended and improved and desire to submit to the electors of said city the question whether said city shall issue bonds to the amount of \$20000.00 for the purpose of extending and improving said works for the purpose of supplying said city and it's inhabitants with electric lights.

Wherefore, be it ordained, by the mayor and Council of the City of LeRoy, Kansas,

Section One:

That the Mayor and City Clerk of the City of LeRoy, Kansas, be, and they are hereby authorized and directed to call and election be held in said City on July 26, 1921, in accordance with the laws of the State of Kansas for the submission to the electors of said city of the question whether said city shall issue bonds in the amount of \$20000.00 for the purpose of extending and improving works for the purpose of supplying such city and it's inhabitants with electric lights.

Section Two:

The question of the issuance of said bonds shall be submitted at such election in the following form:

“Proposition to issue bonds of the City of LeRoy, Kansas, to the amount of \$20,000.00 for the purpose of extending and improving works for the purpose of supplying said city and it's inhabitants with electric lights.”

Section Three:

The Mayor and Council are directed to give notice of such election in time and manner provided by law.

Section Four:

This ordinance shall take effect and be in force from and after passage, approved and for publication according to law.

Frank Brant, Mayor

J.S. Johnson, City Clerk

•ORDINANCE NO. 70

An ordinance authorizing and directing the issuance of bonds of the City of LeRoy, Kansas, to the Amount of \$20,000.00 for the purpose of supplying said city and it's inhabitants with electric lights.

Whereas, at an election duly called and held in the city of LeRoy, Kansas, on the 26th day of July, 1921, after notice thereof had been duly given for the time and in the manner required by law, more than a majority of the electors voting as such election voted in favor of the issuance of the bonds of the City of LeRoy, Kansas, to the Amount of \$20,000.00 for the purpose of extending and improving Works for the purpose of supplying said city and it's inhabitants with electric lights; therefore,

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

That for the purpose of extending and improving Works for the purpose of supplying said City and it's inhabitants with electric lights, there are hereby directed to be issued 40 electric light construction bonds of the city of LeRoy, Kansas, of \$500.00 each, numbering from 1 to 40 both inclusive, and dated September 1st, 1921, and bearing interest evidenced by coupons at the rate of 5% per annum payable semi annually on the 1st day of March and September of each year. Both principal and interest of such bonds shall be made payable at the office of the Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Said bonds shall be signed by the Mayor of such city and attested by the City Clerk with seal of the City affixed. Two of said bonds shall become due upon September of 1929 and two of said bonds shall become due upon September 1st, of each year thereafter to and including September 1st, 1948. The last two bonds of said series to become due on said last named date.

Section 2

Said bonds and coupons shall be substantially in the following form:

United States of America, State of Kansas, No I \$500.00 City of LeRoy, Electric Light Construction Bond.

Know all men by these presents, that the City of LeRoy, in the County of Coffey and State of Kansas, acknowledges itself to owe and for value received hereby promises to pay to bearer \$500.00 lawful money of the United States of America, on the 1st day of September, 1929, with interest thereon from the date hereof until paid, at the rate of 5% per annum, payable semi annually on the presentation and surrender of the annexed interest coupon, as they severally become due and for the punctual payment hereof, both principal and interest, the full faith credit and resources of the City of LeRoy, Kansas, are hereby irrevocably pledged, both principal and interest of this bond are hereby made payable at the office of the Treasurer of the State of Kansas, in the city of Topeka, Kansas. This bond is one of the series of forty of like date and amount issued for the purpose of providing funds for the purpose of extending and improving Works for the purpose of supplying said city of LeRoy, Kansas and it's inhabitants with electric lights under the authority of the laws of the state of Kansas and pursuant to an election duly called and held in said city of LeRoy, Kansas, on the 26th day of July, 1921, and of Ordinance No. 70 of such city duly passed.

And it is hereby certified and recited that all acts, condition and things required to be done precedent to and in the issuing of this bond have been done, happened and performed in regular and due form as required by law, and that the total indebtedness of the City of LeRoy, Kansas, including this bond, does not exceed any constitutional or statutory limitation.

In Witness Whereof, The city council of the City of LeRoy, Kansas, has caused this bond to be signed by the Mayor of such city and attested by the City Clerk under the seal of the city and has caused the annexed interest coupons to be executed with the signatures of such officers as of the 1st day of September, 1921 and duly so issued.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

(Form of Interest Coupon)

No. I On the 1st day of March 1922, the City of LeRoy, Kansas, will pay to bearer twelve dollars and fifty cents at the office of the treasurer of the State of Kansas, in the City of Topeka, Kansas, being the interest due that day on its electric light construction bond dated September 1st, 1921.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

Section 3

Said bonds shall be executed and registered as is required by law, and shall there be sold under the direction of the Mayor and Council, and the proceeds of such sale deposited in the treasury of such city and used for the purpose stated above.

Section 4

All ordinances and parts of ordinances in conflict with this ordinance be, and the same are hereby repealed.

Section 5

This ordinance shall take effect and in force from and after it's passage, approval and publication according to law.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

Published Dec. 11, 1886

●ORDINANCE NO. 70a

Being an ordinance granting the right of way through the City of LeRoy to the St. Louis and Emporia Railroad Company.

Be it ordained by the mayor and council of the City of LeRoy, in the County of Coffey and State of Kansas.

Section 1

That in consideration of the benefits to be derived by the inhabitants of the City of LeRoy, in the county and state aforesaid, authority is hereby given and granted to said railroad company and their successors and they are hereby authorized under the conditions and restrictions hereinafter set forth, to lay down operate maintain and establish a railroad track upon, along and across the following described streets and alleys to wit: Across the alley in block 98, across "E" street, across Walnut street, across the alley in block 90 and across the alley in block No. 97, across First street and along "D" street to intersect the railroad track of the V.V.S. & W. railroad at or near the junction of "D" and Second streets, thence north on and upon the railroad track of the V.V.I & W. road to the north line of said City of LeRoy.

Section 2

That the above granted right and authority to lay down, operate and maintain said railroad and track above mentioned be, and the same is hereby granted to the said railroad company and their successors and assigns perpetually, and the said company shall maintain and keep the same, when established in good repair and proper condition at the expense and cost of said company

and shall pay or satisfy the V.V.S. & W Railway Company for all damages, expenses and use of their said track, at the expense of the company.

Section 3

That the said St. Louis and Emporia Railroad Company shall be subject to all the rules and requirements in laying down operating and maintaining their track, and the running of their cars, together with the construction of crossings of streets as is now provided by Ordinance No. 64, granting the right of way to the V.V.I & W Railway, and be subject to like penalties and obligations in the construction and operation of said railroad.

Section 4

That this ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 1st day of December, 1886.

J.P. Story, Mayor

Attest: G. Wilkinson, City Clerk

•ORDINANCE NO. 71

An ordinance vacating portions of certain streets and part of an alley in the city of LeRoy, Kansas and granting right of way to Missouri Pacific Railroad Company.

Be it ordained by the Mayor and Councils of the City of LeRoy, Kansas.

Section I

That the west one half of D street in the city of LeRoy, between Sixth street and Nebraska avenue be and the same is hereby vacated.

Section II

That the part of Kansas avenue lying north of Lots Nineteen (19) and Twenty (20), in Block Forty-seven (47) and South of the last sixty-four (64) feet of Lot Eleven (11) in Block Forty (40), be and the same is hereby vacated.

Section III

That the last sixty-four feet of the alley lying north of Lots Fifteen (15) of Block Forty-seven (47), be and the Same, are hereby vacated.

Section IV

That the said vacated parts of the Streets and alley, described in *Sections 1, 2 and 3* shall revert and are hereby annexed to the property, abutting thereon or adjoining thereto.

Section V

That the Missouri Pacific Railraod Company is hereby granted the right to construct and forever maintain its depot and such sidetracks as may be necessary on and across and over such vacated portions of such streets and alley therein before

Section VI

The right is hereby granted to said Missouri Pacific Railroad Company to construct and maintain a sidetrack on D street across Nebraska avenue and extending north to Seventh street.

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 25 day of September 1922.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

•ORDINANCE NO. 72

An ordinance vacating certain alley in the City of LeRoy, Kansas.

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas.

Section I

That the alley lying west of Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), and last of Lots Sixteen (16) Seventeen (17), eighteen (18), nineteen (19), Twenty (20), in Block forty three (43), be and the same is hereby vacated.

Section II

That the said vacated alley described in *Section I*, shall revert and are hereby annexed to the property abutting thereon or adjoining streets.

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this Seventh day of Febr, 1923.

Frank Brant, Mayor

Attest: J.S. Johnson, City Clerk

•ORDINANCE NO. 73

Being an ordinance calling a city election to be held in the city of LeRoy, Kansas.

Section I

There will be a city election held in the City of LeRoy, Kansas, on Monday the Second day of April A.D. 1923 for the election of a Mayor, Five Councilmen, and a Police Judge, to serve for the ensuing Two years.

Section II

The place of holding the election shall be in Holmes Garage on Lots One & Two Block Forty six in said city. The polls shall open at 8 o'clock A.M. and close at six P.M.

Section III

The election Board shall be as follows Judges, W.W. Smith, S.J. Carter, Max Coffin. Clerks C.O. Baird, Geo. Sims.

Section IV

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed this Seventh of Feb. 1923.

Approved this Seventh of Feb. 1923

Frank Brant, Mayor
J.S. Johnson, Clerks

Published May 4, 1923

•ORDINANCE NO. 74

Being an ordinance amending *Section 7* of Ordinance No. 2 of the laws of LeRoy, Kansas.

Be it ordained by the mayor and City Council of LeRoy, Kansas.

Section 1

That *Section 7* of Ordinance No. 2 of the laws of the city of LeRoy be hereby amended by substituting the words five thousand dollars \$5000.00, for the words five hundred dollars \$500.00.

Section 2

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by council and approved by Mayor, this 2nd day of May A.D. 1923.

Frank Brant, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 75

Being an ordinance amending *Sec. # 32* of Ordinance # 5 of the laws of LeRoy, Kansas.

Be it ordained by the Mayor and City Council of LeRoy, Kansas.

Section 1

That *Sec. 32* of Ordinance #5 be and is hereby amended by substituting the words twenty five dollars (\$25.00) for the words (\$50.00) fifty dollars.

Section 2

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 5th day of March, 1924.

Frank Brant, Mayor

Attest: S.T. Ferguson, City Clerk

Published March 17, 1924.

•ORDINANCE NO. 76

An ordinance vacating certain streets and alleys in LeRoy, Kansas.

Be it ordained by the mayor and city council of LeRoy, Kansas.

Sec 1

That the alley lying east of lots one (1) two (2) three (3) four (4) five (5) six (6) seven (7) eight (8) nine (9) and ten (10), and west of lots (11) thru sixteen (16) seventeen (17) eighteen (18) nineteen (19) twenty (20) and the T alley lying north of lots eleven (11) twelve (12) thirteen (13) fourteen (14) and fifteen (15) and south of lots sixteen (16), all in block thirty three (33) and the Street known as Leedy Street, leading into Graham Avenue on the west and Central Avenue on the east and lying south 7 lots six (6) and seven (7) in block seven (7) and north of lots one (1) and twelve (12) in block ten (10) Robinson's addition to LeRoy and the alley running north and

south and lying east of lots one (1) two (2) three (3) four (4) five (5) and six (6) and lying west of lots seven (7) eight (8) nine (9) ten (10) eleven (11) and twelve (12) in block ten (10) and the alley running north and south, and lying east of lots one (1) two (2) three (3) four (4) five (5) and six (6) and lying west of lots seven (7) eight (8) nine (9) ten (10) eleven (11) and twelve (12) in block seven (7) in Robinson addition to LeRoy be and the same is hereby vacated.

Sec 2

That the said vacated alleys and streets described in *sec 1* shall revert and are hereby annexed to the property abutting there on or adjoining thereof.

This ordinance shall take effect and be in force from and after it's passage and publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 6th day of March 1924.

Attest: S.T. Ferguson, City Clerk

Published March 21, 1924

•ORDINANCE NO. 77

Being an ordinance amending *Sec. 12* of Ordinance 4 of the laws of LeRoy, Kansas.

Be it ordained by the Mayor and Council of LeRoy Kansas: That *section 12* of ordinance number 4 be and is hereby amended to read as follows:

Section one

Peddlers and handlers of goods, wares, merchandise, notions and other valuable articles, except articles produced or raised in the city or community adjacent to LeRoy, and sold by the producer or their agents, five dollars (\$5.00) per day.

Section two

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 12th day of March 1924.

Attest: S.T. Ferguson, City Clerk

Published Aug 15, 1924

•ORDINANCE NO. 78

Being an ordinance granting the Kansas Utilities Company, its successors and assigns the right to use Ennis Street- City of LeRoy, Kansas, for the purpose of erection and maintaining poles and suspending wires thereon for the conduction of Electricity.

Be it ordained by the Mayor and Councilmen of the city of LeRoy, Kansas.

Sec. 1

That there be and there hereby is granted to the Kansas Utilities Company, its successors and assigns for the period of twenty five (25) years from the date of the publication of this ordinance, the authority to build, operate and maintain poles, wires, guys and all other necessary structures; commencing at the alley south of lots five (5) and ten (10) in block thirty-five (35) thence north to the north east corner of block seven (7) on Ennis Street, in the City of LeRoy, Kansas.

Sec. 2

That the said Kansas Utilities Company, its successors and assigns are hereby granted the right, power and authority to use said street and public ground and places to make all necessary excavation changes in order to build operate and maintain said pole line.

Sec. 3

The said Kansas Utilities Company agrees that they will not sell any Electricity within the City limits of LeRoy, Kansas, or within one fourth miles out from city limits of said City without consent of said city.

Sec. 4

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the mayor this eleventh day of August 1924.

Frank Brant, Mayor

Attest: S.T. Ferguson, City Clerk

Published Aug. 15

•ORDINANCE NO. 79

Being an ordinance fixing license for dance halls in the City of LeRoy, Kansas.

Be it ordained by the mayor and councilmen of LeRoy, Kansas.

Sec. 1

Every person, firm or corporation who shall desire to engage in the operation of a dance hall in the city of LeRoy, Kansas shall before operating such dance hall, pay to the City treasurer the sum of twelve dollars and fifty cents (\$12.50) yearly or a daily license of five (\$5.00) dollars per day, and present the receipt therefore to the City clerk, who shall issue a license entitling such person, fir or corporation to operate such dance hall.

Sec. 2

Any person, fir or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars or no less than ten (10) days or more than thirty (30) days in the city jail, or by both such fine and imprisonment.

Sec. 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this day of August 1924.

Frank Brant, Mayor

Attest: S.T. Ferguson, City Clerk

Published March 5, 1925

•ORDINANCE NO. 80

Being an ordinance calling a City Election to be held in the City of LeRoy, Kansas.

Sec. 1

There will be a City Election held in the City of LeRoy, Kansas, on Monday the sixth day of April, 1925, for the purpose of electing a Mayor, five councilmen and a police judge for the ensuing two years.

Sec. 2

The place of holding said Election shall be in the building on lot 19, block 52 in said city. The polls shall open at 8 a.m. and close at 6 p.m.

Sec. 3

The Election foard shall be as follows: Judges: H.H. Wimer, F.A. Cooksey, and Garth McMillen, Clerks: Miss Flora Shields and Mrs. F.L. Powers.

Sec. 4

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed and approved this 4th day March 1925.

L.V. Watson, Acting Mayor

Attest: S.T. Ferguson, City Clerk

Published May 8, 1925

•ORDINANCE NO. 81

An ordinance to suppress betting, gambling, raffling, punch-boards, and slot machines, and prescribing a penalty for the violation thereof.

Be it ordained by the Mayor and Councilmen of LeRoy, Kansas.

Sec. 1

That it shall be unlawful for any person, firm or corporation to set up or keep any table or gambling device designed for the purpose of playing any game of chance for money or property or the representation thereof.

Sec. 2

That it shall be unlawful for any person to bet or wager or to induce any other person to bet or wager any money property or the representation thereof on any game of chance, race, trail of speed, skill, or endurance of man, beast, or machine.

Sec. 3

That it shall be unlawful for any person, firm or corporation to conduct a raffle or lottery, or to carry on any scheme whereby chance to obtain the possession of any property or the representation thereof are sold, the winner to be determined by drawing after the chances are all or partly disposed of.

Sec. 4

It shall be unlawful for any person or persons to keep or maintain in his or their place of business, or elsewhere any punch-boards or slot machines which do not permit every purchaser to know in advance exactly what he will receive with-out any additions thereto.

Sec. 5

It shall be unlawful for any person, firm or corporation to counsel, aid or assist, abet or procure the playing of any person or persons on with or at any of the games, devices or deceits mentioned in this ordinance.

Sec. 6

Any person, firm or corporation who shall violate any of the provisions of this ordinance, shall upon conviction thereof, be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred (\$100.00) dollars.

Sec. 7

That this ordinance shall be in full force and effect from and after it's publication in the LeRoy Reporter.

Passed by the city council and approved by the mayor this 6th day of May 1925.

F.A. Cooksey, Acting Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 82

Being an ordinance regulating traffic and providing a penalty for the violation thereof.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Sec. 1

That the owner, operator or person in charge of any vehicle shall conform to and observe the following and regulations on all streets, alleys and public places is this City.

Sec. 2

That for its purpose of this ordinance the following terms are defined as follows to wit:
The word "vehicle" includes, equestrians, led horses, and everything on wheels or runners, except baby carriages.

The word "driver" includes the rider or driver of horses, the rider of wheels, and the operator of a vehicle or motorcycle.

Sec. 3

That the following are hereby declared to be the rules of the road of this city.

A vehicle meeting another shall pass on the right.

A vehicle overtaking another shall pass on the left side of the overtaken vehicle and not pull over to the right until entirely clear of it.

That all vehicles shall at all times be operated, driven or ridden on the portion of the street or alley, to the right of the center thereof, except when such portion is in an unpassable condition.

Vehicles moving slowly shall be kept as close as possible to the right hand side of the street, allowing more swiftly moving vehicles a free passage on their left.

A vehicle turning into another street to the right should be turned as near it, the right hand curb as possible.

A vehicle when turning to the left to enter an intersecting street shall be kept a sufficient distance from the left hand curblane to allow safe passage of any vehicle seeking to make a right hand turn from the street to the left on the same intersection at the same time, and shall at all times be driven to the right of the legally established Markers.

Vehicles shall not be turned around in any street or across from one side of the street to the other except at intersections of street, and then shall not be turned to the left until reaching the center of said intersection so as to head in the same direction as the traffic on the street, except to enter or leave places of businesses, such as garages or oil service stations.

Every person in charge of a vehicle shall pull to the right of the street or road when signaled from a vehicle behind desiring to pass.

That upon the approach of any fire apparatus, police patrol or ambulance every vehicle shall be drawn up or near as practicable to the right hand side of the street and remain at a stand still until such apparatus, patrol or ambulance shall have passed.

Whenever vehicles approaching each other on different streets shall reach the intersection of such street at or about the same time, and all things being equal, the vehicle on the right shall have the right away, provided that any vehicle having entered the intersection under proper signals, shall have the right of way over all vehicles outside the intersection.

No vehicle shall be permitted to occupy any street so as to interfere with or interrupt the passage of other vehicles.

Vehicles shall not be stopped on cross walks so as to interfere with the passage of pedestrians. Police, fire department, fire patrol vehicles and ambulances shall have the right of way on any street.

No person shall repair or wash any automobile in any street or alley except in emergency.

No Vehicle shall be driven or moved so as to pass thru, into or interfere with any civic, military or funeral procession, except at the direction of the traffic officer.

Sec. 4

That no one shall ride or jump upon or into any vehicle without the consent of the driver, nor shall any person hang onto any vehicle whatsoever.

That no unauthorized person shall interfere with or molest any vehicle and a mere touching of any vehicle shall be considered as a molesting: provided however, that for the purpose of getting away from the place of standing, a driver may move another vehicle which is so placed that he can not get his vehicle out.

That no person operating a self-propelled vehicle shall permit the motor of same to operate in such a manner as visibly to emit an unduly great amount of steam, smoke or product of combustion.

That not more than one vehicle, with or without motor power, commonly called a trailer shall be attached to another vehicle having motor power.

That no trailer shall be attached to any vehicle in such a manner as to leave more space than five (5) feet between the rear line of the body of the front vehicle and the front of the body of such trailer.

That no vehicle shall tow another in or upon any street or public place unless such vehicles are operated at a distance of not more than fifteen (15) feet apart.

Sec. 5

That no vehicle shall be turned or stopped unless a signal previously shall be given as herein provided by whip or hand, indicating the stop or the direction in which the turn is to be made thus: The hand extended upward at an angle of 45 degrees, indicates that the driver is about to turn to the right; the hand extended downward at an angle of 45 degrees indicates that the driver is about to turn to the left; the hand extended horizontally indicates the driver is about to stop.

All signals shall be given by the driver of the vehicle and by the driver only, from the left hand side or from the drivers side only. In case of collision or accident, caused by the signal being improperly given, or given from the wrong side and either not seen or misinterpreted by another driver the driver of the car giving the wrong signal or giving the signal from the wrong side, shall be held responsible for any damages

Sec. 6

That no vehicle shall be stopped or parked in the city except in conformity with the following rules:

No vehicle shall be stopped with its left side to the curb.

No vehicle, unless in an emergency, or to allow other vehicles or pedestrians to cross it's path shall be stopped in the street, except near the right hand side thereof, and so as not to obstruct a crossing.

Every person in charge of an automobile shall when stopping the same for more than two minutes on Main Street, between Fifth street and Nebraska Avenue, stop said automobile as

designated by markings and not over fourteen (14) inches from adjoining car in center of the street.

A vehicle shall remain backed to the curb only long enough to be loaded or unloaded.

Horns attached to vehicles and the shafts or tongues of unhitched chassis when backed to the curb, shall be turned at right angles to the vehicle or as nearly this angle as possible and in the direction of traffic.

The occupant of any premises may prevent any parking of vehicles on any public street in front of such premises for a space of not to exceed eighteen (18) feet, by placing No. Parking signs in the sidewalk or parking adjacent to the roadway in front of said premises, not to exceed eighteen (18) feet apart, which they are so placed no vehicle shall be parked in the street in the space parallel to that included between them excepting for the purpose of loading or unloading goods, wares, merchandise, materials or passengers.

When there are two or more occupants of any premises who use a common entrance hereof, only one space can be so reserved.

It shall be unlawful to park any vehicle on the streets of this city within ten (10) feet of a fire hydrant or of any intersection.

No vehicle shall be driven across a fire hose.

Sec. 7

That any person operating a motor vehicle on the public streets, lanes, alleys or other public highways within the city shall drive the same in a careful and prudent manner and at a rate of speed that will not endanger the property of another or the life or limb of another, and shall at no time drive at a rate of speed greater than 12 miles per hour. No vehicle shall be driven at a rate of speed greater than 8 miles per hour while crossing intersections of streets or in the fire limits. That no person in charge of any vehicle shall drive the same past any school faster than 12 miles per hour during any time of the year when children are going to or from school, or on the street near such school.

Sec. 8

That all vehicles operated on the streets of this city shall have the following equipment: Every bicycle automobile, or other motor vehicle shall have attached thereto a gong, bell or horn or other adequate signal in good working order, and character, sufficient to give warning of the approach of such vehicle to pedestrians and to riders and drivers of other vehicles, but such signal shall not be sounded except when necessary to give warning.

No siren, whistle, gong, horn or device such as are used by the fire department vehicles, police department vehicles, emergency ambulance, both public and private, U.S. mail Vehicles and the emergency repair vehicles of public utility shall be used on bicycles, motorcycles, automobiles, motor trucks or other vehicles.

Any motor vehicle, while in use on any public street, lane or alley of said city shall be provided with good and sufficient brakes.

Every automobile shall have exhibited during the period from one half hour after sunset to one half hour before sunrise two or more lamps, one on either side of said automobile and every motorcycle and bicycle one lamp showing white light visible within a distance of 300 feet from the direction from which such vehicles is proceeding, and both automobiles and motorcycles or bicycles shall display one red light, visible from the reverse direction and from such direction only.

Every vehicle using gasoline or other explosive mixture as motor power shall use a muffler, which shall be sufficient to deaden the sound of the explosion and such muffler shall not be disconnected or cut out while such vehicle is being operated in any street or alley.

That all headlights on automobiles without dimmer attachments, shall be focused, hooded or painted so as to keep the direct rays of said light not more than two and one half feet above the surface of its ground when the vehicle is standing or running on the level, that on all automobiles with dimmer attachment, said light attachment shall be dimmed so as not to interfere with the vision of any person or persons approaching said automobile on the roadway.

Search lights, spot lights, shall not be used on the streets, except in emergency or when headlight are inadequate owing to rain, fog, etc., and then only provided their shaft of light is directed well downward, below the level of the lamp, and at no time in the presence of estrian or other drivers.

Every vehicle containing any material or load projecting a distance of more than two (2) feet from the rear of said vehicle shall display from thirty (30) minutes after sunset to thirty (30) minutes before sunrise, in the rear of such loads a red light of sufficient rays to be visible a distance of two hundred (200) feet and in the daytime such signal shall be a red flag in place of such red light.

Sec. 9

That the driver of any vehicle, who in any manner injures any person, property or another vehicle, shall stop and give reasonable assistance and shall give the police and the person injured his name and address, and the name and address of the owner of the vehicle who was driving at the time of the accident and the license number of the vehicle.

Sec. 10

That the road beds or driveways of streets, avenues and alleys are primarily intended for vehicles, but pedestrians have the right to cross them in safety and all drivers of vehicles shall exercise proper care not to injure pedestrians. Pedestrians, when crossing a street, shall cross at right angles to said street and at all not interfere carelessly or maliciously with the passage of vehicles.

Sec. 11

That at public gatherings or under unusual circumstances of congested traffic, vehicles shall be parked or shall move or stand as directed by police.

Sec. 12

That no person shall operate or drive a motor vehicle on the streets or alleys of this city unless the official number plate for the current year, furnished by the Secretary of the State of Kansas Or other plate legally recognized by another state shall be conspicuously displayed on the rear of said vehicle or in such other manner as is legal in the state in which said vehicle is registered.

Sec. 13

That it shall be unlawful for any person under fourteen years of age to operate a motor vehicle, and any person who permits a person under fourteen years of age to operate a motor vehicle shall be deemed guilty of a misdemeanor.

Sec. 14

That no person, firm or corporation shall be permitted to operate or drive any tractor or other large vehicle across improved crossings or sidewalks or on any improved street or alley in this city, unless the wheels of said tractor be smooth and free from lugs or projections of any description whatever, except its operation or driver of such tractor or vehicle lay heavy plank for the purpose of making a track for said tractor or vehicle and shall drive said tractor or vehicle on said plank.

Sec. 15

That any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction there of shall be punished by a fine of not less than one (\$1.00) dollar nor more than one hundred (\$100.00) dollars and costs, and in default of payment of such fine and costs shall be imprisoned in the city jail until said fine is paid together with costs in the case or may be confined in the city jail for not less than three (3) days nor more than thirty (30) days. That in addition to the aforesaid described penalty, any person who having been once convicted of violation of any of the provisions of this ordinance and who shall thereafter be convicted a second time of a violation of any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and costs and in default of payment of such fine and costs shall be imprisoned in the city jail for not less than five (5) days nor more than ninety (90) days, or both such fine and imprisonment, and may be prohibited from driving or operating any motor vehicle upon the streets and alleys of the city for such period as the police judge may order.

Sec. 17

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 18

This ordinance shall take effect and be in full force from and after its publication according to law.

Passed city council this second day of September, 1925.

Approved by the mayor on this 2nd day of September, 1925

W.H. Cox, Mayor

Attest: S.T. Ferguson, City Clerk

Published Oct., 16, 1925

•ORDINANCE NO. 83

Being an ordinance amending Sec. 2 of Ordinance #82 of the laws of LeRoy, Kansas.

Sec. 1

Be it ordained by the mayor and city council of the city of LeRoy, Kansas: that Sec. 2 of Ordinance #82 of the laws of LeRoy, Kansas, be and is hereby amended by adding the following: Drivers of all vehicles, whatever kind shall obey all signs, signals and street markings.

Sec. 2

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this seventh day of October 1925.

W.H. Cox

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 84

Being an ordinance providing for maintainance of city marshal, street commissioner and night.....their salaries and prescribing duties of same.

Be it ordained by the mayor and city council of LeRoy, Kansas.

Sec. 1

That city maintain man to act as street commissioner andcommencing April 15, 1926.

Sec. 2

His duties from Apr. 15th to Nov. 15th of all Act as street commissioner and city marshal. Beginning Nov. 15th and to Apr. 15th, his duties shall be to act as city marshal on duty at night.

Sec. 3

The salary of the street commissioner and city marshal shall be seventy five (\$75.00) dollars per month and that of nightwatchman shall be sixty (\$60.00) dollars per month.

Sec. 4

This ordinance repeals all conflicting ordinances.

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this the 7th day of April 1926.

W.H. Cox, Mayor
Attest: city clerk
Passed June 2, 1926

•ORDINANCE NO. 85

Being an ordinance for taxing the owners and harborers of dogs in the city of LeRoy, Kansas, fixing the tax therefore, providing penalties for the violations of the provisions of this ordinance, and repealing *Section 7* of ordinance #5, and repealing ordinance #63 of the city of LeRoy, Kansas, and all ordinances and parts of ordinances in conflict with this ordinance.

Be it ordained by the Mayor and councilmen of LeRoy, Kansas.

Section 1

The owner or harborer of any dog or dogs within the City of LeRoy or any person who permits a dog or dogs to be or stay on the premises occupied by such person within the same City of LeRoy or any person who shall allow or permit such dog or dogs to run at large within said city, shall on the 10th of June in each year, pay the city clerk a tax of two (\$2.00) for each male dog, and four (\$4.00) for each female dog so owned, kept or harbored or permitted to be or stay on the premises occupied by him or allowed or permitted to run at large with in the said city of LeRoy.

Section 2

The owner, keeper or harborer of any dog or dogs or any person permitting a dog or dogs to be or stay on the premises occupied by him or any person also shall allow or permit such dog or dogs to run at large within the said city of LeRoy, Kansas, without first paying the tax provided in *section one* of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than one (\$1.00) dollar nor more than ten (\$10.00) dollars.

Section 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 2nd day of June. A.D. 1926.

W.H. Cox, Mayor
Attest: S.T. Ferguson, City Clerk

Published Aug. 11, 1926

•ORDINANCE NO. 86

Being an ordinance fixing tax levy for the year 1926.

Be it ordained by the Mayor and councilmen of the City of LeRoy, Kansas.

Section 1

That the tax levy for the year 1926 be and is hereby fixed as follows:

General 3 mills

Street 3 “

Light 3 “
Bail 2 7/10 “
Sinking 7 “
Fire 3/10 “

Section 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 5 day of August 1926.

W.H. Cox, Mayor
S.T. Ferguson, City Clerk

•ORDINANCE NO. 87

Being an ordinance regulating the installation of Electric Light Meters, requiring a deposit thereon and taxing of the same.

Be it ordained by the Mayor and City Council of the City of LeRoy, Kansas.

Sec. 1

Any person or persons who shall hereafter wish to become a user of Electric Current in this City, for any purpose whatsoever, shall first be required to deposit with the city clerk the sum of five (\$5.00) dollars, taking this receipt therefore which sum shall hereafter be known as a Meter Deposit. Said Meter Deposit to be refunded to said customer any time he, she or they wish to discontinue the use of said current, providing they have receipts showing all current previously used shall have been paid for.

Sec. 2

This ordinance shall not affect any one now using electric current.

Sec. 3

Any customer wishing their meter tested for accuracy shall have it done upon giving the Superintendent written notice, who shall as soon thereafter as possible, make such test, and if said meter shall be found correct, said customer to pay to the City the sum of one dollar; if the meter shall be found incorrect, then such test shall be free of charge to such customer and said meter to be exchanged or put in good shape at once.

Sec. 4

This ordinance repeals all ordinances or parts of ordinance that in any way conflict with the enforcement of this ordinance.

Sec. 5

This ordinance shall be in full force and effect from and after it's publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 2nd day of February, 1927.

W.H. Cox, May
Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 88

Being an ordinance repealing sections 10 and 11 of Ordinance #4 and all of Ordinance # 10 of the laws of LeRoy, Kansas, and fixing licenses for shows, circuses, and menageries.

Be it ordained by the Mayor and City Council of the city of LeRoy, Kansas.

Sec. 1

Any circus, menagerie, street or side show, or carnival, who shall show or parade within the city of LeRoy, Kansas, or any tent show, or other show under canvas, twenty-five dollars (\$25.00) for the first day and five (\$5.00) dollars per day for the additional day.

All other shows exhibiting in hall or building for pay or profit \$3.00 per day; Provided, that such show or exhibition shall be for any charitable purpose, or for public improvement, or when rendered by home talent, no license shall be charged.

Sec. 2

Picture shows shall pay a yearly license of twenty-five (\$25.00) dollars and two (\$2.00) dollars additional per night or day when any thing other than pictures are shown.

Sec. 3

The mayor shall have the power to fix the license for anything not covered by the several sections of this ordinance.

Sec. 4

This ordinance shall repeal all ordinances and parts of conflicting ordinances.

Sec. 5

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 2nd day of February, 1927.

W.H. Cox, Mayor

Attest: S.T. Ferguson, City Clerks

Published March 4, 1927

•ORDINANCE NO. 89

Being an ordinance calling for a city election in the City of LeRoy, Kansas.

Be it ordained by the mayor and city council of the city of LeRoy, Kansas.

Sec. 1

There will be a city election held in the city of LeRoy, Kansas, on Monday, the fourth day of April 1927, for the purpose of electing a mayor, five councilmen, and a police judge for the ensuing two years.

Sec. 2

The place of holding said election shall be in the Baptist church, lots 11, 12, 13, block 46, in the City of LeRoy, Kansas.

The polls shall be open at 8 a.m. and close at 6 p.m.

Sec. 3

The election board shall be as follows: C.O. Baird, Ry Finley and W.A. Green, judges; and Andrew Lankton and W.A. Harris, clerks.

Sec. 4

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 2nd day of March, 1927.

W.H. Cox, Mayor

Attest: S.T. Ferguson, City Clerk

Published March 11, 1927

•ORDINANCE NO. 91

An ordinance authorizing and directing the Mayor and councilmen of the city of LeRoy, Kansas to call a special election for the purpose of submitting to the electors thereof the proposition to issue bonds of said city to the amount of \$38,000.00 for the purpose of constructing and installing waterworks to supply the city and its inhabitants with water.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas, as follows, to-wit:

Section 1

The mayor and councilmen of the city of LeRoy, Kansas are hereby authorized, empowered and directed to call a special election of the voters of said city to vote upon the proposition to issue bonds for the City of LeRoy, Kansas, in the sum of \$38,000.00 for the purpose of constructing and installing waterworks to supply the city and its inhabitants with water.

Section 2

Said bonds shall bear interest not exceeding five (5) percent per annum and shall be issued in denominations of not exceeding One Thousand Dollars and to mature within 20 years.

Section 3

Notice of such election shall be published for three consecutive weeks and the first publication thereof shall be at least twenty-one days prior to the date fixed for such election. Said notice shall be signed by the Mayor and City Clerk and shall state the amount of bonds proposed to be issued, the purpose of the issue and the polling places of such election and the time when same shall be held.

Section 4

Said election shall be held at the Baptist church in the City of LeRoy, Kansas.

Section 5

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

W.H. Cox, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 92

Being an ordinance fixing tax levy for the year 1927.

Be it ordained by the governing body of the city of LeRoy, Kansas.

Sec. 1

That the tax levy for the city of LeRoy, Kansas for the year 1927 be and is hereby fixed as follows:

General.....three mills

Street.....three “
Light.....one “
Bond.....three & ½ mills
Sinking.....four “
Fire.....two tenths “
Park.....five tenths “

Sec. 2

This ordinance shall be in full force and effect from and after its publication the LeRoy Reporter.

Passed by the council and approved by the mayor this third day of August 1927.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 93

An ordinance providing for the payment of a license tax by scavengers.

Be it ordained by the governing body of the city of LeRoy;

Section 1

That any person doing work as a scavenger and removing the night soil or contents of privies, vaults or cesspools, shall before engaging in such work or occupation, secure a license to do so from the city clerk, and shall pay therefore to the city of LeRoy, Kansas, the sum of \$5.00, and said license shall extend to and terminate on the first day of May next following.

Section 2

Any person who shall engage in the work of scavenger, without having paid for and secured the license as provided in *Section 1*, shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars and costs, and shall stand committed to the city jail until such fine and the costs are paid.

Section 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed the city council this 7th day of Sept. 1927.

Approved this 7th day of September 1927.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 94

An ordinance granting to Lloyd D. Burton, his successors and assigns, for the period of twenty (20) years, the right to acquire, lay, maintain, repair, replace, relay and remove mains and pipelines and all necessary regulators and appliances for the transportation of natural and manufactured gas to, in and through the City of LeRoy, County of Coffey, State of Kansas, together with the additional right to use all streets, avenues and public grounds of the City of LeRoy, County of Coffey, State of Kansas, for the purpose of laying laying mains and pipe lines to supply and deliver to said City and the inhabitants thereof, gas for manufacturing, heating, illuminating and all other purposes for which natural or manufactured gas is, or may be used, for the said period.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS.

Section I

That the said Lloyd D. Burton, his successors and assigns, be and they are hereby authorized and empowered for a period of twenty (20) years from and after the date of the passage of this Ordinance, to construct, acquire, operate and maintain a complete gas system in the City of LeRoy, County of Coffey, State of Kansas, and to manufacture, sell and supply gas to the said City of LeRoy and the inhabitants thereof.

That the said Lloyd D. Burton, his successors and assigns, be and they are hereby authorized and empowered for a period of twenty (20) years from and after the passage of this Ordinance to enter and dig upon and excavate in the streets, avenues, sidewalks, lanes, alleys, highways and public grounds of the said City as the boundaries thereof are not, or may be hereafter, and to lay, maintain and operate in said streets, avenues, sidewalks, lanes, alleys, highways and public grounds below the surface thereof, and on the bridges and viaducts of said City, gas mains and gas pipes with all the necessary and proper attachments, connections, fixtures and appurtenances for the supplying, distributing and transportation of either natural or manufactured gas into and through the said City, with the right at all times hereafter during said period to maintain, repair, replace and renew the said gas mains and pipes or any portion thereof, and for the same purpose to make connections for consumers with such pipes and mains, provided, however, that said gas mains, gas pipes and all necessary and proper attachments, connections, fixtures and appurtenances should be laid in such a manner and to such a depth as to not interfere with the grading, paving, macadamizing, or otherwise improving said streets, lanes, alleys and public grounds on such grades as now exist or may here be established by the Mayor or Councilmen of the said City of LeRoy, and in no case to be laid less than fifteen (15) inches under the surface of the ground without the written consent of the Mayor and Councilmen of the City of LeRoy.

PROVIDED FURTHER, that after said gas mains and pipes are laid, all excavations shall be refilled, and all sidewalks and pavements shall be replaced and relaid as near as practicable with like material and left in as good condition as before said work was performed. Should said Grantee fail or refuse at any time to cause its said mains, gas pipes and other attachments, connections, fixtures and appurtenances to conform to and meet the above requirements with reference to grades and distances below the surface, or refuse to restore said pavements, sidewalks and excavations as herein provided within a reasonable time, then the same may be replaced and restored by the City at the expense of the said Grantee.

PROVIDED FURTHER, that in the laying of said gas pipes, gas mains and other proper attachments, connections, fixtures and appurtenances and the exercise of the right here granted, no street, alley or other public place should be at any time unnecessarily obstructed, and all work or laying said gas pipes, gas mains, and all necessary and proper attachments, connections, fixtures and appurtenances should be done and performed under the direction and supervision of the Street and Alley Committee of said City.

PROVIDED FURTHER, that the said Lloyd D. Burton his successors and assigns, shall at no time lay any mains, pipes or connections or do any work, in or on Main Street between Third and Eighth Street (3rd & 8th), in the City of Leroy, Kansas, except same may be done in case it is necessary to cross said Main Street at its intersection with other Streets in said City of LeRoy, Kansas, but same shall be done only at the crossing of other streets in said City.

Section II

UNDER the authority hereby granted, the said Grantee shall furnish gas to said City and it's inhabitants at a rate which for natural gas shall not exceed fifty cents per thousand cubic feet.

PROVIDED, that in case one thousand cubic feet of gas is not consumed through each meter, a charge of fifty cents per month may be made for gas consumed and for the use of the meter.

Section III

FOR the purpose of supplying said City and its inhabitants with gas as herein provided, the said Lloyd D. Burton, his successors and assigns shall at their own expense put in all pipes, meters and connections which may be necessary to bring gas to the curb line of the sidewalks adjacent to the street on which said mains and pipes are laid.

PROVIDED, that all expenses of laying pipes and conveying gas from and beyond such curb line to and into the premises of the consumer shall be paid and maintained by and at the expense of the owner or tenant occupying said premises furnished and supplied with gas from said mains and without any liability or expense attached to the said Lloyd D. Burton, his successors or assigns.

Section IV

THAT Lloyd D. Burton, his successors and assigns, have the right to cut off, or disconnect, the supply of gas from any person, business firm, or corporation who shall neglect or refuse for more than ten (10) days to pay for gas after the same becomes due and payable under such rules and regulations as made and prescribed by Lloyd D. Burton, his successors and assigns, and approved by the Mayor and Councilmen of the City of LeRoy; or who shall allow any unnecessary leak or waste of gas; and shall not be compelled or required to reconnect such consumer with the gas main until full payment shall have been made, and such leak or waste shall have been repaired and eliminated, and shall have the right to charge such consumer the sum of One Dollar (\$1.00) for such connections.

Section V

Said Lloyd D. Burton, his successors or assigns, before beginning any work or operations of any kind hereunder, shall furnish to the City of LeRoy, Kansas, a Surety Bond in the sum of Ten Thousand Dollars (\$10,000.00) conditioned that they will save the City of LeRoy, Kansas, harmless from any and all damages of every kind which it may incur or be liable for because of or on account of the construction of the plant and doing the work necessary to be done to construct or build the same, provided for in this Ordinance.

PROVIDED FURTHER, that the Said Lloyd D. Burton, his successors or assigns, before beginning the construction of any extension to said plant, after same is first built, shall furnish a bond to the City of LeRoy, Kansas, in the sums of Five Thousand Dollars (\$5,000.00) conditioned that they will save the City of LeRoy, Kansas, harmless from any and all damages of every kind which it may incur or in any way be liable for on account of the building or construction of such extension, and this same provision shall apply to any and all extensions which may hereafter be made at any time hereunder.

PROVIDED FURTHER, that the failure of the said Lloyd D. Burton, his successors or assigns to furnish such bonds or either of the, prior to the beginning of any work hereunder shall work a forfeiture of this franchise.

Section VI

THE City Council shall, from time to time, pass such ordinances as may be necessary for the protection of the rights and property of Lloyd D. Burton, his successors and assigns, or for the enforcement of all reasonable rules and regulations hereafter made by any corporation using or enjoying the franchise and privileges herein granted.

Section VII

Lloyd D. Burton, his successors and assigns, shall within Thirty days from and after the passage and publication of this Ordinance, file his written acceptance hereof with the City Clerk

of the City of LeRoy, Kansas, and shall within said Thirty (30) days deposit in the First National Bank of LeRoy, Kansas, the sum of FIVE HUNDRED DOLLARS, such deposit to be made conditioned that if the said Lloyd D. Burton, his successors or assigns, shall fail to complete said plant within ten months from the passage and publication of this Ordinance, that said bank shall pay said FIVE HUNDRED DOLLARS to the City of LeRoy, Kansas, and if said Lloyd D. Burton, his successors and assigns shall complete said plant within said ten months, then said bank shall return said money to the one so depositing same in such bank.

Section VIII

The failure of the said Lloyd D. Burton, his successors or assigns, to complete, within ten months from and after the passage of this Ordinance, said plant, or the failure to comply with any of the terms or provisions of this Ordinance at the time and in the manner herein specified, shall work a forfeiture of this Ordinance and all rights and privileges and benefits herein granted to the said Lloyd D. Burton, his successors or assigns.

Section IX

SHOULD an election be required for the purpose of adopting or rejecting this Ordinance, the expense of such election shall be paid by the Grantee herein.

Section X

THAT the said Lloyd D. Burton, his successors and assigns, shall furnish free of charge to City of LeRoy, gas for heating City Light Plant, Jail and any other building that may be used exclusively for city purposes.

Section XI

THIS Ordinance shall be published in the manner and for the length of time, and shall take effect and be in force, as provided by law.

Passed Feb. 15, 1928.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 95

AN ORDINANCE RELATING TO BILLARD AND POOL HALLS.

Be it ordained by the governing body of the City of LeRoy, Kansas.

LICENSE NECESSARY, *Section 1*

That it shall be unlawful for any person, persons, firm, company or corporation to set up, run, operate or maintain any billiard or pool hall or bowling alley or place where billiard or pool or bowling may be played for gain or hire in this city, without first making application for a license therefore, and paying the license fee as herein after provided.

APPLICATION FOR LICENSE, *Section 2*

That before any person, persons, firm, company, or corporation shall set up, open, put in, operate or maintain and run a billiard or pool hall or bowling alley or place where pool or billiards or bowling may be played in said city, such person, persons, company, firm, or corporation shall first make written application to the city council of said city, for a license, setting forth in said application the name or names of such applicant, describing the room in general terms and location in which it is purposed to set up, run and operate such billiard and pool hall, stating the number of billiard and pool tables and bowling alleys proposed to be used, and affirming that if granted a license, the said applicant or applicants will comply with all the

terms and regulations of this ordinance and consenting to a revocation of the license and right to operate same in case the said city Council on investigation should find that such license has violated any of the provision of this ordinance; and if said city Council shall find said applicant or applicants are suitable persons to be granted a license for such purpose and such room is a suitable and fit place for a billiard or pool hall and bowling alley as provided by this ordinance, the said city Council shall direct the City Clerk to issue a license therefore upon the payment of the license fee as hereinafter provided.

LICENSE FEE, Section 3

That when directed by the City Council of said city as provided in *section 2* of this ordinance, and the payment to the City Clerk of a license fee of \$100.00 for six months, for all billiard and pool tables and bowling alleys used or not used, placed in a billiard and pool room, not to exceed five pool or billiard tables and one bowling alley, the City Clerk shall issue the said applicant or applicant a license to run, maintain and operate a billiard and pool room in the room and place described in said application until the last day of April, or October, next following.

LOCATION AND STRUCTION OF POOL ROOM, Section 4

The room where any such billiard or pool hall or bowling alley is run, operated and maintained, shall face or front upon a street or avenue, and shall not be divided by any partitions, and the windows and doors of said room shall not be covered or screened with curtains, screen or glass stained or painted, but shall at all times be maintained so as to afford a full and unobstructed view of the interior of such room from the street, and said room shall be fitted and supplied so as to properly carry out the provisions herein set forth.

OTHER BUSINESS AND GAMBLING PROHIBITED, Section 5

It shall be unlawful to establish, run or carry on any other business in such billiard or pool hall or bowling hall except for the sale of cigars, tobacco, soft drinks, confectionery and maintenance of a barber shop; and no gambling of any character and especially gambling or betting of money or anything of value on the result of any game or games of billiards or pool or bowling in such billiard or pool hall shall be permitted, and any proprietor or manager, agent or servant of such proprietor, who shall permit any gambling or the betting of money or things of value, on the result of any game of billiards or pool or bowling or any other games played in such pool or billiard hall and a violation of the provisions of this ordinance.

HOURS OF BUSINESS, Section 6

That all billiard or pool hall and bowling alley proprietors procuring a license and operating under this ordinance shall not open for and transact business in or operate said halls prior to six o'clock A.M. and shall close the same on or before 11 o'clock P.M. of each work day, except Saturday, upon which day said hall may remain open and transact business until 12 o'clock P.M., and said hall shall remain closed during the entire Sabbath day commonly called Sunday.

MINORS AND DISORDERLY CONDUCT PROHIBITED, Section 7

That it shall be unlawful for any owner of a billiard or pool hall or bowling hall in this City, or his agent, manager or servant to permit any minor under the age of Eighteen years, or any intoxicated person, or any person using loud, boisterous, profane or indecent language, to come into or remain in any pool or billiard or bowling hall, owned, operated, managed or conducted by him or them. Any minor under the age of Eighteen years who shall go into such place or who shall loaf about, frequent or play in any pool or billiard hall or bowling alley, shall be deemed guilty of a misdemeanor and violator of the provisions of this ordinance.

PENALTY FOR VIOLATION, Section 8

Any person, persons, owner, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be adjudged to pay a fine of not less than \$5.00 and not more than \$50.00, and costs of prosecution, and stand committed to jail until such fine and costs are paid, and the license forfeited; and a plea of guilty or conviction shall automatically work such forfeiture.

INSPECTION AND REVOCATION OF LICENSE, *Section 9*

Such billiard and pool hall or bowling hall shall at all times be subject the inspection of the police officers of the city and any officer of law and if on investigation the city council shall find that any of the provisions of this ordinance have been or are being violated, adopt a resolution revoking the license that may have been granted and all license fees paid shall be wholly forfeited to said city, and the person to whom the license was granted shall immediately cease to do business upon receiving notice of such revocation, provided that some provision or provisions of this ordinance have been violated.

TAKE EFFECT, *Section 10*

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter, the official city paper of this city.

REPEALING CONFLICTING ORDINANCES, *Section 11*

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Passed by the Governing Body of the City of LeRoy, this 13th day of April, A.D., 1928.
Approved this 13th day of April, A.D., 1928.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 96

Being an ordinance fixing the tax levy for the year 1928 in the city of LeRoy, Kansas.

Be it ordained by the governing body of the city of LeRoy, Kansas.

Section 1

That the tax levy for the year 1928 be as follows:

General Fund 3 mills

Road Fund 3 mills

Sinking fund 4 mills

Park fund ½ mills

Street fund 3 mills

Light fund 2 mills

Fire fund 2/10 mills

Section 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 1st day of August 1928.

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 97

**Being an Ordinance calling a city Election in the City of LeRoy, Kansas.
Be it ordained by the governing body of the city of LeRoy, Kansas.**

Section 1

There will be a city election held in the city of LeRoy, Kansas on Monday, the 1st day of April, 1929 for the purpose of electing a mayor, five councilmen and a police judge for the ensuing two years.

Section 2

The place of holding said election shall be the Johnson building, Block No. 52, Lot No. 18, in the city of LeRoy, Kansas.

The polls shall be open at 8 a.m. and close at 6 p.m.

Section 3

The election board shall be as follows: W.A. Green, C.T. Bishop, J.W. Patrick, judges; A.J. Lankton, C.S. Bradley, clerks.

Section 4

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayhor this 6th day of March, 1929.

F.A. Cooksey, Mayor
S.T. Ferguson, City Clerk

•ORDINANCE NO. 98

Being an ordinance relating to the accumulation and disposal of rubbish, trash, ashes, and combustable material and providing penalties for the violation thereof.

Be it ordained by the mayor and councilmen of LeRoy, Kansas.

Sec. 1

It shall be unlawful for any person, firm or corporation to allow to accumulate in any part of any building or outside of and adjacent to any building or in any alley, sidewalk, street or premises within 30 feet of any building any rubbish, trash, waste paper, excelsior, empty boxes or barrels.

Sec. 2

No person shall deposit or stack any hay or straw in excess of five tons within 500 feet of any building located in the fire limits.

Sec. 3

Packing material shall be kept in metal or wood metal-lined bins having self-closing or automatic covers. Refuse from rooms where packing or unpacking is done shall be removed daily.

Sec. 4

It shall be unlawful to store ashes inside of any nonfire proof building unless they be stored in an incombustible container or receptacle, and a clearance of at least five feet shall be maintained between each container or receptacle and cumbustable material. Ashes shall not be stored outside of any building in wooden receptacles or dumped in contact with or in close proximity to any combustable material.

Sec. 5

It shall be unlawful to burn rubbish, trash, leaves, lumber, straw or any other combustable material in any street, alley, or vacant lot within the fire limits or within 25 feet of any building in the city of LeRoy, Kansas, except in an approved garbage burner so constructed as to prevent the escape of sparks or burning material.

Sec. 6

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than five (\$5) dollars nor more than twenty-five (\$25) dollars for each offense.

Sec. 7

All ordinances or parts of ordinances in conflict with the foregoing are hereby repealed.

Sec. 8

This ordinance shall take effect and be in force from and after its passage and publication in the office city paper.

Passed by the council and approved by the Mayor this 6th day of March 1929.

F.A. Cooksey, Mayor
S.T. Ferguson, City Clerks

•ORDINANCE NO. 99

Being an ordinance fixing the tax levy for the year 1929.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Sec. 1

That the tax levy for the year 1929 be as follows:

Gen. Fund	3 mills
Road	3 “
Sinking	3.3 “
Park	2/10 “
Bond	2.6 “
Street Light	2 “
Fire	2/10 “

Sec. 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 7th day of Aug. 1929.

F.A. Cooksey, Mayor
S.T. Ferguson, City Clerk

•ORDINANCE NO. 100

Being an ordinance amending Sec. 3 of Ordinance No. 95 of the laws of LeRoy, Kansas.

Be it ordained by the governing body of the city of LeRoy.

Sec. 1

That *Section 3* of Ordinance No. 95 be amended to read "Payment to the City Clerk of a license fee of \$50.00 for six months."

Sec. 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 9th day of Oct. 1929.

F.A. Cooksey, Mayor

S.T. Ferguson, City Clerk

•ORDINANCE NO. 101

An ordinance relating to the sale by the city of LeRoy to the Kansas Utilities Company of its electric power plant, switchboards, distribution lines, meters, transformers, insulators, poles, wires, generating equipment, buildings, pipes, tanks, and supplies on hand and for a lease of the ground herein described.

Be it ordained by the Mayor and Councilmen of the city of LeRoy, Kansas.

Section 1

That subject to the result of the election hereinafter referred to, the mayor and councilmen shall sell to the Kansas utilities Company its electric power plant, switchboards, distribution lines, meters, transformers, insulators, poles, wires, generating equipment, supplies on hand together with all buildings, pipes and tanks upon a tract of land commencing at the southwest corner of Public Square where main street and 7th street intersect, thence north 96 feet thence east 140 feet, thence south 96 feet, thence west 140 feet to place of beginning except city jail and ground occupied by the jail, and the use of the same and a free entrance to said jail, of the city of LeRoy, Kansas belonging to the first party and shall lease to the Kansas Utilities Company, without additional charges as long as the Kansas Utilities Company shall sell electricity in LeRoy and shall use and occupy the same and when it ceases to use and occupy the same, shall revert to the city of LeRoy, the above described ground for the sum of \$30,000.00 cash in hand in accordance with the terms of the contract referred to as Exhibit "A" and incorporated in the terms of this ordinance as a part thereof by this reference.

Section 2

That an election shall be held within the city of LeRoy on the 17th day of February, 1930, for determination of the question as to whether such property shall be sold and such property leased in accordance with such contract by the city of LeRoy to the Kansas Utilities Company.

Section 3

The mayor shall publish a notice once a week for three consecutive weeks of such election and the first publication shall be not less than twenty-one days preceding the election. The notice shall state the purpose of the election, giving the sale price and the name of the purchaser, the date of the election and the places of voting.

Section 4

Such sale shall be effective only upon the payment of all expense of the election by the Kansas Utilities Company and such sale, shall be for cash as provided in such contract and the

proceeds of such sale shall be applied to the payment of any out-standing bonds or obligations incurred in the purchases, erection or improvement of such property by such city and the excess, if any, shall be paid into the general fund of such city, provided, that if the city is unable to purchase the unmatured bonds issued for the purchase, erection or improvement of the aforesaid property, the mayor and council shall invest the money necessary to take up such bonds at maturity in municipal bonds of this state which shall become due prior to the due date of the bonds issued for the purchase, erection or improvement of such property. Provided further, that such sale shall in all respects be subject to Chapter 135 of the Session Laws of Kansas 1929.

Section 5

The place of voting shall be in the Seyffer building on Lots 11 and 12, in Block 38, LeRoy, Kansas. The polls shall be open at 8 a.m. and close at 6 p.m.

Section 6

The election board shall be N. Thornton, J.W. Patrick and A.A. Callahan, judges; and A.J. Lankton and C.B. Bradley, clerks.

Section 7

This ordinance shall be in force upon its publication in the LeRoy Reporter.
Ordinance adopted by vote of 5 ayes.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

First Published 21st day of February, 1930

•ORDINANCE NO. 102

An ordinance granting to the Kansas Utilities Company, its successors and assigns, the right to use streets, alleys, and public grounds of the City of LeRoy, Coffey County, Kansas, for the purpose of transmitting and distributing electricity.

Be it ordained by the Mayor and Councilmen of the City of LeRoy.

Section 1

In consideration of the Kansas Utilities Company furnishing the city of LeRoy with one hundred twenty-five one hundred candle power series lamps, burning from dusk to dawn every night for the sum of \$121.75 per month, payable monthly and the performance of the other considerations herein named, the said Kansas Utilities Company, a Corporation, its successors and assigns, is granted the right for the period of ten years to use the streets, alleys, and public grounds of the city of LeRoy for the purpose only of transmitting and distributing electricity provided that this franchise shall not take effect until after its publication for twenty days as provided by law and its written acceptance by the Kansas Utilities Company.

Section 2

The placing of poles, wires and other means of transmission and distribution shall be in accordance with the rules adopted from time to time by the Public Service Commission and the ordinances of the City of LeRoy.

Section 3

The rules, regulations, practice and service governing the transmission, distribution and sale of electricity to the inhabitants of the city of LeRoy, Kansas shall be in accordance with the rules adopted from time to time by the Public Service Commission of Kansas.

Section 4

The rates charged and collected for such service to the inhabitants of the City of LeRoy, Kansas shall be there in effect in all cities of the third class served by the Kansas Utilities

Company and on file with the Public Service Commission of Kansas. The above rates are subject to the jurisdiction of the public Service Commission.

Section 5

The said Kansas Utilities Company, a corporation, its successors and assigns, agrees to furnish said city with one hundred twenty five one hundred candle power series lamps burning from dusk to dawn of each and every night for the sum of \$121.75 per month, payable monthly, for the period of this franchise and in the event that the Public Service Commission of the State of Kansas or any court having jurisdiction in the fixing of the rates should change said rate it is agreed that said Kansas Utilities Company will refund, from its general earnings in the said city, to the city of LeRoy such sum as will equalize the difference between the rate herein fixed and the rate established by the Commission or any court having jurisdiction and said refund shall be placed in the street lighting fund of the city of LeRoy and paid out to maintain said street lights. And further in the event that the Kansas Utilities Company does not promptly refund the difference collected as above set out the city of LeRoy, Kansas shall and does have the right at any time thereafter, upon thirty days written notice stating its intent of so doing, to cancel and annul this franchise and all rights and privileges granted thereunder.

Section 6

The Kansas Utilities Company agrees to furnish to the City of LeRoy, free of charge, electricity for lighting the City Council room, jail, fire department, library and not to exceed eight one hundred watt multiple lights in the City parks.

Section 7

The Kansas Utilities Company, its successors and assigns are hereby granted permission to trim trees along the streets, alleys and public grounds of the City of LeRoy in such a reasonable manner as is necessary for the proper protection and operation of their transmission and distribution system.

Section 8

The Kansas Utilities Company, its successors and assigns, shall at all times hold the City of LeRoy harmless from any damages claimed to have been suffered on account of the exercise of any of the rights herein granted.

Section 9

This ordinance shall take effect upon its publication for twenty days in the LeRoy Reporter.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 103

Being an ordinance repealing *section 10 and 11* of Ordinance No. 4, and repealing *sections 1, 2, 3, 4 and 5* of Ordinance No. 88 of the Laws of the City of LeRoy, Kansas, and fixing the licenses for shows, circuses and menageries.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Section 1

Any circus, menagerie, street or side show, or carnival which shall show or parade within the city of LeRoy, Kansas, or any tent show or other shows under canvas, shall pay for the first day Fifty (50) dollars and the sum of Ten (10) dollars for each additional day. All other shows exhibiting in hall or building shall pay the sum of Three (3) dollars per day: Provided, that if such show, carnival or exhibition shall be for any charitable purpose, or for public improvement, or when rendered by home talent, no license shall be charged therefore.

Section 2

Picture shows shall pay a yearly license of Twenty-five (25) dollars and Two (2) dollars additional per day or night when anything other than pictures are shown.

Section 3

The mayor shall have the power to fix the license for anything not covered by the several sections of this ordinance.

Section 4

This ordinance shall repeal, and does repeal, all ordinances and parts of conflicting ordinances.

Section 5

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed the council and approved by the mayor this 4th day of June, 1930.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerks

•ORDINANCE NO. 104

An ordinance providing for the construction, equipment, and maintenance of an electric street lighting system in addition to the system now maintained by the city of LeRoy, Kansas.

Whereas, a petition of more than fifty-one (51%) percent of the resident taxpayers of the city of LeRoy, as shown by the last assessment roll of Coffey County, Kansas, has been presented and filed with the clerk of said city as provided by law praying that said city of LeRoy especially illuminate the following described district within such city of LeRoy, to-wit:

That part of Main street between 5th street and Nebraska Avenue; also that part of Kansas Avenue extending from Main street to the Missouri Pacific Depot.

Whereas, the governing body of the city of LeRoy has examined said petition and found the same in conformity to law and diem it expedient and necessary to construct, equip and maintain an addition to the street lighting system as prayed for in said petition, therefore;

Be it ordained by the governing body of the city of LeRoy.

Section 1

That electric street lighting system, in addition to that now maintained by said city be constructed, equipped, and maintained by said city as provided by Chapter 137 Session Laws of Kansas for the year 1929 and that the following described district within such city of LeRoy, to-wit:

That part of Main street between 5th street and Nebraska Avenue, and also that part of Avenue extending from Main street to the Missouri Pacific Depot, be especially illuminated by such street lighting system.

Section 2

That this ordinance shall take effect and be in force from and after its publication in the official city paper.

Passed the City Council this 20th day of August 1930.

Approved by the Mayor this 20th day of August 1930.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 105

Being an ordinance fixing the tax levy for the year 1930.

Be it ordained by the governing body of the city of LeRoy, Kansas.

Section 1

That the tax levy for the year 1930 be as follows:

Light	two mills
Special Street light	one mill
Chapter 137, Law 29	
Park	one/half mill
Fire	one/half mill

Section 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 20th day of August 1930.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerks

•ORDINANCE NO. 106

An ordinance granting unto Union Gas Corporation, its successors and assigns, franchise authorizing the use of the streets, avenues, alleys and roadways of the City of LeRoy, Kansas for the purpose of furnishing gas to said city and citizens thereof, to supply them fuel, light and heat.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Section 1

Right of Way. The right is hereby granted to Union Gas Corporation, its successors and assigns, who shall hereinafter be known and referred to as grantee in this ordinance, to use the streets, avenues, alleys and roadways of the said city, including any and all territory that may be hereafter added to said city, for the purpose of supplying and furnishing natural gas, artificial gas and/or a mixture thereof, to all customers, citizens, persons, corporations and firms within said city, for fuel, heating and lighting purposes for a period of ten (10) years from the date hereof.

Section 2

Excavations. That for the purpose of carrying this franchise into effect the said grantee, his heirs, successors and assigns are hereby given authority to make all necessary excavations in any and all streets, avenues, alleys and roadways, with all necessary attachments, appurtenances and connections, at least twelve (12) inches below the surface of the streets, except where the established grade is below the surface of the street, then the pipe shall be placed at least twelve (12) inches below the established grade of said streets, avenues, alleys, roadways, squares, commons and public grounds. Lines may be laid across and on the bridges and viaducts in said city, and posts for lamps may be erected and maintained, and any and all things necessary to acquire, construct, establish, maintain and operate said plant and all appurtenances thereto may be done. Provided further that said Union Gas Corporation, its successors and assigns, shall at no time lay any mains, pipes or connections, or do any work in or on Main street between Third street and Nebraska avenue, in the City of LeRoy, Kansas, except same may be done in case it is necessary to cross Main street at its intersection with other streets in said City of LeRoy, Kansas, but same shall be done only at crossing of other streets in said city.

Section 3

Damages. All excavations made or caused to be made in connection of laying, installing, operating and maintaining said gas plant, mains, and pipes, shall at all times properly protected and filled as soon as possible in accordance with provisions of guidance of said city now in effect or hereafter enacted by said Union Gas Corporation, its successors and assigns, and shall leave and maintain all places in streets, alleys and roadways, changed by it or them in as good condition as same were found by Union Gas Corporation, its successors and assigns, and in case the grantee, its successors and assigns fail to replace and repair all damages made by it or them within a reasonable time, then the said city shall cause such repairs to be made at the expense of the grantee, to successors and assigns, and from it or them. Said grantee, its successors and assigns shall be liable for all loss, injury or damage which may result to the city or its inhabitants by reason of any negligence in the construction or maintenance of said plant and shall at all times save the city harmless for any and all damages that may arise in the construction and maintenance of said plant.

Section 4

Gas Rates. The grantee Union Gas Corporation, its successors and assigns hereby agrees by the acceptance of the grantee, to furnish the city of LeRoy and all citizens, persons, corporations and firms within said city, gas at its following rate:

For the first 1000 cu. ft. consumed thru any meter in a 30 day period \$1.50

For the second 1000 cu. ft. consumed thru any meter in a 30 day period 75 cents.

For the third 1000 cu. ft. consumed thru any meter in a 30 day day period 75 cents.

For the fourth 1000 cu. ft. consumed thru any meter in a 30 day period 75 cents.

For the next 46,000 cu. ft. consumed thru any meter in a 30 day period 40 cents per m.

For the next 50,000 cu. ft. consumed thru any meter in a 30 day period 35 cents per m.

For all over 100,000 cu. ft. consumed thru any meter in a 30 day period 30 cents per m.

The minimum monthly charge shall be \$1.50, and a penalty of 5cents per 1000 cu. ft. shall be added to all bills not paid in or before the 10th day of the month following consumption.

The rate herein provided or agreed to be subject to control and revision by the Public Service Commission of the State of Kansas and or any other governmental authority which may now have or may hereafter have jurisdiction thereof.

Section 5

Pressure. The grantee agrees to maintain a pressure of not less than four (4) ounces at all low pressure regulation stations, acts of God and unavoidable accidents accepted.

Section 6

Acceptance. That within fifteen (15) days after the passage and approval of this ordinance, the said grantee, its successors and assigns shall file with the City Clerk of LeRoy, Kansas, its acceptance in writing of all provisions of this ordinance, which acceptance shall be duly acknowledged before some officer authorized to take acknowledgements and construction shall start within thirty days. After the expiration of fifteen (15) days, if no acceptance as herein provided has been filed or if construction has not started within thirty (30) days, or if grantee, its successors or assigns, is not prepared to furnish gas within six (6) months, then this ordinance shall Ipso Facto cease, and become null and void.

Section 7

Meters. Grantee, its successors and assigns, shall furnish and install for its patrons reliable meters and shall keep the same in repair without cost to the patron except where damage to such meter is carelessly or maliciously caused by said patron. All meters used by the grantee, its successors and assigns, shall at all reasonable times be subject to inspection by the City, and the City shall have the right to test said meters, or cause the same to be tested by said grantee, its successors, and assigns, at all reasonable times. The grantee, its successors and assigns may under this franchise require of its consumers a meter deposit and shall pay interest thereon as is now or may hereafter be required by the Laws of the State of Kansas, and such grantee, its

successors and assigns shall have the right to shut off gas from any consumer who is in arrears for a longer period than fifteen (15) days.

Section 8

Rules and Regulations. Grantee, its successors and assigns shall have the right, subject to the approval of the governing body of the city, to make such reasonable rules and regulations for the protection of its property, for the conduct and management of its business, and for the sale and distribution of gas, as may from time to time be deemed necessary.

Section 9

Extensions. Said grantee, its successors and assigns shall at all times make extensions of its lines in compliance with such rules, regulations and orders as may be made from time to time by such regulatory body, municipal or otherwise as may be vested by law with regulatory authority over such matter. In ordering such extensions, such regulatory body shall give due consideration to the elements of cost of installation and income.

Section 10

Free Use of Gas by City. It is further agreed that said Union Gas Corporation, its successors and assigns, shall furnish the City of LeRoy, free of charge during the life of this franchise, gas for City jail, City hall or room used for city purposes.

Section 11

This ordinance shall take effect and be in force from and after its publication as required by law, and acceptance is herein provided.

Passed and approved this 2nd day of October 1930.

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 107

An ordinance relating to the construction, reconstruction, repair and inspection of piping for natural and artificial gas in buildings, and providing penalties for the violation thereof.

Be it ordained by the governing body of the City of LeRoy:

Plumbing Inspector

Section 1

The inspector of plumbing or his duly authorized assistant, shall inspect and test all new installations of gas piping and all extensions to or alterations of old installations in all buildings in the City of LeRoy, Kansas. He shall enforce, or cause to be enforced the provisions of this ordinance and shall have the right during reasonable hours to enter any building for the purpose of making any inspection required by this ordinance.

Ordinance to Be Complied With

Section 2

Where the requirements of this ordinance have not been complied with, said inspector shall at once notify the owner or agent of the building in which work has been done and the party installing such work and shall order such defects as found to be changed, rearranged or removed within a reasonable time.

Notice to Inspector of Inspection

Section 3

It shall be the duty of any party installing or altering gas piping in any building in the City of LeRoy, Kansas to notify the inspector of plumbing when the work is ready for inspection, and the whole system of gas piping shall be properly arranged for the inspector to test the same. No

pipng or fittings shall be covered or concealed from view until inspected and approved by the inspector of plumbing or his assistant.

Work Changed to Comply with Ordinance

Section 4

If, upon inspection and tests, the installation of any gas piping or any part thereof shall be found to not comply with the requirements of this ordinance, the same shall be changed, re-arranged, repaired or removed within five days. The Gas Company shall not turn any gas into any service pipes until they shall have been notified by the inspector of plumbing that piping has been inspected and approved.

Brackets

Section 5

All gas brackets shall be placed at least 2 ½ feet below any ceiling not fireproof, or other combustible material unless same is properly protected by a metal shield, in which case the distance shall not be less than 18 inches from said ceiling or combustible material. In all construction, reconstruction, or repair of piping for natural or artificial gas, in buildings in the City of LeRoy, Kansas, nipples and reducing couplings must be used and in no case will bushings be allowed.

Air Gauge Test

Section 6

All installations, extensions or alterations to gas piping must be inspected and tested with and by the Inspector of Plumbing. All gas piping shall be tested with an air pressure of not less than 20 lbs. And shall hold this pressure for 15 minutes without any perceptible drop.

Side Brackets

Section 7

All drops or branch lines and openings for side brackets must be of bracket ells or square bends where practicable. No nipples will be allowed in side bracket lights. In order to avoid trappings, all pipes must be graded to riser or drops.

Requirements

Section 8

No pipe shall be laid so as to support any weight, except fixtures or to be subject to any strain. All outlets shall be securely fastened in place and properly capped. No split pipes or broken fittings repaired with cement will be permitted. All pipes in buildings shall be laid above timbers instead of beneath them, where possible to do so. No cast iron fittings smaller than 3 inches shall be used in gas piping. No piping shall be smaller than 2 inch before reaching first opening. Meters shall be set at places designated by gas company and said meter or line leading thereto shall not be disturbed except by gas company representatives.

Connections

Section 9

It shall be unlawful for any person, firm or corporation or gas fitter to connect any gas stove or heater with a gas hose. All gas stoves and heaters must have a vent connection to flue, unless the appliance not connected with a vent meets the approval of the American Gas Association.

Records

Section 10

The inspector of plumbing shall keep a record of all inspections of gas piping made by him and when the gas piping in any building, after inspection, be found to comply with the requirements of this ordinance, he shall issued to the party doing the work a certificate of satisfactory inspection.

Penalty

Section 11

It shall be unlawful for any person to do any of the things herein prohibited or fail to do any of the things that are commanded to be done, and any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense.

Take Effect

Section 12

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 27th day of October, 1930.

F.A. Cooksey, Mayor

S.T. Ferguson, City Clerk

•ORDINANCE NO. 108

Being an ordinance authorizing the mayor to appoint an inspector of plumbing in the City of LeRoy, Kansas, and fixing compensation thereof.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Sec. 1

On the first regular meeting of the city council in May each year, the mayor, with the consent of the council, shall appoint some competent person as inspector of plumbing who shall hold his office one year, or until his successor has been appointed and qualified.

Sec. 2

His duties shall be such as shall be prescribed from time to time by the mayor and council and such ordinances as may be in effect.

Sec. 3

His compensation shall be 25 cents for each inspection.

Sec. 4

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 5th day of November 1930.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 109

Being an ordinance authorizing the mayor and councilmen of the city of LeRoy, Kansas to call a special election for the purpose of submitting to the electors thereof the proposition

of purchasing a tract of land and erecting a building thereon to be used as a city hall, for city purposes, storage of road grader, fire truck and other city equipment.

Be it ordained by the governing body of the city of LeRoy, Kansas.

Sec. 1

The mayor and councilmen of the city of LeRoy, Kansas are hereby authorized, empowered and directed to call a special election of its voters of said city to vote upon the proposition of purchasing a tract of land and creating a building thereon to be used as city hall, for city purposes, storage of road grader, fire truck and other city equipment.

Sec. 2

Notice of such election shall be published for three consecutive weeks, and the first publication shall be at least 21 days prior to the date fixed for such election. Said notice shall be signed by the mayor and city clerk, and shall state the polling place of such election and the time when same shall be held.

Sec. 3

Said special election shall be held in the Rankin building, located on the south 25 feet of lots 1,2, and 3, block 46 in the city of LeRoy, Kansas and the polls shall be open from 8 a.m. till 6 p.m.

Sec. 4

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 24 day of Nov. 1930.

F.A. Cooksey, Mayor

S.T. Ferguson, City Clerk

•ORDINANCE NO. 110

Being an Ordinance calling a City election in the City of LeRoy, Kansas.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Section 1

There will be a city election held in the City of LeRoy, Kansas, on Monday, the sixth day of April, 1931, for the purpose of electing a mayor, five councilmen and a police judge for the ensuing two years.

Section 2

The place of holding the election shall be in the City Hall located on part of lot 14 and all of lots 15 and 16, block 38 in the city of LeRoy, Kansas. The polls shall open at 8 a.m. and close at 6 p.m.

Section 3

The election board shall be as follows: N. Thornton, George Sims and J.W. Patrick, judges; W. A. Harris and L.V. Bader, clerks.

Section 4

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this fifth day of March, 1931.

F.A. Cooksey, Mayor

Attest: S.T. Ferguson, City Clerk

First Published March 6, 1931

•ORDINANCE NO. 111

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, KANSAS, TO SUBMIT TO THE VOTERS THEREOF AT THE REGULAR CITY ELECTION, A PROPOSITION TO ISSUE BONDS OF SAID CITY TO THE AMOUNT OF \$36,000.00, FOR THE PURPOSE OF CONSTRUCTING A WATERWORKS SYSTEM TO SUPPLY THE CITY AND ITS INHABITANTS WITH WATER.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, KANSAS, AS FOLLOWS, TO-WIT:

SECTION 1

The Mayor and Councilmen of the City of LeRoy, Kansas, hare hereby authorized, empowered and directed to submit to the voters thereof at the regular city election, the proposition to issue bonds of said city of LeRoy, Kansas, in the amount of \$36,000.00, for the purpose of constructing a waterworks system, to supply said City and its inhabitants with water.

SECTION 2

Said bonds shall bear interest not exceeding five percent (5%) per annum and shall be issued in denominations of not exceeding One Thousand Dollars (\$1000.00) and to mature within 20 years.

SECTION 3

Notice of such election shall be published for three consecutive weeks, and the first publication thereof shall be at least twenty-one days prior to the date fixed for such election. Said notice shall be signed by the Mayor and City Clerk and shall state the amount of the bonds proposed to be issued, the purpose of the issue and the polling places of such election and the time when same shall be held.

SECTION 4

The said proposition shall be voted on at the regular City election, to be held 6th day of April, 1931, in the City of LeRoy, Kansas.

SECTION 5

This ordinance shall take effect and be in full force from and after its publication in the official City paper.

F.A. Cooksey, May

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 112

An ordinance levying taxes for the purpose of providing revenue for the city of LeRoy, Kansas, for the year 1932.

Be it ordained by the Mayor and Council of the city of LeRoy, Kansas.

Section 1

That for the purpose of raising revenue to defray the current expenses of the city of LeRoy, Kansas, for the year 1932, there be and are hereby levied upon all taxable property (except when otherwise taxed as provided by law) within the city of LeRoy, Kansas, taxes as follows for the purposes indicated, such taxes being represented by mills and fractions of mills on the dollar.

General Revenue fund 2 mills.

For opening, widening and bringing to grade all streets, avenues and alleys and for the building of bridges, culverts and sewers and for foot walks across streets, avenues and alleys 3 mills.

Fire department ½ mill.

Section 2

That the City Clerk of the city of LeRoy, Kansas, is hereby directed to certify the foregoing tax levy and special assessments to the County Clerk of Coffey County, Kansas, on or before August 25, 1931 to be placed on the tax rolls of the year 1931 for collection as provided by law.

Section 3

That this ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the governing body this 5th day of August, 1931.

F.C. Herdman, Mayor

Attest: F.W. Schmitt, City Clerk

•ORDINANCE NO. 113

An ordinance providing for the levying of city taxes.

Be it ordained by the Governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in regular meeting assembled this third day of August, 1932.

Section No. 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1933, a tax is hereby levied by said Governing Body upon all of the real, and tangible personal property of said City, that may be taxable according to the laws of said State, showing levies as follows:

Fund	Mills
General Revenue.....	2.5
Streets and Alleys.....	3.
Street Lighting.....	2.
 Total city tax rate for 1933	 <u>7.5</u>

Section No. 2

That this ordinance shall take effect and be in force from and after its passage approval and publication or posting according to law.

F.C. Herdman, Mayor

Attest: F.W. Schmitt, City Clerk

And I further certify, Pursuant to the directions and orders of the above named Governing Body of said City, and as required by law, the levies of taxes made by said ordinance are hereby certified to the County Clerk of Coffey County, Kansas, to be by said County Clerk, placed upon the Tax Roll as prescribed by law.

In witness whereof, I have hereunto set my hand and affixed the seal of said city this third day of August, A.D. 1932.

F.W. Schmitt, City Clerk

•ORDINANCE NO. 114

An ordinance repealing Ordinance No. 64 and paragraph c of *section 6* of Ordinance No. 82 which refers to parking of automobiles between Fifth street and Nebraska ave.

Be it ordained by the Mayor and Councilmen of the city of LeRoy, Kansas:

Section 1

That Ordinance No. 64 and paragraph c of *section 6* of Ordinance No. 82 be and hereby are repealed.

Section 2

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor of the city of LeRoy, Kansas, this 7th day of Sept., 1932.

F.C. Herdman, Mayor

Attest: F.W. Schmitt, City Clerk

•ORDINANCE NO. 115

An ordinance vacating a certain alley in the city of LeRoy, Kansas.

Be it ordained by the Mayor and City Council of the city of LeRoy, Kansas.

Section 1

That the alley lying east of lots four (4), five (5) and six (6) and west of lots seven (7) eight (8) and nine (9), all in block eight (8), in Robinson's addition to the city of LeRoy, Kansas, be and the same is hereby vacated.

Section 2

That the said vacated alley described in section one (1) shall revert and is hereby annexed to the property abutting thereon, or adjoining thereto.

Section 3

This ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 7th day of September, 1932.

F.C. Herdman, Mayor

Attest: F.W. Schmitt, City Clerk

•ORDINANCE NO. 116

An Ordinance providing for the regular City election.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas:

Section 1

That the regular city election of the City of LeRoy, Kansas, shall be held on Monday, the third day of April, 1933, from the hours of 8 o'clock a.m., to 6 o'clock p.m., in the City Hall, for the purpose of electing a mayor, a police judge and five councilmen.

Section 2

That Ed. Stoeltzing, Norman Thornton and J.P. Hamilton are hereby designated by the mayor, with the approval of the council, to act as judges of said election and C.P. Cottingham and Grant Eichorn are hereby designated by the council to act as clerks of said election.

Section 3

That this ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the City Council this first day of March, 1933.

Approved this first day of March, 1933.

F.C. Herdman, Mayor

Attest: F.W. Schmitt, City Clerk

•ORDINANCE NO. 117

Being an ordinance to amend *Section 1* of Ordinance No. 100 of the laws of LeRoy, Kansas.

Be it ordained by the governing body of the city of LeRoy, Kansas:

Section 1

That *section 1* of Ordinance No. 100 be amended to read: "Payment to the city clerk of a license fee of twelve dollars and fifty cents for three months."

Section 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 15th day of May, 1933.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 118

Being an ordinance to amend *Section 1 and 2* of Ordinance No. 103 of the laws of LeRoy, Kansas.

Be it ordained by the governing body of the city of LeRoy, Kansas:

Section 1

That *Section 1* of Ordinance No. 103 be amended to read: "shall pay for the first day fifteen dollars (\$15.00) and the sum of five dollars (\$5.00) for each additional day."

Section 2

That *Section 2* of Ordinance No. 103 be amended to read: "Picture show shall pay a yearly license of twelve dollars and fifty cents(\$12.50)."

Section 3

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 15th day of May, 1933.

V.W. McGinnis, Mayor

•ORDINANCE NO. 119

An ordinance providing for the levying of city taxes.

Be it ordained by the Governing Body, the Mayor and City Councilmen of the City of LeRoy, Kansas, in regular adjourned meeting assembled this 14th day of August, 1933.

Section No. 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1934, a tax is hereby levied by said Governing Body upon all of the real, and tangible personal property of said City, that may be taxable according to the laws of said State, showing levies as follows:

- General Fund..... 3 mills.
- Street Fund.....2 mills.
- Light Fund.....2 mills.
- Park Fund.....1/2 mill.
- Fire Fund.....1/2 mill.
- Special St. Lighting Fund,
Chapter 137, Laws of 1929.....1 mill.
- Refunding Bond Sinking
Fund.....1 ¼ mills.

Section No. 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 14th day of August, 1933.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 120

Being an ordinance giving effect to a certain contract by and between the city of LeRoy, Kansas and LeRoy township, Coffey county, Kansas.

Be it ordained by the governing body of the City of LeRoy, Kansas:

Sec. 1. Contract

This agreement entered into the 2nd day of August, 1933, b and between the City of LeRoy, Kansas, party of the first part and hereinafter known and referred to as the "City" and the Township of LeRoy, Coffey county, Kansas, party of the second part, hereinafter referred to as the "Township", witnesseth:

That the City agrees, for the compensation hereinafter specified and subject to the conditions hereinafter stated, to furnish fire fighting services to the Township and the City agrees that the fire department will make a reasonable effort to attend fires in the Township, when notified of such fires, unless the fire is so inconsequential that the value of the property which might be saved will be less than the cost of the run; provided however:

That the fire chief or person in charge of the fire department shall have the right in every case to determine whether or not the City can spare all or any portion of its fire equipment and firemen at any particular time.

That road and weather conditions must be such that the run can be made with reasonable safety, and the judgment of the fire chief or person in chare of the fire department shall be final in such matter.

That the City shall not be liable in any way to the Township or to any inhabitant or taxpayer of the Township or to any other person, firm or corporation, for failure of the fire department to attend a fire, or failure to put out a fire, for damages to goods or for any other purpose or reason.

The City further agrees that any fire fighting vehicle which may be used or runs to fires in the Township shall be painted red and be equipped with a fire siren in good working order so that such vehicle shall have the right-of-way on the public highway when going to or returning from a fire as provided by law.

The Township agrees to pay to the City for such fire service, the sum of Three Hundred Dollars (\$300.00) in two equal installments of One Hundred Fifty Dollars (\$150.00) each, payable Feb. 1st, 1934 and August 1st, 1934, respectively; it being agreed between the parties hereto that this amount is sufficient to pay the City for the reasonable use of equipment and for the cost of material used on the runs and for fighting fires, paying the firemen for the runs and enable the City to carry a sufficient amount of insurance to indemnify it for loss or damage to any fire fighting equipment, or injury or damage to person or property (if the City be actually liable therefore) except that the Township will pay for all chemical used on any run into the Township.

It is further agreed by and between the parties that this contract shall not be binding upon either party until the Township board shall have regularly adopted said agreement in resolution form, shall have entered said resolution in its journal and shall have certified a true copy to the city clerk of said city nor until the governing body of the city shall have passed an ordinance embodying said contract shall have made it effective by publication according to law and shall have certified a true copy to the clerk of the township board, and this contract shall endure for a term beginning on the date this contract takes effect and shall continue and be in force until abrogated by either party.

At any time that this contract shall be nullified by either party, the Township shall be paid by the City sixteen and two-thirds (16 2/3) per cent of the appraised valuation at the time said contract is nullified for its proportionate share of the fire equipment of said city.

Sec. 2

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 6th day of September, 1933.

VW. McGinnis, Mayor
Attest: Lore V. Bader, City Clerk

•ORDINANCE NO. 121

An Ordinance providing for the levying of city taxes.

Be it ordained by the governing body, the mayor and city councilmen of the city of LeRoy, Kansas, in regular adjourned meeting assembled this 14th day of August, 1934.

Sec. 1

That in order to provide funds for the city of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1935, a tax is hereby levied by said governing body upon all the real and all tangible personal property of said city, that may be taxable according to the laws of said state, showing levies as follows:

General.....	3 mills
Street.....	2 mills
Light.....	2 mills
Park.....	1/2 mill
Fire.....	1/2 mill
Special street lighting fund	
Chapter 137 Laws of 1929	1 mill
Refunding bond sinking fund.....	1 ¼ mills

Sec. 2

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the council and approved by the mayor this 14th day of August, 1934.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 122

An ordinance granting to the Kansas Utilities Company, its successors and assigns, the right to use streets, alleys and public grounds of the City of LeRoy, Coffey County, Kansas for the purpose of transmitting and distributing electricity.

Be it ordained by the Mayor and Councilmen of the City of LeRoy.

Section 1

In consideration of the Kansas Utilities Company furnishing the city of LeRoy with one hundred eight one hundred candle power series lamps burning from dusk to dawn every night, for the sum of \$87.75 per month, payable monthly, and the performance of the other considerations herein named, the said Kansas Utilities Company, a corporation its successors and assigns, is granted the right for the period of ten years to use the streets, alleys and public grounds of the city of LeRoy for the purpose only of transmitting and distributing electricity provided that this franchise shall not take effect until after its publication for twenty days as provided by law and its written acceptance by the Kansas Utilities Company.

Section 2

All provisions of Ordinance No. 102, not in conflict with the above, is hereby made a part hereof, the same as if set out herein in full.

Section 3

This Ordinance shall take effect upon its publication for twenty days in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 2nd day of January, 1935.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerks

•ORDINANCE NO. 123

An ordinance providing for the regular city election.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas:

Section 1

That the regular city election of the city of LeRoy, Kansas, shall be held on Monday, the first day of April, 1935, from the hours of 8 o'clock a.m. to 6 o'clock p.m. in the City Hall for the purpose of electing a Mayor, a Police Judge and five Councilmen.

Section 2

That C.R. Louderback, E.C. Pocock and F.F. Havens are hereby designated by the Mayor and with the approval of the council, are to act as judges of said city election; and Carl W. Rich and Clark Davis are hereby designated by the council to act as clerks of said election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this sixth day of February, 1935.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 124

An ordinance imposing an occupation license tax upon persons who sell or barter or offer to sell or barter any non-intoxicating beverage containing more than one-half of one percent by volume, of alcohol, and fixing a penalty for its violation.

Be it Ordained by the Governing Body of the City of LeRoy, in Coffey County, Kansas:

Section 1

An occupation license tax, as hereinafter specified, hereby is levied upon each persn, who, within the city, sells or barter or offers to sell or barter any non-intoxicating beverage containing more than one-half of one per cent by volume of alcohol. Hereafter it shall be unlawful for any person to sell or barter or offer to sell or barter any such beverage without first having applied for, paid for and received, from the City, a license to do so. Each person, desiring such license, shall apply therefore, in writing, to the city clerk and shall specifically designate the place by street and street number, or lot and block, building and room where such beverage is to be sold. Upon payment of the license fee the city clerk shall issue such license, which shall be fore one described place only, and for one person only, and shall not be assignable; provided the licensee may conduct his business through one or more employees.

Section 2

That all persons, firms and corporations to whom a license shall be issued under the provisions hereof shall pay the sums and amounts as specified in the following schedule, for each separate place of business where such beverage is dealt in or sold, viz:

For selling or dealing in said beverage at wholesale in original package, kegs or barrels and in original bottles, for resale, \$15.00 per year.

For selling or dealing in said beverages in original packages and or otherwise at retail \$50.00 per year.

All license fees are payable in advance.

It shall be unlawful to refund any money paid for such license. The word "person" means any individual, firm, corporation or other form of business enterprise.

Section 3

That no license shall sell any such beverage at more than one place within the city without a separate license for each such place. Nor shall any such licensee allow or permit curb service at this place of business.

Section 4

That every licensee shall keep his license posted in a conspicuous place near the front entrance to his place of business.

Section 5

That such licensee shall not sell or barter nor offer for sale or barter any such beverage except between the hours of six o'clock a.m. and twelve o'clock mid-night on each week day and no sales on such beverage on Sunday. Nor shall any such licensee sell or barter or offer to sell or

barter any such beverage to any minor under the age of seventeen years, unless such minor shall be accompanied by this parent or guardian, and with the consent of such parent or guardian.

Section 6

That all moneys so received from the occupation taxes levied by this ordinance shall be placed in the general fund of the city.

Section 7

That any person who shall violate any part of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25.00 nor more than \$100.00, at the discretion of the Police Judge, and shall be committed to the city jail until such fine and costs are paid. Each day that any person, firm or corporation shall carry on any business herein taxed without a license or without having paid the tax shall be deemed offense.

Section 8

The premises controlled by such license shall be open to inspection by the police and health officer.

Section 9

The provisions of the ordinance are hereby declared to be severable and if any section or provisions of this ordinance shall be deemed unconstitutional or void, for any reason whatsoever, such decision shall not invalidate, the remaining sections and provisions hereof.

Section 10

This ordinance is enacted for the immediate preservation of the public peace, health and safety because of the very probable and immediate wide-spread sale of a beverage containing an appreciable amount of alcohol, and this ordinance, as provided by law, shall become effective upon its publication once in the official city paper.

Passed and approved this 9th day of July, 1935.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 125

An Ordinance Providing for the levying of City Tax.

Be it ordained by the Governing Body, the Mayor and Councilmen of the City of LeRoy, Kansas, in regular meeting assembled this 7th day of August, 1935.

Sec. 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1936, a tax is hereby levied by the said Governing Body upon real and tangible personal property of said City, that may be taxable according to the laws of said State, showing levies as follows:

General Fund	3 mills
Street Fund	2 mills
Street Lighting Fund	2 mills
Sp. St. Light Fund	1 mill.

Sec. 2

That this ordinance shall take effect and be in full force from and after its passage, approval and publication or posting according to law.

V.W. McGinnis, Mayor

Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 126

An Ordinance providing for the levying of city taxes.

Be it ordained by the governing body, the mayor and city councilmen of the City of LeRoy, Kansas, in regular session this 5th day of August, 1936.

Sec. 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1937, a tax is hereby levied by the said governing body upon real and tangible personal property of said city, that may be taxable, according to the laws of said state, showing levies as follows:

General Fund.....	3 mills
Street Fund.....	2 mills
Street Lighting Fund.....	2 mills
Sp. St. Light. Fund.....	1 mill
Park Fund.....	1/2 mill

Sec. 2

That this ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting according to law.

V.W. McGinnis, Mayor
Attest: L.V. Bader, City Clerk

•ORDINANCE NO. 127

An Ordinance directing the calling of a Special Election in the City of LeRoy, Kansas, for the purpose of submission to the qualified electors of said city the question of issuing the bonds of said city in the amount of not to exceed Thirty-one Thousand Dollars (\$31,000.00), for the purpose of paying part of the cost of the construction and installation of a general system of water works, for the purpose of supplying said city and its inhabitants with water.

Whereas, the question of the construction of a system of water works for the City of LeRoy, Kansas, has long been considered by the citizens thereof and it is highly desirable and convenient that such system of water works be constructed if possible, and

Whereas, upon application, duly made therefore the Federal Emergency Administration of Public Works has approved the application of the City of LeRoy for assistance in the construction of such system of water works and has offered, if such system be constructed, to pay approximately forty-five (45) per cent or approximately Twenty-five Thousand Dollars (\$25,000.00) of the total cost of such project and it would be necessary for said city to pay only approximately Fifty-five (55) per cent or approximately Thirty-one Thousand Dollars (\$31,000.00) of the approximate total cost to wit: Fifty-six Thousand Dollars (\$56,000.00) of said system of water works, and

Whereas, by making use of said offer of said Public Works Administration, said system of water works can be constructed, at this time with great saving and a minimum of expense to said city; now therefore,

Be it ordained by the governing body of the City of LeRoy, Kansas:

Section 1

That the Mayor of the City of LeRoy, Kansas, is hereby authorized, empowered and directed to call a special election as provided by law to be had and held in the City of LeRoy, Kansas, on the 30th day of November, A.D., 1936, for the purpose of submission to the qualified electors of said City this question of issuing bonds of the City of LeRoy, Kansas, in the amount of not to exceed Thirty-one Thousand Dollars (\$31,000.00), for the purpose of paying part of the cost of

constructing and installing a general system of water works in said city, for the purpose of supplying said city and its inhabitants with water; the balance of the cost of said system of water works to be paid from funds granted by the United States Government through the Federal Emergency Administration of Public Works or other agencies of said government; the proceeds of such bonds to be used only in conjunction with such other funds as granted, under the authority of and as provided by Sections 12-801 and 12-802 of the Revised Statutes of Kansas of 1923 and all other laws relating thereto.

Section 2

Said bonds shall be in denominations of not more than One Thousand Dollars (\$1,000.00), shall bear interest at not to exceed five per centum per annum and shall be payable in not more than twenty years from their date and shall mature serially.

Section 3

The place of holding said election shall be the City Hall of said City, The Mayor shall with the approval of the Council designate the judges of said election and the City Council shall designate two clerks of said election; ballots used therein and notice thereof and all other matters relating thereto shall be as provided by Section 40-120 of the Revised Statutes of Kansas of 1923 and all other laws relating thereto.

Section 4

This Ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Approved October 29, 1936.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerks

•ORDINANCE NO. 128

An Ordinance providing for the issuance of Water Works Bonds of the City of LeRoy, Kansas, in the amount of \$31,000.00.

WHEREAS: at an election duly held in the City of LeRoy, on November 30, 1936, the electors of said city voted in favor of the issuance of bonds of said city in the amount of \$31,000.00, for the purpose of paying part of the cost of constructing and installing a general system of water works in said City for the purpose of supplying said city and its inhabitants with water; the balance of the cost of said system of water works to be paid from funds granted by the United States Emergency Administration of Public Works or other agencies of said government under the provisions of Sections 12-801 and 12-802 of the Revised Statutes of Kansas of 1923, and

WHEREAS, said Federal Emergency Administration of Public Works has offered to pay 45 per cent of the total cost of the construction of said system of water works and said offer has been accepted by the City of LeRoy, Kansas, and said Public Works Administration is ready to pay its said share of said cost whenever the City of LeRoy has funds available for the construction of said water works system, and

WHEREAS, it is necessary and expedient that said bonds, so authorized be issued at this time, Now Therefore,

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section One

That pursuant to the authority of said election and of said laws, water works bonds of the City of LeRoy, Kansas be issued in the amount of \$31,000.00 for the purpose of paying part of the cost of constructing and installing a general system of water works in said City for the purpose of supplying said city and its inhabitants with water:

Thirty-one bonds numbered one to thirty-one both inclusive in the principal amount of One Thousand Dollars (\$1,000.00) each, each dated February 1, 1937, bearing interest at the rate of

Two and one-half (2 ½) per centum per annum, payable semi-annually on the first days of February and August in each year, excepting the first coupon on each of said bonds shall mature February 1, 1938, both principal and interest payable at the office of State Treasurer, Topeka, Kansas in form and with all recitals as prescribed by law, which said bonds shall be numbered and and mature and be due as follows:

- Number 1, due February 1, 1938
- Number 2, due February 1, 1939
- Number 3, due February 1, 1940
- Number 4, due February 1, 1941
- Number 5, due February 1, 1942
- Number 6, due February 1, 1943
- Number 7, due February 1, 1944
- Number 8, due February 1, 1945
- Number 9, due February 1, 1946
- Numbers 10 and 11, due February 1, 1947
- Numbers 12 and 13, due February 1, 1948
- Numbers 14 and 15, due February 1, 1949
- Numbers 16 and 17, due February 1, 1950
- Numbers 18 and 19, due February 1, 1951
- Numbers 20 and 21, due February 1, 1952
- Numbers 22 and 23, due February 1, 1953
- Numbers 24 and 25, due February 1, 1954
- Numbers 26 and 27, due February 1, 1955
- Numbers 28 and 29, due February 1, 1956
- Numbers 30 and 31, due February 1, 1957

Which said bonds together with the coupons thereto attached shall be in substantially the following form:

United States of America
State of Kansas
City of LeRoy
WATER WORKS BONDS

No. _____ \$1,000.00

Know All Men by These Presents,

That the City of LeRoy, in the County of Coffey and State of Kansas, for value received, hereby acknowledges itself to be indebted and promises to pay the bearer hereof the sum of
ONE THOUSAND DOLLARS

Lawful money of the United States of America, on the first day of February 19___, with interest thereon at the rate of Two and one-half (2 ½) per centum per annum payable semi-annually on the first day of February and the first day of August of each year, after the date hereof, excepting coupon No. 1 hereof, upon presentation and surrender of the proper interest coupon hereto attached, as they severally become due. Both principal and interest of this bond are payable at the office of the State Treasurer, in the City of Topeka, Kansas, and for the payment of the principal and interest of this bond, as they respectively become due, the full faith, credit and resources of the said City of LeRoy are hereby pledged.

This bond is one of a series of Thirty-one bonds of like date and tenor, except to maturities, aggregating the principal sum of Thirty-one Thousand Dollars (\$31,000.00) issued by said City of LeRoy, Coffey County, Kansas for the purpose of paying part of the cost of constructing and installing a general system of water works in said city for the purpose of supplying said city and its inhabitants with water. This bond is executed and issued by authority of and in conformity with the provisions, restrictions and limitations of the constitution and laws of the State of Kansas including Sections 12-801 and 12-802, of the Revised Statutes of 1923 of the State of Kansas, and all other provisions of the laws of the state of Kansas, applicable thereto and pursuant to the authority granted by a special election held in the City of LeRoy on November 30, 1936.

This bond and all other bonds of said series, and all interest thereon, are to be paid by said City of LeRoy, Kansas.

It is hereby declared, certified and recited that all acts, conditions and things required to be done and exist precedent to and in the issuing of this bond have been done and performed, and do exist in regular and due form as required by the constitution and laws of the State of Kansas, and that the total indebtedness of said city, including this series of bonds, does not exceed any constitutional or statutory limitation.

In Testimony Whereof, said City of LeRoy, by its Governing Body, has caused this bond to be signed by its Mayor and attested by its City Clerk and its corporate seal to be affixed and the coupons hereto attached to be signed with the facsimile signatures of said officers and this bond to be dated this 1st day of February, 1937. _____ Mayor

Attest: _____ Seal: City Clerk,
COUPON

No. _____

On the first day of _____, 19____, the City of LeRoy, Coffey County, Kansas will pay to bearer Twelve and Fifty hundredths Dollars lawful money of the United States of America at the office of the State Treasurer, Topeka, Kansas, being six months interests on its Water Works Bond No. _____ dated February 1, 1937. _____ Mayor.

Attest: _____ City Clerk (On right of Coupon): _____, 19____.

City of LeRoy
Coffey County, Kansas
\$12.50

CITY CLERK'S CERTIFICATE

State of Kansas, Coffey County, Kansas hereby certify that the within Water Works Bond of the City of LeRoy, Kansas has been duly registered in my office according to law,

Witness my hand and official seal this _____ day of _____, 1937.
(Seal) City Clerk

State Auditor's Certificate

State of Kansas, Coffey County.

I, _____, State Auditor of the State of Kansas do hereby certify that a transcript of the proceedings leading up to the issuance of this bond has been duly filed in my office and that this bond was registered in my office according to law on _____, _____, 1937.

Witness my hand and official seal this _____ day of _____, 1937.
(Seal) _____ Auditor of State.

Section Two

The Mayor and City clerk are hereby authorized and directed to prepare in legal form and as herein prescribed, sign, seal and fully execute said bonds and to cause the coupons thereto attached to be executed by the facsimile, signature of said officials and to cause said bonds to be registered in the office of the City Clerk and in the office of the State Auditor of the State of Kansas.

Section Three

Said bonds shall be general obligation bonds of the City of LeRoy, Kansas and the full faith and credit of said city shall be pledged for the payment of said bonds and the interest thereon.

Section Four

This Ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Governing Body and approved by the Mayor this 16th day of December A.D., 1936.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 129

An ordinance providing for the construction of a system of general sewers for the City of LeRoy, Kansas, and for the issuance of bonds to pay the cost thereof.

WHEREAS, it is expedient and necessary, in the interest of the public health and convenience that a system of general sewers, including mains and lateral sewers be constructed for the City of LeRoy, and

WHEREAS, The Federal Emergency Administration of Public Works has offered to pay 45 per cent of the total cost of such system of sewers together with a sewage disposal and purification works, the same to be constructed as one project; and said offer has been duly accepted by the City of LeRoy, and

WHEREAS, plans for the construction of such system of sewers and disposal works have been prepared and have been approved by the State Board of Health and under said offer the cost to the City of LeRoy, for the whole of said project would be the sum of \$22,000.00 of which wum the amount of \$15,000.00 would be required for the construction of said system of sewers and the sum of \$7,000.00 would be required for the construction of such disposal works, Now Therefore,

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That the governing body of the City of LeRoy, Kansas, does hereby declare it necessary in the interest of the public health, safety and convenience that a system of general sewers be constructed for the City of Leroy.

Section 2

That the final plans and specifications prepared for said system of general sewers by E.T. Archer and Company, Consulting Engineers, and approved by the State Board of Health be and the same hereby are approved and adopted for the construction of said sewer system.

Section 3

That a system of general sewers, including mains, laterals and out-let sewers and drains be constructed in and for the said City of LeRoy pursuant to said plans so prepared and approved and pursuant to the authority of Sections 12-617 to 12-620 inclusive of the Revised Statutes of Kansas of 1923 and amendments thereto.

Section 4

That for the purpose of construction of said system of general sewers and for paying for the same said City shall not be divided into sewer districts and the whole of the City of LeRoy shall constitute one sewer district.

Section 5

That said system of sewers be constructed together with said disposal works as one project.

Section 6

That for the purpose of paying the cost to the City of the construction of said system of general sewers, improvement bonds of the City of LeRoy be issued in the amount of Fifteen Thousand Dollars (\$15,000.00), said bonds to be issued jointly with bonds issued to pay for the cost of the construction of said disposal works and purchase of land therefore as one general issue of improvement bonds.

Section 7

This Ordinance shall take effect upon its publication in the LeRoy Reporter.
Passed by the council and approved by the mayor this 4th day of January, 1937.

V.W. McGinnis, Mayor
Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 130

An Ordinance providing for the construction of a system of disposal works for the purification of the sewage of the City of LeRoy and for the acquisition of land therefore, and the issuance of bonds to pay the cost thereof.

Whereas, in the interest of the public health and convenience it is necessary and expedient that a system of sewage disposal and purification works be constructed for the City of LeRoy, and

Whereas, the Federal Emergency Administration of Public Works has offered to pay 45 per cent of the cost of construction of such system of disposal works and land therefore together with a system of general sewers for said city and said offer has been duly accepted, and

Whereas, plans for the construction of such system of disposal works have been prepared and have been approved by the State Board of Health and under said plans and said offer the costs to said city for the construction of said system of disposal works, and the acquisition of necessary land, therefore would be the sum of \$7,000.00, Now Therefore,

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That the governing body of the City of LeRoy, Kansas hereby declare it necessary in the interest of the public health, safety and convenience that a system of disposal works be constructed for the City of LeRoy.

Section 2

That the final plans and specifications prepared for said system of disposal works by E.T. Archer and Company and approved by the State Board of Health be and the same hereby are approved and adopted for the construction of said disposal works.

Section 3

That a general system of sewage disposal and purification works be constructed for the City of LeRoy pursuant to said plans and pursuant to the authority of Sections 12-621 to 12-624 Inclusive of the Revised Statutes of Kansas of 1923 and amendments thereto.

Section 4

That the Mayor and City Clerk be and they hereby are directed to forthwith obtain conveyance to said city, for the necessary land required for said disposal works and rights of way connected therewith by said plans, pursuant to agreement hitherto made with the owner of said land.

Section 5

That said system of disposal works be constructed together with said system of general sewers as one project.

Section 6

That for the purpose of paying the cost to the city of the construction of said system of disposal works and acquisition of land therefore, improvement bonds of the City of LeRoy be issued in the amount of \$7,000.00, said bonds to be issued jointly with bonds issued to pay for

the cost of construction of a system of general sewers for said city as one general issue of improvement bonds.

Section 7

This Ordinance shall take effect upon its publication in the LeRoy Reporter.
Passed by the Council and approved by the mayor this 4th day of January, 1937.

V.W. McGinnis, Mayor
Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 131

An Ordinance Repealing Ordinance No. 128 of the City of LeRoy, Kansas.

WHEREAS, Ordinance No. 128 of the City of LeRoy, Kansas, authorized the issuance of bonds, pursuant to special election held in said city on November 30, 1936; and

WHEREAS, No bonds have been issued, printed, executed, sold or delivered, under said Ordinance No. 128, and

WHEREAS, it is necessary that the bonds authorized by said election be issued on different terms, and at a different interest rate than provided by said Ordinance No. 128; Now Therefore,

Be it ordained by the governing body of the City of LeRoy, Kansas:

Section 1

That Ordinance No. 128 of the city of LeRoy, Kansas, being an Ordinance providing for the issuance of water works bonds of the city of LeRoy, Kansas, in the amount of \$31,000.00 be and the same hereby is, repealed.

Passed by the Council and approved by the Mayor this 25th day of January, A.D., 1937.

V.W. McGinnis, Mayor
Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 132

An Ordinance providing for the issuance of Water Works Bonds of the City of LeRoy, Kansas, in the amount of \$31,000.00.

WHEREAS, at an election duly held in the City of LeRoy, on November 30, 1936, the electors of said city voted in favor of the issuance of bonds of said city in the amount of \$31,000.00, for the purpose of paying part of the cost of constructing and installing a general system of water works in said City, for the purpose of supplying said city and its inhabitants with water; the balance of the cost of said system of water works to be paid from funds granted by the the United States government through the Federal Emergency ?Administration of Public Works or other agencies of said government under the provisions of Sections 12-801 and 12-802 of the Revised Statutes of Kansas of 1923, and

WHEREAS, said Federal Emergency Administration of Public of Public Works has offered to pay 45 per cent of the total cost of the construction of said system of water works and said offer has been accepted by the City of LeRoy, Kansas, and said Public Works Administration is ready to pay its said share of said cost whenever the City of LeRoy has funds available for the construction of said water works system, and

WHEREAS, it is necessary and expedient that said bonds, so authorized be issued at this time, Now Therefore,

Be it ordained by the Governing Body of the City of LeRoy, Kansas;

Section One

That pursuant to the authority of said election and of said laws, water works bonds of the City of LeRoy, Kansas be issued in the amount of \$31,000.00 for the purpose of paying part of the

cost of constructing and installing a general system of water works in said City for the purpose of supplying said city and its inhabitants with waters as follows:

Thirty-one bonds numbered one to thirty-one both inclusive, in the amount of One Thousand Dollars (\$1,000.00) each, each dated February 1, 1937, bonds numbered one to eleven, both inclusive, bearing interest at the rate of three and one-half per centum per annum and bonds numbered twelve to thirty-one, both inclusive, bearing interest at the rate of four per centum per annum, all interest payable semi-annually on the first days of February and August in each year, excepting the first coupon on each of said bonds shall mature, for value received, hereby acknowledges itself to be indebted

(This Ordinance was not fully copied and I was unable to type the entire thing)

•ORDINANCE NO. 133

An Ordinance providing for the issuance of Improvement Bonds of the City of LeRoy, Kansas in the total amount of \$22,000.00.

WHEREAS, the City of LeRoy has hitherto duly provided by Ordinances No. 129 and 130 for the construction of a sanitary system of general sewers including main, lateral and out-let sewers and drains and for the construction of a general system of sewage disposal and purification works, and for the obtaining of necessary land and rights of way herefor, and for the issuance of bonds to pay the cost to the city of the construction of such system of general sewers and disposal works, and

WHEREAS, the cost to the city of said system of general sewers has now been and is hereby ascertained to be the sum of \$15,000.00, and the cost to the city of the the construction of said disposal works and land and rights of way therefore has now been and is hereby ascertained to be the sum of \$7,000.00 and it is necessary that said bonds be issued at this time, and

WHEREAS, said improvements are to be constructed as one project and bonds are to be issued for the cost of both projects as one general issue of bonds; all under the provisions of Sections 12-617 to 12-624 inclusive of the Revised Statutes of Kansas of 1923 and amendments thereto; NOW THEREFORE,

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That pursuant to the authority of said ordinances and said laws improvement bonds of the City of LeRoy, Kansas be issued for the purpose of paying the cost to the city of constructing and installing a sanitary system of general sewers including main, lateral and out-let sewers and drains for the City of LeRoy, Kansas in the amount of \$15,000.00.

Section 2

That pursuant to the authority of said ordinances and said laws improvement bonds of the City of LeRoy, Kansas be issued for the purpose of paying the cost to the City of constructing and installing a general system of sewage disposal and purification works and the obtaining of necessary land and rights of way therefore for the City of LeRoy, Kansas, in the amount of \$7,000.00.

Section 3

That said improvement bonds be issued as one general issue of improvement bonds in the total amount of \$22,000.00 as follows:

Forty-four bonds numbered one through forty-four both inclusive, in the principal amount of \$500.00 each, each dated February 1, 1937, bonds numbered one to twenty, both inclusive bearing interest at the rate of three and one-half per centum per annum and bonds numbered twenty-one to forty-four, both inclusive, bearing interest at the rate of four per centum per annum, all interest payable semi-annually on the first days of February and August in each year, excepting the first interest coupon on each of said bonds shall mature February 1, 1938, both principal and interest payable at the office of the State Treasurer, Topeka, Kansas, in form and

with all recitals as prescribed by law, which said bonds shall be numbered and mature and be due as follows:

- Numbers 1 and 2, due February 1, 1938.
- Numbers 3 and 4, due February 1, 1939.
- Numbers 5 and 6, due February 1, 1940.
- Numbers 7 and 8, due February 1, 1941.
- Numbers 9 and 10, due February 1, 1942.
- Numbers 11 and 12, due February 1, 1943.
- Numbers 13 and 14, due February 1, 1944.
- Numbers 15 and 16, due February 1, 1945.
- Numbers 17 and 18, due February 1, 1946.
- Numbers 19 and 20, due February 1, 1947.
- Numbers 21 and 22, due February 1, 1948.
- Numbers 23 and 24, due February 1, 1949.
- Numbers 25 and 26, due February 1, 1950.
- Numbers 27 and 28, due February 1, 1951.
- Numbers 29 and 30, due February 1, 1952.
- Numbers 31 and 32, due February 1, 1953.
- Numbers 33, 34 and 35, due February 1, 1954.
- Numbers 36, 37 and 38, due February 1, 1955.
- Numbers 39, 40 and 41, due February 1, 1956.
- Numbers 42, 43 and 44, due February 1, 1957.

Each said bonds together with the coupons thereto attached shall be in substantially the following form:

United States of America
 State of Kansas
 City of LeRoy
 IMPROVEMENT BOND

(illegible, unable to read)

This bond and all other bonds of said series, and all interest thereon are to be paid by said city of LeRoy, Kansas.

It is hereby declared, certified and recited that all acts, conditions and things required to be done and to exist precedent to and in the issuing of this bond have been done and performed, and do exist in regular and due form as required by the constitution and laws of the State of Kansas, and that the total indebtedness of said city, including this series of bonds, does not exceed any constitutional or statutory limitation.

In Testimony Whereof, said City of LeRoy, by its Governing Body, has caused this bond to be signed by its Mayor and attested by its City Clerk and its corporate seal to be affixed and the coupons hereto attached (illegible, unable to read) signatures of said officers and this bond to be dated this 1st day of February, 1937. _____ Mayor. Attest: _____ City Clerk.

COUPON

No. _____

On the First day of _____ 19____, the City of LeRoy, Coffey County, Kansas will pay to bearer _____ Dollars, lawful money of the United States of America at the office of the State Treasurer, Topeka, Kanas, being _____ months' interest on its Improvement Bond

No. _____ dated February 1, 1937.

_____ Mayor

Attest: _____ City Clerk (On right of Coupon): _____, 19____

City of LeRoy
 Coffey County, Kansas

\$ _____

CITY CLERK'S CERTIFICATE

State of Kansas, Coffey County, ss.

I, _____, City Clerk of the City of LeRoy, Coffey County, Kansas here certify that the within Improvement Bond of the City of LeRoy, Kansas has been duly registered in ;my office according to law.

Witness my hand and official seal this _____ day of _____, 1937.
(Seal) _____ City Clerk.

State Auditor's Certificate

State of Kansas, Shawnee County, ss.

I, _____, Auditor of the State of Kansas do hereby certify that a transcript of the proceedings leading up to the issuance of this bond has been duly filed in my office and that this bond and the coupons attached hereto were registered in my office according to law this _____ day of _____, 1937.

Witness my hand and official seal. _____ Auditor of State of Kansas.
(Seal) _____ By Ass't Auditor of the State of Kansas.

Section 4

The Mayor and City Clerk are hereby authorized and directed to prepare in legal form and as herein prescribed, sign, seal and fully execute said bonds and to cause the coupons thereto attached to be executed by the facsimile signatures of said officials and to cause said bonds to be registered in the office of the City Clerk and in the office of the State Auditor of the Stte of Kansas.

Section 5

Said bonds shall be general obligation bonds of the City of LeRoy, Kansas and the full faith and credit of said city shall be pledged for the payment of said bonds and the interest thereon.

Section 6

This Ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter.

Passed by the Governing Body and approved by the Mayor this 25th day of January, 1937.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 134

Being an Ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the Mayor and the councilmen of the City of LeRoy, Kansas:

Section 1

That the regular City Election of the City of LeRoy, Kansas, shall be held on Monday, the fifth day of April, 1937, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section 2

C.O. Baird, E.C. Pocock and Max Coffin are hereby designated as judges of election and Cleo M. Price and Mabel Pugh are designated as clerks of election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

V.W. McGinnis, Mayor
S.T. Ferguson, City Clerk

•ORDINANCE NO. 135

An Ordinance providing for the management and operation of Municipal Waterworks Plant and Sewer System.

Be it ordained by the Governing Body of the City of LeRoy, Kan.

Section 1

There is hereby created the office of Management of the Waterworks Plant and Sewer system. The Mayor shall at the first regular meeting of the city council in April of each year with the advice and consent of the council appoint a Superintendent of the Waterworks plant and Sewer system, who shall take oath as required by other officers and shall hold his office for a term of one year and until his successor is appointed and qualified.

Section 2

Said Superintendent shall have general supervision of the Municipal Waterworks Plant and Sewer System, both inside and outside the city. He shall, with the approval and consent of the governing body, appoint such employees for the operation of said plant and system as may be deemed necessary by the governing body and he shall temporarily employ such other persons as may be necessary from time to time in the operation of said plant and system. All purchases, work and service of every character relative to the waterworks plant and sewer system shall be under his direction and he shall be responsible therefore.

Section 3

That any person, firm or corporation desiring a connection with the municipal water or sewer system of this city shall deposit with the city clerk before the connection is made such sum as in the judgment of the superintendent shall cover all costs incurred by the city in labor, supplies and material in making such connection. All connections and work required therefore shall be performed by city employees only.

Section 4

That all water furnished by the municipal water plant of this city shall be measured by meters furnished by the city for that purpose.

Section 5

That unless special permission is granted by the superintendent of the water plant, each premise shall have a separate and distinct service connection, and where permission is granted for branch service pipes, each branch pipe must have its own curb cock and separate meter.

Section 6

That all service pipes in this city shall be galvanized wrought iron, brass, lead, copper or cast iron and shall be laid not less than three feet below the established grade or as low as the street mains.

Section 7

That the cost of original installation of all plumbing between the property line and any service devices maintained by the consumer, and all extensions hereafter made to such service, as well as all repairs to the same, shall be borne entirely by the consumer, although such service pipes and devices shall at all reasonable times be subject to inspection by the superintendent of the water department of this city, and repairs found to be necessary by such official shall be made promptly or the city will discontinue service until such repairs are made.

Section 8

That the city may extend its water mains within or without the city by construction or purchase, when applications have been made and agreements entered into by persons along the proposed extension, that in the judgment of the mayor and council, will produce a revenue sufficient to pay interest on the cost of the extension, and the operating cost of the service furnished.

Section 9

That any person, firm or corporation whose premises are outside the city limits may connect with the municipal water pipes inside the city limits, provided a curb cock and meter be installed inside the city limits; and provided further, that if the meter be installed outside the city limits, then all installations shall be as provided herein and the pipe and service connections shall be subject to the provisions of this ordinance.

Section 10

That the consumer shall be responsible for the care of any meter together with the meter box or vault and appurtenant connections and appliances, installed upon his service connection for any accidental or willful injury therein, whether by his own act or that of others not in the employ of the city and shall at all times, when any meter is installed protect said meter from freezing and from damage from heat, hot water, or steam and in the event of any accidental or willful injury by frost or any meter or injury by hot water or steam as aforesaid, the consumer shall promptly notify the Superintendent of the water plant thereof, who shall have the necessary repairs made and charge the cost of repairs to the consumer.

Section 11

That no meter shall be removed or repaired except by employees of the city under the direction of the Superintendent of water plant.

Section 12

That no allowance under any circumstances shall be made for water used, losts or wasted through leaks, carelessness, neglect or otherwise, after the same has passed through the meter.

Section 13

That the quantity of water recorded by the meter shall be conclusive evidence on both the city and the consumer as to the quantity to figure the cost to the consumer, except when the meter has been found to be defective or has ceased to register. In such case the quantity of water shall be determined by the average daily registration as shown by the meter when in order.

Section 14

That the superintendent is hereby directed and authorized to have all water meters carefully tested before being installed. After this installation they shall be tested as frequently as circumstances warrant in the discretion of the City. If at any time a consumer become dissatisfied with the accuracy of the meter on his or her service, he or she may make application to have his or her meter tested, which application shall be accompanied by a fee of \$1.00 and upon receipt of such application and fee, the superintendent shall as soon as practicable have the meter tested in the presence of the consumer or the complaining party if he or she desires, and if they test shows that the meter has been over registering more than two (2) percent the previous bill based on the reading of such meter shall be corrected accordingly and the \$1.00 fee returned. If the test shows that the meter is not over registering or under registering more than two (2) per cent the meter shall be considered as correct. If the test shows that the meter has been under registering more than two (2) per cent, the previous bill based on the reading of such meter shall be correct accordingly, and the test fee of \$2.00 retained by the city. The city reserves the right to remove and test any meter at any time and if such meter is found to be inaccurate to substitute another meter of the same size in its place.

Section 15

That all accounts carried upon the books of the municipal water department of this city shall be with the consumer or his authorized agent, and the said consumer shall at all times be liable for water used upon the premises.

Section 16

That it is hereby declared unlawful for any person, firm or corporation to take any water from the municipal water system of this city, except through meters and when taken under authority as provided by this ordinance.

Section 17

That the city hereby reserves the right to discontinue service to any or all consumers of the municipal water system without notice when the same is necessary in the repair of said system, or any part thereof or for the non-payment of water rents, after the twentieth of the month after same has become due.

Section 18

That any person, firm or corporation who violates any of the provisions of this ordinance, shall upon conviction thereof, be deemed guilty of a misdemeanor and fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and costs, and in default of payment of said fine, shall be committed to the city jail until such fine and costs are paid.

Section 19

That if any section or sections of this ordinance be declared void by any court of competent jurisdiction, then all sections not declared void shall remain in full force and effect the same as if the section or sections so declared void had never been a part of said ordinance.

Section 20

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 13th day of April, 1937.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 136

An Ordinance fixing water rates in the City of LeRoy and providing conditions and regulations for the payment thereof and fixing penalties and deposits to secure such payments.

Be it ordained by the Governing Body of the City of LeRoy, Kansas.

Section 1

The rates charged for water sold by the municipal plant shall be as follows: \$1.00 for the first 2000 gallons and 35 cents per 1000 gallons for the next 2000 gallons; 25 cents per 1000 gallons for all in excess of 4000 gallons, with \$4.500 minimum charge per month.

Section 2

The above rates shall apply only to water sold to consumers located inside the city limits, and the rates for water sold to consumers outside the city limits shall be ten (10) per cent higher than the rates above provided.

Section 3

The governing body shall have authority to fix from time to time, by contract, motion or otherwise special rates for railway and other large industrial consumers.

Section 4

All water bills shall be due and payable on the first day of each month and each bill shall cover the period ending with the meter reading in the last preceding month. All bills shall be payable at the office of the City Clerk.

Section 5

If any bill is not paid on or before the 10th day of any month in which the same became due ten per cent of the amount of such bill shall be added thereto. *(the remainder of this section and all of section 6 is illegible)*

Section 7

Every residence tenant consumer served with water from the municipal plant shall deposit with the city clerk before service is commenced a deposit in the sum of \$3.00 to guarantee payment of bills. Every tenant consumer with other than residence property shall deposit an amount equal to the cost of three months service as estimated by the superintendent of the water plant. The City Clerk shall have the power, and he is hereby directed, whenever it shall appear reasonably necessary for the protection of the city, to require from any applicant for water service, before service is commenced, a similar deposit in such amount as shall appear necessary to secure the payment of bills.

Section 8

A separate account shall be kept of each deposit, with the date when the same is received and the amount thereof and interest at the rate of four percent per annum shall be credited on such deposits on January 1 of each year. Such interest shall be payable to the depositor in cash at any time, on demand.

Section 9

Upon any depositor's failure to pay his water bill by the twentieth of any month, his deposit shall be applied to the payment of the same, and upon the discontinuance of water service to any depositor his deposit shall be applied to the payment of any bill for water service then due.

Section 10

An person, firm or corporation who shall, when water service has been discontinued to a consumer under any of the provisions of this ordinance reconnect or turn on the water service of such consumer, excepting by direction of the superintendent of the water plant, shall be deemed guilty of a misdemeanor and fined not less than \$5.00, nor more than \$100.00 and costs, and in default of payment thereof shall be committed to the city jail until such fine and costs are paid.

Section 11

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 12th day of April, 1937.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 137

An Ordinance prescribing license fees for persons, firms, and corporations selling cereal malt beverages at retail within the City of LeRoy, Kansas, and providing rules and regulations therefore under the provisions of House Bill 587 of the Laws of Kansas for 1937.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Section 1

The license fee of persons, firms and corporations engaged in the retail sale of cereal malt beverages under the provisions of House Bill No. 587 of the Laws of Kansas of 1937 within the city limits of LeRoy, Kansas, are hereby prescribed as follows:

For each place of business selling only at retail cereal malt beverages in original and unbroken case lots, and not for consumption on the premises, \$50.00 per calendar year.

For each place of business selling cereal malt beverages at retail, \$50.00 per calendar year.

Provided when any license shall be issued on or after August 1st in any year the fee required for such license shall be the sum of \$50.00 for the remainder of such calendar year regardless of the type of license applied for and issued.

Section 2

All licenses shall expire on December 31, of the year in which the same are issued and the licensee shall be authorized to operate under the license only for the remainder of the calendar year in which the license is issued regardless of the time of issuance.

Section 3

All applications for licenses of either type shall be considered by the governing body in legal meeting. The journal of the governing body shall show the action taken, and if the license is granted, the action of the governing body shall direct the City Clerk to execute and affix the seal of the city to the license by order of the governing body. The license shall not be transferable. The form of license shall be prepared by the City Clerk and among other things shall state that it is not transferable and state the calendar year for which issued. The license shall be kept posted in a conspicuous place in the place of business.

Section 4

No person shall be permitted to consume or drink any cereal malt beverage between the hours of twelve midnight and six A.M. or on Sunday or any election day in or about a place of business licensed to sell cereal malt beverages.

Section 5

No person while in or upon a motor vehicle in or about a place of business licensed to sell cereal malt beverages shall be served any cereal malt beverage for consumption therein or thereon; nor shall any person while in or upon a motor vehicle located or situated in or about a place of business licensed to sell cereal malt beverages drink or consume any cereal malt beverages.

Section 6

It shall hereby become unlawful to permit any card game or game of chance in any place of business where cereal malt beverages are sold.

Section 7

This ordinance is enacted pursuant to the provisions and authority of house bill 587 of the laws of Kansas of 1937 and *(the remainder of this ordinance is illegible)*.

•ORDINANCE NO. 138

An ordinance relative to plumbing describing material to be used.

Be it ordained by the Governing Body of the City of LeRoy, Kansas.

Section 1

Waste pipes and drains. All waste and drain pipes in buildings shall be standard cast iron or lead, two feet only of galvanized pipe may be used to connect any plumbing fixture to soil pipe lines.

Section 2

All lead waste pipe shall be of weight known to the trade as extra light weight as follows:

4 inch, 6 lb. Per foot;

2 inch, 4 lb. 12 oz. Per foot;

1 ½ inch, 3 lb. 8 oz. Per foot;

1 ¼ inch, 2 lb. 8 oz. Per foot.

Section 3

All lead traps and fittings shall be weight known to the trade as standard.

Section 4

All cast iron waste and vent line joints shall be made by calked joints using lead and oakum.

Section 5

All joints made from lead pipe to cast iron pipe shall be made with brass ferrules or brass nipples and wiped joints. Cast iron ferrules known as drive ferrules or union ferrules shall not be used.

Section 6

All sewer waste and drain lines shall have at least ¼ inch fall per foot or more if possible, if not special permit will be given by the water Superintendent for the installation of same.

Section 7

All sewer waste drain lines shall be installed in a workman like manner with uniform grade, with proper supports and hangers.

Section 8

All sewer lines shall be laid using swab full size of the inside of tile well cemented top and bottom or asphalt joints laid with uniform grade the entire length of same.

Section 9

All waste and drain lines shall extend 3 feet outside of buildings using cast iron soil pipe.

Section 10

Clean-out plugs shall be installed in all 4 inch soil lines and kitchen sink lines where they enter the building and at all other long runs or square turns.

Section 11

Waste pipe size: Closets, 1 to 4, 4 inch size;
Sinks, 1 to 4, 1 ½ inch to 2 inch size;
Lavatory, 1 to 4, 1 ¼ inch to 1 ½ inch size;
Bath Tubs, 1 to 4, 1 ½ inch to 2 inch size.

Section 12

All kitchen sinks where there is an excess amount of grease disposed of shall be connected to a grease trap under the sink or a cement grease trap just outside the building.

Section 13

All ice box drains must drip into an open fixture and in no case be connected to the waste lines by direct trapped connections.

Section 14

Bath tubs shall have a 4x8 lead drum trap connection.

Section 15

Lavatories, sinks and all other fixtures shall be trapped with "S" or "P" traps, made of lead or brass material.

Section 16

All vent lines shall extend 6 inches to 18 inches through the roof, 10 feet from any open window. Lavatory, sink or bath tub vents may connect back into main vent stack 3 feet above all fixtures.

Section 17

Bath tubs, sinks and lavatories need not be revented from trap if within 8 feet of main toilet vent. Vent pipes shall be of cast iron, lead or galvanized pipe. Closets not less than 2 inch vents, lavatories, sinks and tubs 1 ¼ inch vents.

Section 18

Water piping, range boiler and hydrant installations, subject to water Superintendent's approval.

Section 19

That if any section or sections of this ordinance be declared void by any court of competent jurisdiction, then all sections not declared void shall remain in full force and effect the same as if the section or sections so declared said had never been a part of said ordinance.

Section 20

This ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 12th day of July 1937.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 139

An Ordinance providing for the levying of City taxes.

Be it ordained by the governing body, the Mayor and Councilmen, of LeRoy, Kansas, in adjourned session this 23rd day of July, 1937.

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said City for the fiscal year of 1938, a tax is hereby levied by the said governing body upon all the real and tangible personal property of said City that may be taxable according to the laws of said state, showing levies as follows:

General Fund.....	3 mills
Street Fund.....	2 mills
Light.....	2 mills
Special Light Fund.....	1 mill
Park Fund.....	1 mill
Sewage Disposal Fund.....	1/4 mill
Bond and Interest Fund.....	14 ¾ mills.

Section 2

This ordinance shall take effect and be in full force, from and after its passage, approval and publication in the LeRoy Reporter.

V.W. McGinnis, Mayor

Attest: S.T. Ferguson, City Clerk

•ORDINANCE NO. 140

Being an Ordinance amending *Section 7* of Ordinance No. 136 of the Laws of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas, that *Section 7* of Ordinance No. 136 be and is amended to read as follows:

Sec. 1

Every residence consumer served with water from the municipal plant shall deposit with the city clerk before service is commenced, a deposit in the sum of \$10.00 to guarantee payment of bills . Every consumer with other than residence property shall deposit an amount equal to the cost of three months service as estimated by the superintendent of the water plant. The City Clerk shall have the power, and he is hereby directed, whenever it shall appear reasonably necessary for the protection of the city, to require from any applicant for water service, before service is commenced, a similar deposit in such amount as shall appear necessary to secure the payment of bills.

Sec. 2

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 4th day of August, 1937.

V.W. McGinnis, Mayor

Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 141

An ordinance providing for the levying of City taxes.

Be it ordained by the Governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in special meeting assembled this 20th day of July, 1938.

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said city for the fiscal year of 1939, a tax is hereby levied by the said governing body upon all the real and tangible personal property of said city that may be taxable according to the laws of said state, showing levies as follows:

- General fund.....1 mill
- Street light fund.....2 mill
- Special light fund.....1 mill
- Street fund.....1 mill
- Sewer maintenance fund.....1/2 mill
- Sewer disposal operation fd.....1/4 mill
- Band fund.....1/2 mill
- Bond fund.....6 3/4 mills
- Sinking fund.....7 1/2 mills

Section 2

That this ordinance shall take effect and be in full force from and after its passage, approval and publication as passed according to law.

V.W. McGinnis, Mayor

Attest: C.R. Lauderback, City Clerk

•ORDINANCE NO. 142

An ordinance prohibiting the erection, construction or maintaining of privies, privy vaults, cesspools and septic tanks on any property described in Section 1 in The City of LeRoy, Kansas, unless it is impossible to connect such property to the sewer system.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1. That it shall be unlawful to erect, construct or maintain privies, privy vaults, cesspools and septic tanks on any business property situated in blocks 38, 45, 46, 52 and 53 or other business places in the City of LeRoy, Kansas, unless it is impossible to connect to the sewer system. Any person, firm or corporation convicted of violating this ordinance shall be fined not to exceed one hundred dollars (\$100) or imprisoned not to exceed three (3) months or both fined and imprisoned.

Section 2. This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed this 12th day of January, 1939

E.C. Pocock, Acting Mayor

Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 143

An ordinance granting The Kansas Utilities Company, its successors and assigns the right to use certain streets in the City of LeRoy, Kansas, for the purpose of erecting and maintaining poles and suspending wires thereon for the conduction of electricity.

Be it Ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That there be and there hereby is granted to the Kansas Utilities Company, its successors and assigns for the period of twenty-five (25) years from the date of the publication of this ordinance, the authority to build, operate and maintain poles, wires, guys and all other necessary structures; commencing on the south side of the Public Square; Thence East along the north side of Seventh Street to the east side of California Street; Thence North along the east side of California Street to the north side of Ninth Street; Thence West along the north side of Ninth Street to the west side of "B" Street; Thence North along the west side of "B" Street and west across Block 1, providing easement therefore is secured from the owner of said property, and across Broadway and thence West along the north side of Grand Avenue to the city limits of the City of LeRoy.

Section 2

That the said Kansas Utilities Company, its successors and assigns are hereby granted the right, power and authority to use said streets, and public ground and places and to make all necessary excavation changes in order to build, operate and maintain said pole line.

Section 3

The said Kansas Utilities Company agrees that after the expiration of the Ordinance No. 122, granting it the right to use the streets, alleys and public grounds of LeRoy, Kansas, that it will not serve customers living in the City of LeRoy from this line, except upon the consent of the City.

Section 4

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed this 1st day of Feb. 1939.

Approved this 1st day of Feb., 1939.

E.C. Pocock, Acting Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 144

Being an ordinance amending *Section 1* of Ordinance No. 137 of the laws of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas, that *Section 1* be and is amended to read as follows:

Section 1

The license fee of persons, firms and corporations engaged in the retail sale of cereal malt beverages under the provisions of House Bill No. 587 of the Laws of Kansas of 1937 within the city limits of LeRoy, Kansas, are hereby prescribed as follows:

For each place of business selling only at retail cereal malt beverages in original and unbroken case lots, and not for consumption on the premises, \$40.00 per calendar year.

For each other place of business selling cereal malt beverages at retail, \$40.00 per calendar year.

Provided, when any license shall be issued on or after August 1st in any year the fee required for such license shall be the sum of \$40.00 for the remainder of such calendar year regardless of the type of license applied for and issued.

Section 2

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 1st day of February, 1939.

E.C. Pocock, Acting Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 145

Being an Ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

That the regular City Election of the City of LeRoy, Kansas, shall be held on Monday, the third day of April, 1939, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section 2

Homer Linebaugh, C.O. Baird and Max Coffin are hereby designated as judges of election and Chas. Cottingham and Carl Rich are designated as clerks of election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the mayor this first day of March, 1939.

E.C. Pocock, Acting Mayor
C.R. Louderback, City Clerk

•ORDINANCE NO. 146

An ordinance providing for the levying of City Taxes.

Be it ordained by the governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in adjourned meeting assembled this 14th day of July, 1939:

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said City for the fiscal year of 1940, a tax is hereby levied by the said governing body upon all real and tangible personal property of said City that may be taxable according to the laws of said State, showing levies as follows:

General Fund.....	1 3/4 mills
Street Fund.....	1 mill
Fire Fund.....	1/2 mill
Park Fund.....	1/4 mill
Street Light Fund.....	1 1/2 mill
Special Light Fund.....	3/4 mill
Sewer Disposal Fund.....	1/4 mill
Band Fund.....	1/2 mill
Bond Fund.....	7 1/2 mills
Sinking Fund.....	12 mills.

Section 2

That this ordinance shall take effect and be in full force from and after its passage, approval and publication as passed according to law.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 147

An ordinance providing for the levying of City Taxes.

Be it ordained by the governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in regular meeting assembled this third day of July 1940.

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said City for the fiscal year of 1941, a tax is hereby levied by the said governing body upon all real and tangible personal property of said City that may be taxable according to the laws of said State, showing levies as follows:

General Fund.....	2 mills.
Fire Fund.....	1 mill.
Street Fund.....	1 1/2 mills.
Street Lighting Fund.....	1 3/4 mills.
Special Light Fund.....	3/4 mills.
Band Fund.....	1/4 mills.
Bond and Interest Fund.....	6 mills.
Sinking Fund.....	9 mills.

Section 2

That this ordinance shall take effect and be in full force from and after its passage, approval and publication as passed according to law.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 148

Being an ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

That the regular City Election of the City of LeRoy, Kansas, shall be held on Monday, the seventh day of April, 1941, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section 2

W.H. Huttanus, W.E. Hazen and A.A. Callahan are hereby designated as judges of election and Clara Ferguson and Flora Shields are designated as clerks of election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 5th day of March, 1941.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 149

An ordinance providing for the levying of City taxes.

Be it ordained by the governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in regular meeting assembled this 2nd day of July, 1941.

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said City for the fiscal year of 1942, a tax is hereby levied by the said governing body upon all real and tangible personal property of said City that may be taxable according to the laws of said State, showing levies as follows:

General fund.....	3	mills
Fire fund.....	1	mill
Street fund.....	2	mills
Light fund.....	2	mills
Special Light fund.....	1	mill
Band fund.....	1/2	mill
Park fund.....	1/2	mill
Bind Weed fund.....	1/2	mill
Bond and Interest fund.....	7	mills
Sinking fund.....	9	mills.

Section 2

Tht this ordinance shall take effect and be in full force from and after its passage, approval and publication as passed according to law.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 150

An Ordinance amending *Section one* of Ordinance No. 7.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas:

Section 1

That *Section One* of Ordinance No. 7, be and the same is hereby amended to read as follows:

“It shall be unlawful for any railroad company or conductor, engineer, agent or other employee of such railroad company, or other person managing or controlling any locomotive engine, car or train upon any railroad track to drive, run or propel the same within the limits of the City of LeRoy, Kansas, at a speed greater than thirty (30) miles per hour, or in any manner to obstruct the travel or passage along any sidewalk, street or alley of said City by placing or leaving upon, along or across such sidewalk, street or alley, any truck, locomotive car, engine or train of cars of any material or anything whatsoever for a period longer than five minutes at any one time, under penalty of not less than \$10.00 or more than \$50.00 for each and every offense.”

Section 2

That this Ordinance shall take effect and be in full force upon and after its passage and publication, as provided by law.

Passed and signed this 6th day of August, 1941.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 151

Being an ordinance for the construction of a crossing by the Missouri Pacific Railroad Company at the intersection of their railroad and Graham avenue in the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

Whereas the governing body of the City of LeRoy, Kansas, has ordered Graham avenue opened from Foster street to Grand avenue, and as the Missouri Pacific Railroad crosses said Graham avenue;

Therefore, since this order Graham avenue has been opened, graded, and graveled, the City of LeRoy, Kansas, directs the said Missouri Pacific Railroad Company to construct a crossing of the same construction as is not outlined by Ordinance No. 64, at the intersection of their railroad and said Graham avenue.

Section 2

This ordinance shall take effect and be in full force, from and after its passage, approval and publication in the LeRoy Reporter.

F.A. Cooksey, Mayor
Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 152

An ordinance providing for the levying of City taxes.

Be it ordained by the governing body, the Mayor and Councilmen of the City of LeRoy, Kansas, in regular meeting assembled this first day of July, 1942.

Section 1

That in order to provide funds for the City of LeRoy, Kansas, out of which to pay the expenses of said City for the fiscal year of 1943, a tax is hereby levied by the said governing body upon all real and tangible personal property of said City that may be taxable according to the laws of said State, shows levies as follows:

General.....	2 3/4	mills
Fire.....	1/2	mill
Light.....	2	mills
Special light.....	1	mill
Park.....	1/2	mill
Sewer disposal.....	1/4	mill
Street.....	2	mills
Bond.....	7	mills
Sinking.....	9	mills

Section 2

That this ordinance shall take effect and be in full force from and after its passage, approval and published as passed according to law.

F.A. Cooksey, Mayor

Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 153

Being an ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Councilmen of the City of LeRoy, Kansas.

Section 1

That the regular City election of the City of LeRoy, Kansas shall be held on Monday the fifth day of April, 1943, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section 2

W.H. Huttanus, W.E. Hazen and Homer Linebaugh are hereby designated as Judges of the election and Audrey Louderback and Pearl Cottingham are designated as the clerks of the election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Acting Mayor this 3rd day of March, 1943.

L.V. Bader, Acting Mayor

Attest: C.R. Louderback, City Clerk

•ORDINANCE NO. 154

An ordinance levying taxes for the purpose of providing revenue for the City of LeRoy, Coffey county, Kansas, for the year 1944.

Be it ordained by the governing body of the City of LeRoy, Coffey county, Kansas.

Section 1

That for the purpose of raising revenue to defray the current expenses of the City of LeRoy, Kansas, for the year of 1944, there be and are hereby levied upon all taxable property (except when otherwise taxed as provided by law) within the City of LeRoy, Kansas, taxes as follows for the purposes indicated, such taxes being represented by mills and fractions of mills on the dollar:

General Fund.....	2 3/4	mills
Street Fund.....	2	mills
Fire Department.....	1/2	mills
Park.....	1/2	mills
Street Lighting.....	2	mills
Special Light.....	1	mills
Sewer Disposal.....	1/4	mills
Sinking Fund.....	9	mills
Bond and Interest.....	7	mills
Total.....	25	mills.

Section 2

That the City Clerk of the City of LeRoy, Kansas, is hereby directed to certify the foregoing tax levies to the County Clerk of Coffey County, Kansas, on or before August 25, 1943, to be placed on the tax rolls for the year of 1943 for collection according to law.

Section 3

This ordinance shall take effect and be in force from and after its publication in the official city newspaper, the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 18th day of August, 1943.

C.O. BAIRD, Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 155

Being an ordinance fixing a tax on Slot Machines, Juke Boxes, Pin Ball Machines, Nickelodeons and all coin operated game machines, in the City of LeRoy, Kansas.

Be it ordained by the governing body of the City of LeRoy, Kansas.

Section 1

That a tax of \$12.00 per year or fraction thereof, be placed on each machine per year, due January 1st.

Section 2

The owners of the above named machines shall obtain a license from the City Clerk before machines can be put in operation.

Section 3

This ordinance shall be in full force and effect from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 3rd day of May, 1944.

C.O. BAIRD, Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 156

An ordinance levying taxes for the purpose of providing revenue for the city of LeRoy, Coffey county, Kansas, for the year 1945.

Be it ordained by the governing body of the City of LeRoy, Coffey county, Kansas.

Section 1

That for the purpose of raising revenue to defray the current expenses of the City of LeRoy, Kansas, for the year of 1945, there be and are hereby levied upon all taxable property (except when otherwise provided by law) within the City of LeRoy, Kansas, taxes as follows for the purposes indicated, such taxes being represented by mills and fractions of mills on the dollar:

General Fund.....	2.75
Street Fund.....	2.06
Fire Department Fund.....	.34
Park Fund.....	.50
Street Light Fund.....	2.00
Sewer Maintenance Fund.....	.50
Municipal Band Fund.....	.28
Sewer Disposal Fund.....	1.00
Sinking Fund.....	8.00
Bond and Interest Fund.....	7.00
Total Mills Levy.....	24.43

Section 2

That the City Clerk of the City of LeRoy, Kansas, is hereby directed to certify the foregoing tax levies to the County Clerk of Coffey County, Kansas, on or before August 25, 1944, to be placed on the tax rolls for the year of 1944 for collection according to law.

Section 3

This ordinance shall take effect and be in force from and after its publication in the official city newspaper, the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 14th day of August, 1944.

C.O. BAIRD, Mayor

C.A. BREWER, City Clerk

•ORDINANCE NO. 157

An Ordinance granting the Eastern Kansas Utilities, Inc., a Kansas Corporation, its successors and assigns, the right to use the streets, alleys and public grounds of the City of LeRoy, Kansas, for the purpose of constructing, maintaining and operating an electric distribution and transmission system for the purpose of selling and delivering electricity for heat, light, and power to the citizens of LeRoy, Kansas.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That the Eastern Kansas Utilities, Inc., a Kansas Corporation with its principal office in Fort Scott, Kansas, hereinafter called the grantee, its successors and assigns, is hereby granted the right, privilege and franchise for a period of ten (10) years to use the streets, alleys and public grounds of the City of LeRoy, Kansas for the purpose of constructing, maintaining and operating

an electric distribution and transmission system for the selling and delivering of electricity for heat, light and power to the citizens and inhabitants of LeRoy, Kansas.

Section 2

That the placing of poles, wires and other means of distribution shall be in accordance with the ordinances adopted by the governing body of the City of LeRoy, Kansas.

Section 3

That the rates, rules and regulations governing the necessary distribution and sale of electricity shall be in accordance with the rules adopted and orders issued from time to time by the Corporation Commission of the State of Kansas or the duly constituted authorities having jurisdiction over the same.

Section 4

The grantee is hereby granted the privilege of trimming such trees as interfere with the safe and proper construction and operation of electric distribution and transmission system along the streets, alleys and public grounds of the said city.

Section 5

The grantee, its successors and assigns, shall at all times hold the City of LeRoy harmless from any damages claimed to have been suffered on account of the exercise of any of the rights herein granted.

Section 6

The grantee agrees to continue to maintain and operate entirely at its expense during the life of this Ordinance, forty-nine (49) 100 candle power series street lamps mounted on bracket type fixtures and located the same as at present and burning from dark to daylight each night; the grantee also will furnish current for lighting the City Council room, jail, fire department and library, and not to exceed eight (8) 100-watt multiple or 100 candle power series park lights, without charge to the City, the consideration being the rights granted by this Ordinance and in lieu of a license, franchise or occupation tax.

Section 7

This Ordinance is made under and in conformity with the laws of the State of Kansas and shall take effect and be in force after the date of its passage and publication.

Passed December 13, 1944.

C.O. BAIRD, Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 158

Being an ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas.

Section 1

That the regular City Election of the City of LeRoy, Kansas, shall be held on Monday, the second day of April, 1945, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a mayor, five councilmen and a police judge for the coming two years.

Section II

Mrs. Ruth Hall, Andy Lankton and Ira Murray are hereby designated as judges of the election and Pearl Cottingham and Mrs. Hilda Hensley are designated as clerks of the election.

Section III

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 7th day of March, 1945.

C.O. BAIRD, Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 159

An ordinance vacating a certain alley in the City of LeRoy.

Be it ordained by the Mayor and the City Council of LeRoy, Kansas:

Section 1

That the alley running north and south between Eighth street and Ninth street and bisecting Block Eighteen (18) in the city of LeRoy, Coffey County, Kansas, be and is hereby vacated.

Section 2

That the said vacated alley revert and is hereby annexed to the property abutting thereon or adjoining thereto.

Section 3

This ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter.

Passed by the Council and approved by the Acting Mayor this 6th day of June, 1945.

W.E. HAZEN, Acting Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 160

An ordinance levying taxes for the purpose of providing revenue for the City of LeRoy, Coffey County, Kansas, for the year 1946.

Be it ordained by the governing body of the City of LeRoy, Coffey County, Kansas.

Section 1

That for the purpose of raising revenue to defray the current expenses of the City of LeRoy, Kansas, for the year of 1946 there be and are hereby levied upon the taxable property (except when otherwise provided by law) within the City of LeRoy, Kansas, taxes as follows for the purposes indicated, such taxes being represented by mills and fractions of mills on the dollar:

Street Fund.....	1.97
Fire Department Fund.....	1.17
Park Fund.....	1.00
Street Lighting Fund.....	1.50
Sewer Maintenance Fund.....	.25
Special Light Fund.....	.74
Sinking Fund.....	9.9

Bond & Interest Fund.....9.3
Total All Funds.....25.83

Section 2

That the City Clerk of the City of LeRoy, Kansas, is hereby directed to certify the foregoing tax levies to the County Clerk of Coffey County, Kansas, on or before August 25, 1945, to be placed on the tax rolls for the year 1945 for collection according to law.

Section 3

This ordinance shall take effect and be in force from and after its publication in the official city newspaper, the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 13th day of August, 1945.

C.O. BAIRD, Mayor

Attest: C.A. BREWER, City Clerk

●ORDINANCE NO. 161

An ordinance relating to the inspection of all dairies and milk producers supplying either raw or pasteurized milk, cream, cheese, butter or other dairy products, in the City of LeRoy, Kansas, and providing for licensing of same, registration and inspection of all dairy cows.

All dairy and milk producers shall meet the following requirements:

Section 1

That it shall be unlawful for any producer or distributor to offer to sell or distribute milk or sweet cream, cheese, butter or other dairy products in the City of LeRoy, Kansas, without having first procured a license from the City Clerk, for a fee of \$1.00.

Section 2

Accompanying each application for a license each applicant must show a certificate of a duly authorized deputy of the dairy commissioner of the state of Kansas, or a registered veterinarian, made within three months preceding such application, showing all cows to be free from tuberculosis, bangs and mastitis, and be in good physical health condition.

Section 3

Producer or seller must get a new license each year, and pay cost of inspection to have his cows tested. In addition each local milk producer and producer distributor shall register with the city clerk, each and every cow from which milk is produced and shall pay 25 cents for each additional cow registered after obtaining annual license.

Section 4

All licenses shall expire December 31st.

Section 5

City will pay cost of inspection of milk, cream, cheese, butter or other dairy products, including the premises, which shall be done quarterly.

Section 6

This ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter.

Passed by the council and approved by the President of the Council this 10th day of December, 1945.

LEROY MARTZ, President of Council

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 162

Being an ordinance to amend *Section 1* of ordinance no. 161, and with other additions.

Be it ordained by the Mayor and councilmen of the City of LeRoy, Kansas.

Section 1

That that part of *Section 1* of ordinance number 161 be amended by dropping out the words “Cheese, Butter and other dairy products” and the words “For human consumption” be substituted in their place.

Section 2

Failure to comply with any part of this ordinance or ordinance number 161 not hereby revoked shall be punishable by being prohibited from selling milk or sweet cream for human consumption in the City of LeRoy, Kansas.

Section 3

All ordinances or parts of ordinances in conflict with the foregoing are hereby repealed.

Section 4

This ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter.

Passed by the council and approved by the Mayor this 7th day of January, 1946.

LEROY MARTZ, Acting Mayor

Attest: C.A. BREWER, City Clerk

•ORDINANCE NO. 163

Being an ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the mayor and Council of the City of LeRoy, Kansas:

Section I

That the regular City Election of the City of LeRoy, Kansas, shall be held on Tuesday, the first day of April, 1947, from the hours of 8 a.m. to 6 p.m. in the City Hall, for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section II

E.C. Pocock, Mrs. Ruth Hall and Andy Lankton are hereby designated as Judges of the election and Mrs. Myrle Houck and Mrs. Charles Witteman are designated as clerks of the election.

Section III

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 17th day of February, 1947.

W.E. HAZEN, Acting Mayor

Attest: TOM R. HENSLEY, City Clerk

•ORDINANCE NO. 164

Being an ordinance providing for the vaccination of all dogs running at large within the City of LeRoy, Kansas.

Be it ordained by the Mayor and Council of the City of LeRoy, Kan.

Section I

That no dog license shall be issued to any person unless the dog has been vaccinated against rabies and the person presents a receipt to the city clerk showing that the dog was vaccinated within 30 days prior to May the first of the year for which the license is to be issued.

Section II

That such vaccination tag shall be attached to the collar of the dog at all times.

Section III

The owner or harbinger of any dog or dogs who shall refuse, fail or neglect to comply with *Sections I and II* of this ordinance shall be subject to a fine of \$10.00.

Section IV

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 4th day of June, 1947.

Van C. Watson, Mayor

Tom R. Hensley, City Clerk

•ORDINANCE NO. 165

Ordinance vacating certain streets and alleys in the City of LeRoy.

Be it ordained by the Governing body of the City of LeRoy.

Section 1

That the alley running North and South between Ninth Street and Tenth Street and bisecting Block Eight (8), and "B" Street running North and South between Ninth Street and Tenth Street, all in the City of LeRoy, Kansas, shall be and are hereby vacated.

Section 2

That the said vacated alley and street revert to and are hereby annexed to the property abutting thereon or adjoining thereto.

Section 3

That this ordinance shall take effect and be in force from and after its passage and publication in the LeRoy Reporter.

Van C. Watson, Mayor
Attest: Tom R. Hensley, City Clerk

•ORDINANCE NO. 166

AN ORDINANCE RELATING TO BENEFITS OBTAINABLE BY CITIES UNDER THE POST-WAR PROGRAM FOR FEDERAL AID ON HIGHWAY CONSTRUCTION.

Be it ordained by the Mayor and Council of the City of LeRoy, Kansas:

That the Mayor and City Clerk are authorized and directed to execute for and on behalf of the City of LeRoy, contracts between the City and the State Highway Commission of Kansas, giving the State Highway Commission of Kansas authority to act for the City, and in its place and stead, to obtain for the City such benefits as are obtainable under the Post-war program of the Federal Aid Plan of Highway Construction, and obtain the benefit of such legislation for the City on the terms and conditions set forth in such contracts as may be prepared and approved by the State Highway Commission.

This ordinance shall be in full force and effect from and after its publication in the official newspaper.

Van C. Watson, Mayor
Passed on the 7th day of January, 1948.
Approved on the 7th day of January, 1948.

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 166 of the City of LeRoy, relating to the execution of the attached agreement on behalf of said city.

Tom R. Hensley, City Clerk

•ORDINANCE NO. 167

An Ordinance prohibiting any wagon, tractor, truck, machine, engine or vehicle with wheels having lugs or projections of any description whatever, whether self propelled or otherwise, from using any improved crossing, sidewalks or streets of the City of LeRoy, Kansas, and providing a penalty for the violation thereof.

Be it ordained by the governing body of the City of LeRoy.

Section 1

That it shall be unlawful for any person firm or corporation to use, operate or drive any wagon, tractor, truck, machine, engine or vehicle with wheels having lugs, projections, teeth, gears, traction, belts or chains or any other rough surface that would injure or cause any damage whatsoever to said crossings, sidewalks or streets in the City of LeRoy, Kansas, whether self propelled or otherwise, across, over/ or upon any improved crossings, sidewalks or streets in the City of LeRoy, Kansas, except the operator or driver of such wagon, tractor, truck, machine, engine or vehicle lay heavy planks for the purpose of making a track for said wagon, tractor, truck, machine, engine or vehicle and shall drive said wagon, tractor, truck, machine, engine or vehicle on said plank.

Section 2

That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5.00 nor more than \$100.00 and costs.

Section 3

That this ordinance shall take effect and be in full force and effect from and after its publication in The LeRoy Reporter.

Passed by the City Council this 4th day of August, 1948.

Approved this 4th day of August, 1948.

VAN C. WATSON, Mayor

Attest: Tom R. Hensley, City Clerk

•ORDINANCE NO. 168

Being an Ordinance providing for a regular election of the City of LeRoy, Kansas.

Be it ordained by the governing body of the City of LeRoy:

Section 1

That the regular City Election of the City of LeRoy, Kansas, shall be held on Tuesday the Fifth day of April, 1949, from the hours of 8 a.m. to 6 p.m., in the City Hall for the purpose of electing a Mayor, five Councilmen and a Police Judge for the ensuing two years.

Section 2

Ira Murray, W.L. Crabtree and E.C. Pocock are hereby designated as Judges of the election and Hattie B. Moore and Kate Baird are hereby designated as Clerks of the election.

Section 3

That this ordinance shall take effect and be in full force from and after its publication in the LeRoy Reporter.

Passed by the Council and approved by the Mayor this 1st day of March, 1949.

VAN C. WATSON, Mayor

Attest: Tom R. Hensley, City Clerk

•ORDINANCE NO. 169

An ordinance apportioning to and levying upon the lots, pieces and parcels of land in the City of LeRoy, Coffey County, Kansas, liable for the cost and expense of grading, regarding, paving, surfacing and otherwise improving certain streets of said City, and levying general tax upon all taxable property in said City for that portion of such costs properly chargeable to the City at large.

Whereas, The total cost and expense of grading, regarding, paving, surfacing and otherwise improving the following named streets, to wit:

Main street from the Northeast end of the Neosho River Bridge North to the South line of the Missouri Pacific Railroad Right-of-Way.

Eighth street from the West line of Main Street running West to the East line of Broadway Street.

Beginning at the West side of the Missouri Pacific Railroad Right-of-Way on Kansas Avenue, thence West on Kansas Avenue to the East line of Division Street.

California Street from the North line of Sixth Street North to the North Line of Nebraska Avenue.

Nebraska Avenue from the West Line of California Street West to the East Line of Main Street.

“A” Street Broadway from the center line of Grand Avenue, thence South to the South line of Scott Street.

Division Street from the South line of Scott Street, thence South to the South line of Fourth Street.

“B” Street from the North Line of Fourth Street, thence North to the South Line of Ninth Street.

“C” Street from the North Line of Fourth Street, thence North to the South Line of Eighth Street.

Beginning at the South line of Judkins Avenue on Main Street, the same being in North LeRoy Addition to the City of LeRoy, thence South on Main Street to the North line of the Missouri Pacific Railroad right-of-way.

Beginning on Nebraska Avenue at the West Line of Main Street, thence West on Nebraska Avenue to the East line of “A” Street.

Commencing on Fifth Street at the West line of Main Street, thence West on Fifth Street to the East line of “B” Street.

Beginning on Second Street at the East line of Main Street, thence East on Second Street to the Missouri Pacific Railroad Right-of-Way; and beginning on California Street at the North line of Second Street, thence North on California Street to the South line of Sixth Street.

Beginning on Seventh Street at the West line of California Street, thence West on Seventh Street to the East line of “A” Street Broadway, except intersections on said Seventh Street which have already been graded, paved and otherwise improved.

Beginning on Ninth Street at the West line of Main Street, thence West on Ninth Street to the East line of Broadway Street.

Beginning on Fifth Street at the East Line of “D” Street, thence East to the East line of “E” Street.

Also “E” Street beginning at the North line of Fifth Street, thence North to the North line of Eighth Street.

Also, Eighth Street beginning at the West line of “E” Street, thence West to the East line of Main Street.

Nebraska Avenue beginning at the East line of California Street, thence East on Nebraska Avenue to the West line of “F” Street.

Fourth Street beginning at the East line of Main Street, thence East on Fourth Street to the West line of “E” Street.

Fifth Street beginning at the East line of Division Street, thence East on Fifth Street to the West line of “B” Street.

Also Fifth Street beginning at the East line of Main Street, thence East on Fifth Street to the West line of California Street.

Has been ascertained to be the sum of \$29,586.32 and the appraisalment of each lot, piece and parcel of land liable by law to be assessed for the cost of such improvement has been equalized and apportioned at a meeting of the Governing Body of the City of LeRoy, Kansas, held for that purpose on the 17th day of March, 1949, and the portion of said cost and expense of said improvement to be especially assessed upon said lots, pieces and parcels of land has been determined to be the sum of \$23,211.37 and a portion of such cost will be assessed against all taxable property in the City of LeRoy, Kansas, and to be paid from the General fund thereof, has been determined to be the sum of \$6,374.95.

Now Therefore, be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That the aforesaid sum of \$23,211.37 is hereby apportioned and assessed upon the lots, pieces and parcels of land liable by law to be assessed for said improvement on the above named streets as per resolutions passed by the Governing Body of the City of LeRoy, Kansas, each lot, piece or parcel of which is hereinafter described and the sum assessed against it is designated as follows, to-wit; *(see pages 22 thru 25 in City Ordinance Book for each lot and assessment amount)*

Section 2

That provision shall be made for the payment of the cost of said improvement and surfacing by the issuing of street improvement bonds of said City, payable in ten equal installments of

equal amounts each year, bearing interest at the rate of not to exceed three per cent per annum, and said amounts so apportioned to the several lots and tracts of land shall be collected in ten equal installments.

The City Clerk of LeRoy, Kansas, shall annually, until all of said special assessments have been certified, certify to the County Clerk of the County of Coffey a full list of the property mentioned in *Section 1* of this Ordinance, except such property upon which said special agreement may be paid in full as provided by law, together with the respective amounts so apportioned to each of said lots and tracts of land, which amounts shall include the annual installment for each year and interest on all unpaid balances for one year at the rate of not to exceed three per cent per annum.

Section 3

This ordinance shall take effect and be in force from and after its passage and publication in The LeRoy Reporter, the official city paper.

Passed by the City Council of the City of LeRoy, Kansas, on the 6th day of April, 1949.

Approved this 6th day of April, 1949.

Van C. Watson, Mayor

Attest: Tom R. Hensley, City Clerk

•ORDINANCE NO. 170

AN ORDINANCE providing for the issuance of street improvement bonds of the City of LeRoy, Coffey County, Kansas in the sum of \$19,474.69 for the purpose of paying the costs of paving, surfacing and otherwise improving certain streets in the City of LeRoy, Coffey County, Kansas, pursuant to and under the authority of Article 6, Chapter 12, and Article 1, Chapter 10, of the General Statutes of Kansas for 1935 and amendments thereto and levying taxes and making special assessments for the payment thereof as provided by law.

WHEREAS, all legal requirements pertaining to the paving, surfacing and otherwise improving certain streets in the City of LeRoy, Coffey County, Kansas, have been taken and complied with by the governing body of the City of LeRoy, Coffey County, Kansas, and

WHEREAS, Ordinance No. 169 of the City of LeRoy, Kansas, heretofore published, described in detail all of the streets and intersections of the City of LeRoy so paved, surfaced and otherwise improved, and

WHEREAS, pursuant to Ordinance No. 169, the total cost of the said improvement was found and determined by the governing body of said City to be \$29,586.32 and

WHEREAS, that portion of the total cost chargeable to the City of LeRoy, Kansas at large was found and determined by the governing body of said City to be \$6,374.95, and

WHEREAS, the said City of LeRoy, Coffey County, Kansas, has on hand the sum of \$5,774.33 which said sum may lawfully and legally be used to be applied to the payment of that portion of the share properly chargeable to the said City of LeRoy, Kansas at large, and

WHEREAS, that portion of the total cost of said improvement chargeable to the property especially benefited by said improvement was found and determined by the governing body of said City to be \$23,211.37 and

WHEREAS, Property owners owning property liable for assessment have paid in cash to the City Treasurer of the said City the sum of \$4,337.30 within thirty days after the passage of Ordinance 169 as provided by law, and

WHEREAS, there remains to be raised by the issuance of street improvement bonds of the City of LeRoy, Coffey County, Kansas, the sum of \$19,474.69 to pay the cost of said improvement; and now therefore.

Be it Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas.

Section 1

That the total cost of paving, surfacing and otherwise improving said streets and street intersections having been found and ascertained by the governing body of said City to be \$29,586.32 chargeable as follows, to-wit: \$6,347.95 to the City at large for street and alley intersections of which sum the said City has on hand the sum of \$5,774.33 which said sum may lawfully and legally be used to be applied to the payment of that portion of the share of the total cost of said improvement chargeable to the said City at large; \$23,211.37 to the property especially benefited by said improvement, less \$4,337.30 paid in January on the 15 days of March and on September each year except that the first coupon shall be for ten (10) months, payable March 15th, 1950 as set forth in the following schedule to-wit:

- Bond No. 1, Denomination \$474.69, Total \$474.69, Date Due March 15, 1951.
- Bond No. 2, Denomination \$1,000.00, Total \$1,000.00, Date Due March 15, 1951.
- Bond Nos. 3-4, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1952.
- Bonds No. 5-6, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1953.
- Bonds No. 7-8, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1954.
- Bonds No. 9-10, Denomination \$1,000.00, Total \$2,000.00, Date due March 15, 1955.
- Bonds No. 11-12, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1956.
- Bonds No. 13-14, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1957.
- Bonds No. 15-16, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1958.
- Bonds No. 17-18, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1959.
- Bonds No. 19-20, Denomination \$1,000.00, Total \$2,000.00, Date Due March 15, 1960.

Section 2

Interest shall be payable on March March 15th, 1950 and semi-annually thereafter on the 15th days of March and September of each year until the principal sum shall have been paid, both principal and interest to be payable at the office of the State Treasurer in Topeka, Kansas. The said bonds shall have coupons attached thereto, printed in the form provided by law representing the interest thereon. The bonds shall be signed by the Mayor and shall have the City's seal affixed thereto and attested by the City Clerk. The interest coupons shall bear facsimile signatures of the Mayor and City Clerk.

Section 3

That said bonds shall be executed in the form and contain the usual recitals and shall be substantially as follows:

Number _____ \$ _____
UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF COFFEY
CITY OF LEROY
STREET IMPROVEMENT BOND

Know All Men by There Presents:

That the City of LeRoy, in the County of Coffey, in the State of Kansas, for value received, hereby acknowledges itself to be indebted and promises to pay to the bearer the sum of \$ _____ in lawful money of the United States of America, on the Fifteenth day of March, 1951, with interest thereon from the date hereof at the rate of three (3) percent per annum, payable March 15, 1950, and semi-annually, thereafter on the 15th days of September and March of each year until the said principal sum shall have been paid, upon presentation and surrender of the interest coupons hereto annexed, bearing the facsimile signatures of the Mayor and the Clerk of the City of LeRoy, Coffey County, Kansas, as said coupons severally become due, both principal and interest of this bond being payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas. And said City of LeRoy, in the County of Coffey and State of Kansas, is held and firmly bound by these presents, and the full faith, credit and resources of said City are hereby irrevocably pledged for the prompt payment of said principal and interest at maturity.

- This bond is one of a series of twenty (20) bonds of like date and tenor, excepting amount and maturity, aggregating the principal sum of Nineteen Thousand Four Hundred Seventy-four and 69-100 Dollars (\$19,474.69) issued by said City of LeRoy, Coffey County, Kansas, for the purpose of providing funds to pay the cost of paving, surfacing and otherwise improving with a double asphaltic surface treatment certain streets in said City of LeRoy, Coffey County, Kansas.

And it is hereby certified and recited that this bond is authorized under the authority of Article 6, Chapter 12, of the General Statutes of Kansas for 1935, and is issued pursuant, thereto, and is issued in full conformity with the provisions, restrictions and limitations of the constitution and the laws of the State of Kansas, and particularly of Article 6 of Chapter 12, and Article 1 of Chapter 10 of the General Statutes of Kansas for 1935 and amendments thereto, and all other laws of said state applicable to said issue and this bond, and all other bonds of said series, and all interest thereon are to be paid by said City of LeRoy, Kansas.

And it is hereby declared and certified that all acts, conditions and things required to be done and to exist precedent to and in the issuance of this bond have been properly done and performed and do exist in due and regular form and manner as required by the constitution and the laws of the State of Kansas, and that the total indebtedness of said city, including this series of bonds, does not exceed and constitutional or statutory limitation.

IN WITNESS THEREOF, Said (*illegible*)

(seal)

Attest: Tom R. Hensley, City Clerk

Section 4

That the interest coupons to be attached to said bonds shall be substantially in the following form and as provided by Sections 10-126 of the General Statutes of 1935:

No _____
On the fifteen day of _____, 19____, The City of LeRoy, Coffey County, Kansas, will pay bearer _____ dollars and _____ cents lawful money of the United States of America at the office of the State Treasurer, Topeka, Kansas, being six month's interest on its Street Improvement Bond No. ____ dated May 15th, 1949.

_____, 19____
City of LeRoy, Kansas
\$ _____

Attest: _____ Mayor

City Clerk

Said bonds shall be endorsed substantially as follows:
City Clerk's Certificate, State of Kansas, County of Coffey, City of LeRoy.

I, the undersigned, City Clerk of the City of LeRoy, Coffey County, Kansas, hereby certify that the within street improvement bond, and the coupons attached, of the City of LeRoy, Kansas, have been duly registered in my office according to law, and that the signatures thereto are genuine.

Witness my hand and official seal this _____ day of May, 1949.
City Clerk of the City of LeRoy, Coffey County, Kansas.
State Auditor's Certificate, County of Shawnee. State of Kansas.

I, the undersigned, Auditor of the State of Kansas, do hereby certify that a full and complete transcript of the proceedings leading up to the issuance of the within bond has been filed in my office, and that the within bond and coupons hereto attached were registered in my office according to law on _____ 1949.

Witness my hand and official Seal. _____ Auditor of State of Kansas.
(Seal)

Section 5

That the Mayor and City Clerk are hereby authorized to prepare and execute said bonds and when executed to cause said bonds to be registered in the office of the City Clerk of the City of LeRoy, Kansas and in the office of the State Auditor and when duly executed and registered and rejected by the State Board of School Fund Commissioners to deliver said bonds to the purchaser thereof upon payment of the purchase price.

Section 6

That the full faith and credit of the City of LeRoy, Coffey County, Kansas are hereby irrevocably pledged for the prompt payment of the bonds herein before described and the interest thereon as the same respectfully become due. The governing body of the said City shall annually make provisions for the payment of the principal and interest of said bonds as the same become due, by the levy and collection of the necessary taxes therefore; and the City Clerk of said City is hereby directed and authorized to make the proper extension of the amount so assessed with interest against all the lots, pieces and parcels of ground in the said benefit district and certify the same to the County Clerk of Coffey County, Kansas in the manner and within the time prescribed by law.

Section 7

This ordinance shall take effect and be in force from and after its publication once in the official City paper.

Passed and approved this 11th day of May, 1949.

VAN C. WATSON, Mayor

Attest: (seal) Tom R. Hensley, City Clerk

•ORDINANCE NO. 171

An Ordinance providing for the Regular City Election.

Be it Ordained by the governing body of the City of LeRoy:

Section 1

That the regular election of the City of LeRoy, Kansas, shall be held on Tuesday, the third day of April, 1951, from the hours of 8 a.m. to 6 p.m. in the LeRoy City Hall for the purpose of electing a mayor, a police judge, and five councilmen.

Section 2

That A.C. Lane, Edna Young, and Emme Witteman, citizens, not candidates for office, are hereby designated by the mayor, with the approval of the council, to act as judges of said election; and Mabel Curbey and Myrl Houck citizens, not Councilmen, are hereby designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter.

Passed the City Council this 16th day of February, 1951.

Approved this 16th day of February, 1951.

Van C. Watson, mayor

Attest: Tom R. Hensley, City Clerk

•ORDINANCE NO. 172

An Ordinance providing for the calling of a special election in the City of LeRoy, Coffey County, Kansas, for the purpose of submitting to the qualified electors of said city the question of the issuance of general obligation bonds of said city in the amount of ten thousand dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said city pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and Article 1, Chapter 10, G.S. 1949.

Whereas, the City of LeRoy, Coffey County, Kansas, is a City of the Third Class, and

Whereas, the Governing Body of the said City of LeRoy, Coffey County, Kansas, deems that an emergency exists and that in order properly to protect and service the City and the public it is necessary to purchase or replace certain fire department equipment, and

Whereas, said City of LeRoy, Coffey County, Kansas, is without funds to purchase said fire department equipment,

Now, Therefore, Be it ordained by the governing body of the City of LeRoy, Coffey County, Kansas:

Section 1

That it is hereby deemed that an emergency exists and that in order properly to protect and service the City and the public it is necessary to purchase or replace certain fire department equipment for the use and benefit of the people of said city. That it is hereby deemed necessary that a special election is hereby called to be held on the 5th day of July, 1951, for the purpose of submitting to the qualified voters of the City of LeRoy, Coffey County, Kansas, the proposition of issuing general (*illegible*) bonds of said City in the amount of Ten Thousand Dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and Article 1, Chapter 10, G.S. 1949.

Section 2

That the Mayor and City Clerk of the City of LeRoy, Coffey County, Kansas, are hereby authorized and directed to issue the call for such special election and give the notice required by law therefore. Said election shall be held in the City Hall Building in LeRoy, Coffey County, Kansas, and the notice of said special election shall be published in the official City paper of the City of LeRoy, Coffey County, Kansas, once each week for three (3) consecutive weeks, the first publication of said notice to be not less than twenty-one (21) days prior to such election and the Judges and Clerks of such special election shall be appointed in the manner as provided by law. Said special election shall in all respects and things be held as provided by law.

Section 3

That the ballots of such special election shall contain the following proposition:

Shall the City of LeRoy, Coffey County, Kansas, issue its general obligation bonds in the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and Article 1, Chapter 10 G.S. 1949. And said ballot shall otherwise be of the form as provided by law.

Section 4

This ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City paper.

Passed and approved this 6th day of June, 1951.

Van C. Watson, Mayor

Attest: Tom R. Hensley, City Clerk

●ORDINANCE NO. 173

An Ordinance providing for the issuance of fire department equipment bonds of the City of LeRoy, Coffey County, Kansas, in the sum of ten thousand dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City of LeRoy, Coffey County, Kansas, pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and article 1, Chapter 10, G.S. 1949 and amendments thereto and levying taxes providing for the payment thereof as provided by law.

Whereas, the City Governing Body of the City of LeRoy, Coffey County, Kansas, at a regular meeting on June 6th, 1951, did pass Ordinance No. 172 declaring that an emergency exists and that in order to properly protect and service the city and citizens of the City of LeRoy, Coffey County, Kansas, it is necessary to purchase or replace fire department equipment for the use and benefit of said city and the citizens of said city, in the sum of Ten Thousand Dollars (\$10,000.00), and

Whereas, said Ordinance No. 172 of the City of LeRoy, Coffey County, Kansas, provided for the calling of a special election for the purpose of submitting to the electors of said city the following proposition, to-wit:

“Proposition. Shall the following be adopted?

Shall the City of LeRoy, Coffey County, Kansas, issue its general obligation bonds in the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City pursuant to and under the authority of Article 11, Chapter 15, G.S. 1949 and Article 1, Chapter 10, G.S. 1949”
(illegible)

was published in The LeRoy Reporter, the official city paper of the City of LeRoy, Coffey County, Kansas, for three consecutive weeks, the first publication being on the 8th day of June, 1951, and the first publication being not less than twenty-one (21) days prior to said election and

Whereas, the said election was held and conducted in the manner and form and in all respects as prescribed by law, and

Whereas, the vote at said election was One Hundred Two (102) votes for the proposition and Nine (9) votes against the proposition, and

Whereas, the said proposition carried by a majority of all of the votes cast at said election, and

Whereas, the City of LeRoy, Coffey County, Kansas, is a city of the third class, and

Whereas, the cost of the purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City has been ascertained to be Ten Thousand Dollars (\$10,000.00) including legal and printing expense incidental thereto all of which is to be paid by the city at large and for which amount bonds are required to be issued.

Now therefore, be it ordained by the governing body of the City of LeRoy, Coffey County, Kansas.

Section 1

That for the purpose of paying the cost of purchasing or replacing fire department equipment for the use and benefit of the inhabitants of said City, general obligation fire department bonds of the said City of LeRoy, Coffey County, Kansas, shall be issued and hereby are issued in the sum of Ten Thousand Dollars (\$10,000.00) under authority conferred and in the manner provided for in G.S. 1949, 15-1124 and Article 1, Chapter 10, G.S. 1949 of the State of Kansas and amendments thereto and all other applicable Statutes.

Section 2

That said issue of general obligation bonds shall consist of ten (10) bonds, numbered from one (1) to ten (10), both inclusive, which said bonds shall be in the denomination of One Thousand Dollars (\$1,000.00) each, said bonds shall be payable to bearer and shall bear date of August 15th, 1951 and shall bear interest from date as set forth in the following schedule, to-wit:

Bond No. 1, Amount, \$1,000.00, Interest rate, 2 ½ percent, Maturity date, February 1st, 1953.
Bond No. 2, Amount, \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1954.
Bond No. 3, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1955.
Bond No. 4, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1956.
Bond No. 5, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1957.
Bond No. 6, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1958.
Bond No. 7, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1959.
Bond No. 8, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1960.
Bond No. 9, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1961.
Bond No. 10, Amount \$1,000.00, Interest rate 2 ½ percent, Maturity date, February 1st, 1962.

Section 3

That interest on said bonds shall be payable on February 1st, 1952 and semi-annually there after on the first day of February and August of each year until the principal sum shall be paid, both principal and interest to be payable at the office of the State Treasurer in the City of Topeka, in the State of Kansas. The said bonds shall have coupons attached thereto printed in the form provided by law representing the interest there-on. The bonds shall be signed by the Mayor and shall have the City's seal affixed and attested by the City Clerk. Said bonds and coupons shall be in the usual form and shall contain all of the necessary recitals and be in the form and size as provided by the Statutes of the State of Kansas.

Section 4

The Mayor and City Clerk of the City of LeRoy, Kansas are hereby authorized and directed to prepare and execute the bonds herein before described and to cause said bonds to be registered in the office of the City clerk and in the office of the State Auditor and when duly executed and registered and rejected by the State Board of School Fund Commissioners to deliver said bonds to the purchaser thereof upon the payment of the purchase price.

Section 5

The full faith and credit of the City of LeRoy, Kansas are hereby irrevocably pledged for the prompt payment of the bonds herein before described and the interest thereon as the same respectively become due. The governing body of the City of LeRoy, Kansas, shall annually make provision for the payment of the interest on and principal of said bonds by levying taxes upon all of the taxable property in said city at the same time as the levying of other taxes.

Section 6

This ordinance shall take effect and be in force from and after its passage and approval and its publication once in the official city paper.

Passed this 1st day of August, 1951.

Approved this 1st day of August, 1951.

VAN C. WATSON, Mayor

Attest: W.L. Crabtree, City Clerk

•ORDINANCE NO. 174

AN ORDINANCE REGULATING PARKING OF VEHICLES ON SIXTH STREET IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That angle parking on Sixth street in the city of LeRoy Coffey County, Kansas, is hereby prohibited. That parallel parking on Sixth street in the city of LeRoy, Coffey County, Kansas, shall be permitted provided said vehicle shall be stopped or parked with the right hand wheels of said vehicle parallel with end and within twelve (12) inches of the right hand curb or edge of said Sixth street pavement or blacktop.

Section 2

That any person, firm, partnership, or corporation who shall park or caused to be parked any vehicle at any angle on Sixth street in the city of LeRoy, Coffey County, Kansas, upon conviction thereof shall be deemed guilty of a misdemeanor and shall be fined not less than \$1.00 and not more than \$25.00.

Section 3

This ordinance shall take effect and be in force from and after passage and approval and its publication once in the official city paper.

Passed this 13th day of May, 1952.

Approved this 13th day of May, 1952.

Van C. Watson, Mayor

Attest: W.L. Crabtree, City Clerk

•ORDINANCE NO. 175

**AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY.**

Section 1

That the regular election of the City of LeRoy, Kansas shall be held on Tuesday, April 7, 1953, from the hours of 8 a.m. to 6 p.m. in the LeRoy City Hall, for the purpose of electing a mayor, a police judge, and five councilmen.

Section 2

That George Sims, Artis E. Lineback, and A.C. Lane, citizens not candidates for office, are hereby designated by the mayor, with the approval of the council, to act as judges of said election; and Myrl Houck and Velma Morrow, citizens not councilmen, are hereby designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter.

Passed the Council this 18th day of February, 1953.

Approved this 18th day of February, 1953.

VAN C. WATSON, Mayor of the City of LeRoy, Kansas

Attest: W.L. CRABTREE, Clerk of the City of LeRoy, Kansas

•ORDINANCE NO. 176

AN ORDINANCE REGULATING RAILROAD CROSSINGS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it shall be the duty of every firm, person or corporation, owning or operating any railroad in the city of LeRoy, Coffey County, Kansas to make and keep in good repair good and sufficient crossings where the two tracks of any railroad companies cross any city streets in the city of LeRoy, Coffey County, Kansas.

Section 2

That said crossings shall not be less than the width of the street where crossings occurs and shall be on the same grade as the track for thirty (30) feet on each side of the center of the track.

Section 3

That the approaches to such crossing shall not exceed a Six (6) percent grade at any crossing and not tracks or roadbed presently established as to existing grade by any railroad company in the city of LeRoy, Coffey County, Kansas, shall be changed, altered or raised in any manner that would in any way affect any existing railroad crossing or approach thereof without the consent and approval of the governing body of the city of LeRoy, Coffey County, Kansas.

Section 4

That every person, firm or corporation failing to comply with the provisions of this act shall be deemed guilty of a misdemeanor and shall be fined not less than Five (5) dollars nor more than Fifty (50) dollars for each and every violation hereof and each day said violation continues shall be considered a separate offense.

Section 5

This ordinance shall take effect and be in force from and after its approval and passage and its publication once in the official city paper.

Passed and approved this 4th day of June, 1953.

W.E. Hazen, Mayor

Attest: W.L. Crabtree, City Clerk

•ORDINANCE NO. 177

An Ordinance Fixing the Minimum Water Rate in the City of LeRoy, Coffey County, Kansas, and Amending *Section 1* of Ordinance 136.

Be It Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That *Section 1* of Ordinance 136 is hereby amended to read as follows: The rates charged for water sold by the Municipal Water plant shall be as follows: One and 50/100 Dollars (\$1.50) for the first one thousand (1,000) gallons and thirty-five cents (35 cents) per one thousand (1,000) gallons for the next two thousand (2,000) gallons; twenty-five cents (25 cents) per one thousand (2,000) gallons for all in excess of three thousand (3,000) gallons, with One and 50/100 Dollars (\$1.50) minimum charge per month.

Section 2

Section 1 of Ordinance No. 136 is hereby repealed.

Section 3

This ordinance shall take effect and be in force from and after its passage and approval and its publication once in the official city paper.

Passed this 16th day of September, 1953.

Approved this 16th day of September, 1953.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 178

AN ORDINANCE RELATING TO THE DRILLING OF OIL AND GAS WELLS WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS; PROVIDING FOR THE SPACING OF WELLS WITHIN SAID CITY; REQUIRING THE LEASING OF PEREMISES WITHIN THE SAID CITY TO BE ON A COMMUNITY BASIS; PROVIDING FOR THE PROTECTION AND SAFETY OF PERSONS AND PROPERTY WITHIN THE VICINITY OF SAID WELLS AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That all oil and gas wells hereafter commenced or drilled within the city limits of the City of LeRoy, Coffey County, Kansa, shall be drilled as nearly as practicable in the center of a city block, which city block shall be considered to be an area of 320 feet by 320 feet; provided, however, that the Governing Boyd of said city may permit such variation as may be deemed necessary in the amount of area or footage required and the location of the site depending upon geographical factors, the location of houses and other buildings and the area available which might be attributed to such proposed well, it being the intent of this ordinance that there shall not be more than one well commenced or drilled in a city block and no variation shall be allowed unless permission is obtained from the Governing Body of said city.

Section 2

That all property owners, including the City of LeRoy, Kansas, in the block or area attributable to or which might be attributed to the location where it is proposed to drill a well shall have an opportunity to join in the execution of an oil and/or gas lease covering said premises and that no well shall be commenced until said lease or leases are signed by at least fifty-one percent (51%) of the persons owning said premises or persons owning 51% of the square feet in said area and that all property owners entering into said lease shall agree in writing, by a community lease or otherwise, providing for the pooling of all royalties and rentals arising from said lease or leases or from production on said premises to be distributed to the respective property owners in accordance with the number of square feet owned by each lessor. That the Governing Body shall have the right to grant permission to deviate from *Section 2* of this ordinance in hardship cases.

Section 3

That any person, persons, company, firm or corporation commencing operations to drill or drilling a well in the City of LeRoy, Kansas shall make adequate provisions to protect all persons and property from any and all damage in any manner, whatsoever. Such person, persons, company, firm or corporation shall be responsible for the handling of slush, base sediment and salt water that may be produced in connection with the drilling and operation of said well and in

no event shall such slush, base sediment or salt water be allowed to enter into the City sewer system.

Section 4

That in the event any well drilled in said city is non-productive, all tools, equipment and machinery used in connection with the drilling of said well shall be removed within sixty (60) days thereafter and the premises fully restored to their original condition as nearly as practicable.

Section 5

That the Governing Body of the City of LeRoy, Kansas may make such additional requirements from time to time as it may deem necessary for the protection and safety of persons and property in the area likely to be affected by the drilling of said wells, and shall require fencing of wells when deemed necessary.

Section 6

That it shall be unlawful for any person, persons, company, firm or corporation to commence operations for the drilling of a well or to conduct any such drilling operations within the city limits of the City of LeRoy, Coffey County, Kansas, without complying with this ordinance.

Section 7

Any person, persons, company, firm or corporation hereafter drilling or commencing operations for the drilling of any oil or gas well in violation of any of the provisions of this ordinance or hereafter pumping or operating any well drilled in violation of any of the provisions of this ordinance shall upon conviction thereof be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment and each day's violation of this ordinance or any provision thereof shall be deemed a separate offense.

Section 8

If any section or part thereof of this ordinance shall be held to be invalid or inoperative for any reason, such invalidity shall not be deemed to affect the remaining provisions of this ordinance.

Section 9

This ordinance shall take effect and be in full force after its passage and approval and publication in the official city paper.

Passed by the Governing Body this 8th day of December, A.D., 1953.

Approved this 8th day of December, A.D., 1953.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 179

AN ORDINANCE PROVIDING FOR THE VACATING OF A CERTAIN PART OF WALNUT STREET AND E STREET IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, deems it to be to the best interest of said city that the following portion of E Street be vacated:

“Commencing at the south line of First Street, thence south to the south line of the city limits of said city.”

And

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, deems it to be to the best interest of said city that the following portion of Walnut Street be vacated:

“Commencing on the east line of D Street, thence east to the west line of F Street.”

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That E Street, commencing at the south line of First street, thence south to the south line of the city limits of said city, be and the same is hereby vacated.

Section 2

That Walnut Street, commencing on the east line of D Street, thence east to the west line of F Street, be and the same is hereby vacated.

Section 3

That the above and foregoing streets are being vacated pursuant to G.S. 1951 Supp; 15-427.

Section 4

This ordinance shall take effect and be in full force after its passage and approval and publication in the official city paper.

Passed by the Governing Body this 9th day of December, A.D., 1953.

Approved this 9th day of December, A.D., 1953.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 180

AN ORDINANCE RELATING TO THE DRILLING OF OIL AND GAS WELLS WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS; REQUIRING A PERMIT FROM THE GOVERNING BODY OF SAID CTIY TO DRILL OIL AND GAS WELLS WITHIN THE CITY LIMITS OF SAID CITY AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS;

Section 1

That from and after the effective date of this ordinance, it shall be unlawful for any person, persons, company, firm or corporation to drill or commence operations for the drilling of a well for oil and gas purposes at any place within the city limits of the City of LeRoy, Coffey County, Kansas, without first having obtained from the Governing Body of said city a license or permit for the commencement of such operations and for the drilling of such well. The applicant for such permit shall at the time of making application therefore deposit with the City Clerk a fee of Twenty-five Dollars (\$25.00) for the payment of the processing of said application. In the event such permit is granted, said fee shall be retained by the said city but if such permit is denied, said fee shall be returned to the applicant.

Section 2

No such permit shall be granted by the Governing Body until the applicant therefore shall have filed his application with the City Clerk reflecting such information as may be required by

the Governing Body of said city. The Twenty-five Dollar (\$25.00) fee shall accompany the application and said application shall be made on forms furnished by the City Clerk of said city; further, satisfactory evidence shall also be filed with the application showing that the applicant has a valid oil and gas lease covering the territory or area on which the applicant proposes to drill.

Section 3

Any person, persons, company, firm or corporation hereafter drilling or commencing operations for the drilling of any oil or gas well in violation of any of the provisions of this ordinance or thereafter pumping or operating any well drilled in violation of any of the provisions of this ordinance shall upon conviction thereof be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not more than thirty (30) days or by both such fine and imprisonment and each day's violation of this ordinance or any provision thereof shall be deemed a separate offense.

Section 4

If any section or part thereof of this ordinance shall be held to be invalid or inoperative for any reason, such invalidity shall not be deemed to affect the remaining provisions of this ordinance.

Section 5

This ordinance shall take effect and be in full force after its passage and approval and publication in the official city paper.

Passed by the Governing Body this 8th day of January, A.D., 1954.

Approved this 8th day of January, A.D., 1954.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 181

AN ORDINANCE GRANTING TO KANSAS GAS AND ELECTRIC COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS THEREOF AND RELATING THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That there be and is hereby granted to Kansas Gas and Electric Company, a corporation, herein called the Grantee, its successors and assigns, the right, privilege and franchise until February 1, 1974 to construct, maintain and operate in the present and future streets, alleys and public places in the City of LeRoy, Kansas, electric light and power lines, together with all necessary or desirable appurtenances, including underground conduits, poles, towers, wires and other appurtenances, for the purpose of supplying electricity to said City, the inhabitants thereof, and persons, and corporations beyond the limits thereof, for light, heat, power and other purposes.

Section 2

That in consideration of and as compensation for the franchise hereby granted, and in lieu of all occupation and license taxes, that Grantee shall pay to the City on or before the fifteenth day of March each year, Two Per Cent of the gross receipts of the Grantee during the preceding calendar year from electric service to consumers of electricity located in said City. As to the

year 1954, the payment specified in this section shall apply only to gross receipts of the Grantee from and after the effective date of this franchise.

Section 3

Poles and towers shall be so erected as to interfere as little as practicable with traffic over said streets and alleys. The location of all poles, towers and conduits shall be fixed under the supervision of the governing body of the City or its authorized representative, but not so as to unreasonably interfere with the proper operation of said lines.

Section 4

The City shall not, in any way, be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its lines and appurtenances hereunder, and the acceptance of this franchise shall be deemed an agreement on the part of said Grantee, its successors and assigns, to indemnify the City and hold it harmless against any and all liability, loss, cost, damages or expense which may accrue to said City by reason of the negligence, default or misconduct of the Grantee in the construction, operation or maintenance of the Grantee's lines and appurtenance hereunder.

Section 5

Grantee, its successors and assigns, shall furnish and install for its patrons reliable meters and shall keep same in repair without cost to the patrons. All meters used by the Grantee, its successors and assigns, shall at all reasonable time be subject to inspection by the City, and the City shall have the right to test said meters, or cause the same to be tested by said Grantee, its successors and assigns, at all reasonable times.

Section 6

Grantee, its successors and assigns, shall at all times make extensions of its lines in compliance with such rules, regulations and orders as may be authorized or permitted from time to time by such regulatory body, municipal or otherwise, as may be vested by law with regulatory authority over such matters. In ordering such extensions, said regulatory body shall give due consideration to the elements of cost of installation and income.

Section 7

Grantee, its successors and assigns, shall during the life of this franchise, furnish electricity to the City, and the inhabitants thereof, at such compensatory rates without discrimination, as shall be fixed or permitted from time to time by such regulatory body, municipal or otherwise, as may be authorized by law to fix rates for such service; PROVIDED, however, that nothing herein contained shall be construed as waiving the right of either the City or the Grantee, its successors and assigns, to review in the courts, in such manner as is now or may hereafter be provided by law, any findings or order of said regulatory body, or other authority, establishing rates for electric current furnished under this franchise.

Section 8

Grantee, its successors and assigns, shall have the right to make such reasonable rules and regulations for the protection of its property, for the prevention of loss and waste in the conduct and management of its (*illegible*) and for the sale and distribution of electricity, as may from time to time be deemed necessary.

Section 9

All other ordinances and parts of ordinances in conflict with the terms hereof shall be and the same are hereby repealed.

Section 10

This ordinance shall take effect and be in force from and after its passage and approval and subsequent publication in The LeRoy Reporter newspaper and its acceptance by the Grantee.

Passed and Approved by the Governing Body of the City of LeRoy, Kansas, on this 7th day of April, 1954.

Attest: W. L. Crabtree, City Clerk

•ORDINANCE NO. 182

AN ORDINANCE authorizing and embodying a contract between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

BE IT ORDAINED by the Mayor and Council of the City of LeRoy, Kansas, as follows:

Section 1

That the City of LeRoy, Kansas, is hereby authorized to and does contract with Kansas Gas and Electric Company, a corporation, its successors and assigns, for the furnishing by said company of electric service and equipment to light the streets, alleys and public places of the city, in accordance with the terms and provisions hereinafter set out, which contract is as follows:

STREET LIGHTING SERVICE AGREEMENT

“THIS AGREEMENT made and entered into this _____ day of _____, 1954, by and between the City of LeRoy, Kansas hereinafter referred to as “City” and Kansas Gas and Electric Company, a corporation, its successors and assigns, hereinafter referred to as “Company”.

“WITNESSETH:

“WHEREAS, the City desires to obtain the benefits of a new modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same, and supply the necessary electric energy therefore, all in accordance with the terms and provisions hereinafter set out, it is hereby agreed as follows:

#1. Company will provide, construct and install in place, ready for operation, the following street lighting equipment, namely, all lamp posts or other supports, brackets, lamps and globes, wiring and supports for wiring, conduits, and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places, all as shown on a street lighting location Map now on file in the City Clerk’s office, bearing the signed approval, dated April 7, 1954, of the Mayor, which map, with its designations and description, or explanatory data, is hereby approved by the governing body, namely:

“Primary Traffic Lights:

19 – 6,000 lumen lamps in standard fixtures on wood poles – overhead conductors

“Residential and Alley Lights:

83 – 2,500 lumen lamps in standard fixtures on wood poles – overhead conductors

“Company is to retain ownership of all the foregoing equipment, with right to remove the same upon termination of this agreement.

#2. Company will also at its sole cost and expense operate and maintain the above described equipment including the maintenance and repair of standards, poles, overhead conductor, and

fixtures, cleaning or glassware and replacement of lamps during the life of this agreement. Company shall also provide, and City will use and purchase from Company all electric energy necessary for the illumination of said lights.

#3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company the sum of \$1,504.00 annually, said sum being the aggregate of the rates per unit for such service embodied in the Company's street lighting service rate schedule copy of which is on file with the City Clerk, such rates and the resultant aggregate annual payment being, however, subject to change or modification, pursuant to order of the State Corporation Commission, or other regulatory tribunal having jurisdiction, subject to the right of either party to review such action in the courts. Such annual payments shall begin to accrue and be earned at the date when all construction and installation provided for herein is complete and the entire system placed in service; such payments to be twelve (12) equal monthly installments, to be made within fifteen (15) days after receipt of bills from the Company, and to be made at Company's office in Fort Scott, Kansas.

#4. In the interim between the execution of this contract and the completion of the entire installation set forth above, Company agrees to continue to supply electric energy and service to the present street lighting system at the rates set forth in Rate Schedule STL-547 (Revised) attached hereto.

As units of the new system are completed City is to pay at the rates shown in Rate Schedule STL-547 (Revised) above referred to for the number of each type of light installed, beginning with the date upon which each until of the installation is placed in service until the entire system is completed at which time the annual payments above provided shall become effective.

#5. (a) Upon order or resolution of the governing body of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company's street lighting service schedule applicable to said City.

Upon order or resolution, City may discontinue from service not to exceed three (3) street light installations of the type described as Residential and in *Section one (1)* hereof. Upon such discontinuance reduction in Company's charges to City will be made at the applicable rates as specified above.

#6 In case of default on the part of City in making payments within two months and fifteen days after receipt of bill therefore, and upon written notice from Company to that effect, addressed to the governing body and delivered to the City Clerk, if such default is not remedied in full within thirty days after delivery of such notice to the City Clerk, Company shall have the right, in addition to and without waiving any other remedies, to shut off the electric services to any or all parts of the system until such default is remedied, this agreement nevertheless, at Company's option, continuing in full force and effect.

#7 Company agrees to change the location of any street light upon written request of City, provided City shall pay the actual cost of such moving.

#8 Company agrees to protect and save harmless City from any and all loss, damage, or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruptions of service due to breakdowns of its generating, transmission, or distribution system, or due to shutdowns necessary to make repairs, or to avoid risk of danger to persons or property, or for other interruptions caused by accidents, strikes, fuel shortage or other causes beyond its control.

#9. The Company may supply at its option any type of lamp which the electrical industry may later develop in place of the lamps in use under this contract, provided that it is proven to the reasonable satisfaction of the governing body that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

#10. This agreement shall be in force and effect for a period of ten (10) years from the date hereof,

"IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date above set forth.

CITY OF LEROY, KANSAS By _____ Mayor

ATTEST: _____ city Clerk

KANSAS GAS AND ELECTRIC COMPANY By _____ President
ATTEST: _____ secretary”

Section 2

Upon the passage and approval of this ordinance and its publication once in The LeRoy Reporter, which publication is hereby directed, two counterparts of the “Street Lighting Service Agreement” embodied herein shall be prepared and signed in the name of the City by the Mayor, and attested by the City Clerk, with the seal of the City affixed, and when signed on behalf of Kansas Gas and Electric Company, by its President or Vice-President, attested by its Secretary or an Assistant Secretary, with the seal of the Company affixed, said agreement embodied herein shall become effective and constitute a valid and binding contract between the parties thereto, and the signing of such contract and delivery to the City Clerk of one such signed counterpart by Kansas Gas and Electric Company, shall be deemed an acceptance by it of this Ordinance.

Passed and approved this 7th day of April, 1954.

Mayor

ATTEST: _____ city Clerk

STATE OF KANSAS COUNTY OF COFFEY ss

I, the undersigned, the duly appointed, qualified and acting City Clerk of the City of LeRoy, Kansas, hereby certify that the foregoing is a true and correct copy of Ordinance No. 182 of said city, passed and approved on this 7th day of April, 1954, as the same appears of record among the ordinances of said City.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of said City this 7th day of April, 1954.

W.L. Crabtree

Clerk of the City of LeRoy, Kansas

•ORDINANCE NO. 183

AN ORDINANCE REPEALING CITY ORDINANCE NO. 84.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That Ordinance No. 84 of the City of LeRoy, Coffey County, Kansas, be and the same is hereby repealed in its entirety.

Section 2

That this ordinance shall take effect and be in full force after its passage and approval and publication in the official city paper.

Passed by the Governing Body this 2nd day of June, A.D., 1954.

Approved this 2nd day of June, A.D., 1954.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 184

AN ORDINANCE PROVIDING FOR PRKING REGULATIONS IN THE CITY OF LEROY, KANSAS AND PROHIBITING DOUBLE PARKING IN SAID CITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it shall be unlawful for any person, persons, firms or corporations to double park or to park or stand any vehicle in the travel portion of any street or roadway in the City of LeRoy.

Section 2

It shall be unlawful for any person, persons, firm or corporation to park any vehicle, truck, semi trailer or transport greater than standard fender width or truck bed greater than nine (9) feet in length along Main Street between Nebraska Avenue and Fifth Street except for the sole purpose of loading and unloading said vehicles.

Section 3

Any person, persons, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than One Dollar (\$1.00) nor more than Twenty-five Dollars (\$25.00) and costs.

Section 4

This ordinance shall take effect and be in force from and after its publication once in the official city paper.

Passed by the City Council this 4th day of August, 1954.

Approved this 4th day of August, 1954.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 185

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

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

Section 1

That the regular city election of the City of LeRoy, Kansas, shall be held on Tuesday, April 5th, 1955, from the hours of 8:00 a.m. to 6:00 p.m. in the LeRoy City hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section 2

That Eugene Burnett, Ira Murray, and Glenn Crotts, citizens, not candidates for office are hereby designated by the Mayor, with the approval of the council, to act as judges of said election: and Mabel Curbey and Fannie Draper, citizens, not councilmen, are hereby designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter, the official city newspaper.

Passed this 2nd day of March 1955.

Approved this 2nd day of March, 1955.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 186

AN ORDINANCE CALLING A SPECIAL ELECTION FOR THE PURPOSE OF VOTING ON A PROPOSITION TO ISSUE GENERAL OBLIGATION BONDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER AUTHORITY OF SECTION 12-834 OF THE GENERAL STATUTES OF KANSAS, 1949, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE WATER WORKS SYSTEM OF SAID CITY FOR THE PURPOSE OF SUPPLYING SAID CITY AND IT'S INHABITANTS WITH WATER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

That a special election of the electors of the City of LeRoy, Coffey County, Kansas, is hereby called for the purpose of voting upon the proposition of issuing general obligation bonds of said city in a sum not exceeding \$35,000.00 for the purpose of extending and improving the water works system of the City of LeRoy, Coffey County, Kansas, for the purpose of supplying said city and its inhabitants with water. That said special election shall be held on the 5th day of April, 1955, between the hours of 8 a.m. and 6 p.m. in the manner provided by law; said date being within thirty (30) days after this ordinance becomes effective and that this bond election shall be in conjunction with the regular city election to be held on April 5, 1955.

Section 2

That at the special election to be held as provided in *Section 1* of this ordinance the following question shall be submitted:

“Shall the City of LeRoy, Coffey County, Kansas issue general obligation bonds in a sum not exceeding \$35,000.00 as authorized by G.S. 1949, 12-834, for the purpose of extending and improving the water works system of said city and its inhabitants with water?”

Section 3

That a notice of such special election setting forth the time and place of holding the election and the purpose for which the bonds re to be issued shall be published for three (3) consecutive weeks in The LeRoy Reporter, the official city paper, a newspaper of general circulation in said city. The first publication of said notice shall be not less than twenty-one (21) days prior to the date fixed for said election. The Mayor and the Councilmen or a majority of them, and the City Clerk are authorized and directed to sign and publish said notice as required by law.

Section 4

The place of holding the election shall be in the City Hall located on Main Street in the City of LeRoy, Kansas, and the polls shall be open from 8 o'clock a.m. to 6 o'clock p.m. of said day.

Section 5

That if a majority of the electors of said city voting at said special election shall vote in favor of the issuance of bonds as hereinbefore provided for, the Governing Body of said city shall by ordinance provide for the issuance of such bonds in the manner provided by law for the construction of said improvements.

Section 6

That this ordinance shall take effect and be in force from and after its publication once in The LeRoy Reporter, the official city paper.

Passed by the City Council this 2nd day of March, 1955.

Approved this 2nd day of March, 1955.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 187

An Ordinance Vacating a Certain Alley in the City of LeRoy, Coffey County, Kansas, Pursuant to and Under the Authority of G.S. 1953, Supp. 15-427, and Providing for the Recording of the Same.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, deem it necessary and expedient to annul, vacate and discontinue the following alley located in the City of LeRoy, Coffey County, Kansas, to-wit:

Alley running through and located in center of Block Forty-one (41), City of LeRoy, Coffey County, Kansas, according to the recorded plat of said city.

Now Therefore, Be It Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That it is necessary and expedient to annul, vacate and discontinue the following alley located in the City of LeRoy, Coffey County, Kansas, to-wit:

Alley running through and located in center of Block Forty-one (41), City of LeRoy, Coffey County, Kansas, according to the recorded plat of said city.

And the said alley be and the same is hereby annulled, vacated and discontinued pursuant to and under the authority of G.S. 1953 Supp. 15-427.

Section 2

That upon the effective date of this ordinance the Clerk of said city shall file a certified copy of said ordinance in the office of the County Clerk and in the office of the Register of Deeds of said county.

Section 3

That this ordinance shall take effect and be in force from and after its publication once in the official city paper.

Passed and approved this 5th day of October, 1955.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 188

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES IN THE SUM OF THIRTY FIVE THOUSAND DOLLARS (\$35,000) OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF EXTENDING AND IMPROVING THE WATERWORKS SYSTEM OF SAID CITY PURSUANT TO AND UNDER AUTHORITY OF (illegible)

provided for the calling of a special election for the purpose of submitting to the electors of said city the following proposition to-wit:

Shall the following be adopted? "Shall the City of LeRoy, Coffey County, Kansas issue general obligation bonds in a sum not exceeding \$35,000.00 as authorized by G.S. 1949, 12-834, for the purpose of extending and improving the waterworks system of said city for the purpose of supplying said city and its inhabitants with water?"

Said election to be held on the 5th day of April, 1955, and

Whereas, notice of said election was published in The LeRoy Reporter, the official city paper of said city, for three consecutive weeks, the first publication being on the 11th day of March, 1955 and the first publication being not less than twenty-one (21) days prior to said election was held and conducted in the manner and form and in all respects as prescribed by law and

Whereas, the vote at said election was 105 votes for the proposition and 42 votes against the proposition and

Whereas, the said proposition carried by a majority of all the votes cast at said election, and

Whereas, the Governing Body of said city has heretofore caused plans and specifications and an estimate to be prepared for the project of extending and improving the waterworks system of said city and said plans, specifications and estimate have been approved and adopted as the plans, specifications and estimate of said city for the construction of said project and

Whereas, all legal requirements pertaining to such project of extending and improving the waterworks system of said city have been complied with and said work has progressed to a point where issuance of temporary notes of said city is and will be required to finance the same as authorized by G.S. 1953 Supp., 10-123,

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That for the purpose of (*illegible*) the accrued and accruing expense of the extending and improving the waterworks system of the City of LeRoy, Coffey County, Kansas, there shall be issued and hereby are authorized the temporary notes of the City of LeRoy, Coffey County, Kansas, in a total aggregate principal amount not exceeding Thirty-five Thousand Dollars (\$35,000.00), the estimated cost and expenses of the improvement.

Section 2

The temporary notes authorized by *Section 1* of this ordinance shall be issued from time to time as required during the progress of said work, shall be authorized by resolution, shall be dated as of the date when issued respectively, shall bear interest at the rate of two and three-fourths percent (2 ³/₄ %) per annum, payable semi-annually, and shall mature four (4) years from date of issuance of said notes, or by publication in three consecutive issue in a newspaper of general circulation in said city, the first publication to be ten (10) days prior to the date of such call, and may redeem said notes on the date of such call for the amount of the principal and the interest accrued to that date and interest shall cease on such date and said notes shall be redeemed and cancelled before or at the time permanent bonds are issued in lieu thereof.

Section 3

That said temporary notes shall contain the recitals and be in the form as provided by the Statutes of the State of Kansas.

Section 4

That said temporary notes shall be signed by the Mayor and attested by the City Clerk and have the corporate seal affixed thereon and both the principal and interest shall be payable at the office of the City Treasurer of the City of LeRoy, Coffey County, Kansas.

Section 5

The Mayor and City Clerk are hereby authorized to prepare and execute said temporary notes and when so executed said notes shall be registered as required by law and the Governing Body shall annually make provision for the payment of the principal and interest of said temporary notes as the same shall become due by levying a tax upon all the taxable property of the City of LeRoy, Coffey County, Kansas.

Section 6

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7

That this ordinance shall be in full force and take effect from and after its publication once in The LeRoy Reporter, the official city paper as provided by law.

Passed and approved this 2nd day of November, 1955.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 189

AN ORDINANCE PRESCRIBING SPEED LIMITS WITHIN THE CITY OF LEROY, COFFEY COUNTY KANSAS, AMENDING SECTION 1 OF ORDINANCE NO. 51 AND REPEALING SAID ORIGINAL SECTION 1 OF ORDINANCE NO. 51.

Section 1

Section 1 of Ordinance No. 51 be and the same is hereby amended to read as follows:
No person shall operate a motor vehicle on any street, avenue or highway within the said City at a speed greater than is reasonable and prudent under the conditions then existing and having regard for the traffic and use of said streets, avenues or highways, nor at a rate of speed, such as to endanger the life or limb of any person.

Where no special hazard exists, the following speeds shall be lawful but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

Fifteen (15) miles per hour in the school zone in said city. For the purpose of this ordinance the school zone shall be considered Seventh Street to Ninth Street on Main Street and from C Street to California Street on Eighth Street.

Twenty (20) miles per hour in the business district of said city. For the purpose of this ordinance the business district shall be considered Nebraska Avenue to Fifth Street on Main Street and C Street to California Street on Sixth Street.

Thirty (30) miles per hour in any residence district.

The foregoing prima facie speed shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection as may be necessary to avoid colliding with any person, vehicle or other conveyance or on entering a highway or through street in compliance with legal requirements and the duty of all persons to use due care.

Provided that the speed limits in this section shall not apply to physicians or surgeons or police or fire vehicles or ambulances when answering emergency calls demanding excessive speed.

Original *Section 1* of Ordinance No. 51 be and the same is hereby repealed.

This ordinance shall take effect and be in force from and after its publication once in the official city paper.

Passed and approved this 2nd day of November, A.D. 1955.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 190

ORDINANCE PROVIDING FOR THE ISSUANCE OF WATERWORKS IMPROVEMENT BONDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, IN THE SUM OF \$32,000.00 FOR THE PURPOSE OF PAYING THE COSTS OF EXTENDING AND IMPROVING THE WATERWORKS SYSTEM OF SAID CITY,

THE SAME BEING AN IMPROVEMENT OF A GENERAL NATURE IN SAID CITY PURSUANT TO AND UNDER THE AUTHORITY OF G.S. 1949, 12-834 AND G.S. 1955 SUPP. 10-1234 AND AMENDMENTS THERETO AND LEVYING TAXES PROVIDING FOR THE PAYMENT THEREON AS PROVIDED BY LAW.

Whereas, Ordinance No. 186 of City of LeRoy, Coffey County, Kansas, provided for the calling of a special election for the purpose of submitting to the electors of said city the following proposition, to-wit:

Shall the following be adopted?

“Shall the City of LeRoy, Coffey County, Kansas; issue general obligation bonds in a sum not exceeding \$35,000.00 as authorized by G.S. 1949, 12-834, for the purpose of extending and improving the waterworks system of said city for the purpose of supplying said city and its inhabitants with water?”

said election to be held on the 5th day of April, 1955, and

Whereas, notice of said election was published in The LeRoy Reporter, the official city paper of the City of LeRoy, Coffey County, Kansas, for three (3) consecutive weeks, the first publication being on the 11th day of March, 1955, and the first publication being not less than twenty-one (21) days prior to said election, and

Whereas, the said election was held and conducted in the manner and form and in all respects as prescribed by law, and

Whereas, the vote at said election was 105 votes for the proposition and 42 votes against the proposition, and

Whereas, the said proposition carried by a majority of all of the votes cast at said election, and

Whereas, the Governing Body of the City of LeRoy, Coffey County, Kansas, has heretofore caused plans and specifications and an estimate to be prepared for the extending and improving the waterworks system of said city, and

Whereas, the Governing Body of the City of LeRoy, Coffey County, Kansas, has heretofore caused final plans and specifications to be prepared for the extending and improving the waterworks system of said city, and

Whereas, a contract was let for the extending and improving the waterworks system of said city as provided by law, and

Whereas, said project of extending and improving the waterworks system of said city has been carried out and completed according to the plans and specifications as prepared by the Engineer of said city, and

Whereas, the entire project has been completed, and

Whereas, temporary notes were issued for the payment of said project as the work progressed, and

Whereas, the cost of the project of extending and improving the waterworks system of said city, including engineering fees, legal fees and interest on temporary notes, has been ascertained to be \$32,000.00 which is to be paid by the city at large for which amount bonds are required to be issued.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That for the purpose of paying the cost of making an improvement of a general nature in said city, the same being the extending and improving the waterworks system of said city for the use and benefit of the people of said city, bonds of the City of LeRoy, Coffey County, Kansas, shall be issued and are hereby issued in the sum of \$32,000.00 under the authority of G.S. 1949, 12-834 and Article 1, Chapter 10 of G.S. 1949 and amendments thereto including Article 1, Chapter 10, G.S. 1955 Supp. And all other applicable statutes.

Section 2

That said issue of bonds shall consist of thirty-four (34) bonds, numbered from one (1) to thirty-four (34), both inclusive, which said bonds shall be in the denomination of One Thousand Dollars (\$1,000.00) each except four (4) bonds which shall be in the denomination of Five

Hundred Dollars (\$500.00) each, and said bonds shall be payable to bearer and shall bear date of February 15, 1956 and shall bear interest from date at the rate of two and three-fourths per cent (2 ¾ %) per annum and become due and payable as set forth in the following schedule, to wit:

Number 1, 2 and 3; Amount \$3,000.00; Maturity Date October 15, 1957.
Number 4, 5 and 6; Amount \$3,000.00; Maturity Date October 15, 1958.
Number 7, 8 and 9; Amount \$3,000.00; Maturity Date October 15, 1959.
Number 10, 11, 12 and 13; Amount \$3,000.00; Maturity Date October 15, 1960.
Number 14, 15, 16 and 17; Amount \$3,000.00; Maturity Date October 15, 1961.
Number 18, 19, 20 and 21; Amount \$3,000.00; Maturity Date October 15, 1962.
Number 22, 23, 24 and 25; Amount \$3,000.00; Maturity Date October 15, 1963.
Number 26, 27 and 28; Amount \$3,000.00; Maturity Date October 15, 1964.
Number 29, 30 and 31; Amount \$3,000.00; Maturity Date October 15, 1965.
Number 32, 33 and 34; Amount \$3,000.00; Maturity Date October 15, 1966.

Section 3

Interest shall be payable on April 15th, 1957 and semi-annually thereafter on the 15th day of October and April of each year until the principal sum shall be paid in full, both principal and interest to be payable at the office of the State Treasurer in the City of Topeka, in the State of Kansas. The said bonds shall have coupons attached thereto, printed in the form as provided by law, representing the interest thereon. The bonds and the coupons shall be signed by the Mayor and shall have the City's seal affixed, attested by the City Clerk. Said bonds shall be in the usual form and contain the usual and necessary recitals and shall be in the form and size as provided by the Statutes of the State of Kansas.

Section 4

The Mayor and City Clerk of the City of LeRoy, Coffey County, Kansas, are hereby authorized and directed to prepare and execute the bonds hereinbefore described and to cause said bonds to be registered in the office of the City Clerk and in the office of the State Auditor and when duly executed and registered and rejected by the State Board of School Fund Commissioners to deliver said bonds to the purchaser thereof upon the payment of the full purchase price.

Section 5

The full faith and credit of the City of LeRoy, Coffey County, Kansas, are hereby irrevocably pledged for the prompt payment of the bonds hereinbefore described and the interest thereon as the same respectively becomes due. The Governing Body of the City of LeRoy, Coffey County, Kansas, shall annually make provisions for the payment of the interest on and the principal of said bonds by levying taxes upon all of the taxable property in said city at the same time as levying of other taxes.

Section 6

This ordinance shall take effect and be in force from and after its passage and approval and its publication once in the official city paper.

Passed this 1st day of February, 1956.

Approved this 1st day of February, 1956.

W.E. HAZEN, Mayor

(Seal)

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 191

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

Section 1

That the regular City election of the City of LeRoy, Kansas, shall be held on Tuesday, April 2nd, 1957, from the hours of 8:00 a.m. to 6:00 p.m. in the LeRoy City Hall, for the purpose of electing a Mayor, a Police Judge and five (5) Councilmen.

Section 2

That L.V. Bader, Delphine Johnson and Clara Jones, Citizens not candidates for office are hereby designated by the Mayor with the approval of the Council to act as judges of said election, and Mabel Curbey and Dorothy Brutchin, citizens not candidates for office, are designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter, the official City newspaper.

Passed this 6th day of March, 1957.

Approved this 6th day of March, 1957.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 192

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

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

Section No. 1

That the regular City election of the City of LeRoy, Kansas, shall be held on Tuesday, April 7th, 1959, from the hours of 8:00 a.m. to 6:00 p.m. in the LeRoy City Hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section No. 2

That E.L. Flake, Mabel Curbey, and Inez E. Ward citizens not candidates for office are hereby designated by the mayor with the approval of the council, to act as judges of said election and Velma Morrow and Dorothy Brutchin citizens not candidates for office are designated by the council to act as clerks of said election.

Section No. 3

This ordinance shall take effect and be in force from and after it's publication in the LeRoy Reporter, the official City newspaper.

Passed this 3rd day of March, 1959.

Approved this 3rd day of March, 1959.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 193

AN ORDINANCE REQUIRING PROPERTY OWNERS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO MAINTAIN ALL PROPERTY FRONTALS, PARKING AND SIDEWALKS; TO REPAIR THE SAME AND KEEP THE SAME FREE OF ANY AND ALL DEBRIS, OBSTRUCTIONS AND HAZARDS: PROVIDING NOTICE TO PROPERTY OWNERS AND PROVIDING PENALTY FOR VIOLATION OF SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it shall be the duty of the owners of any lot, parcel or tract of ground adjacent to or abutting upon any street, avenue or public way within the City of LeRoy, Coffey County, Kansas, to maintain and keep in repair such property frontals, parking and sidewalks and to keep such property frontals, parking and sidewalks free from any and all debris, obstructions and hazards; to repair and maintain such property frontals and parking, including existing sidewalks; to remove snow and ice and to keep such sidewalks at all times free from accumulations of snow and ice; to cut and trim trees and remove dead trees; trunks and limbs from such property frontals and parking; to remove any and all debris, obstructions and any hazardous conditions that may be hazardous to pedestrians, all with a view of making such property frontals, parking and sidewalks reasonably safe for pedestrian travel.

Section 2

That all such property owners shall cause any such debris, obstructions or hazards or hazardous conditions to be removed, repaired or maintained within five (5) days after written notice to such property owner by the Governing Body of said city to remove, repair and maintain such property frontals, parking or existing sidewalks and any such person, firm or corporation which shall fail or neglect to comply with this ordinance after having been so notified by the Governing Body of said city; the Governing Body of said city shall cause such debris, obstructions or hazards or hazardous conditions to be removed, repaired or maintained and the City Clerk shall assess the costs thereof against the adjacent or abutting lots, parcels or tracts and shall certify the same to the County Clerk of Coffey County, Kansas for collection as real estate taxes against said property as provided by law and the County Clerk of said county to place such amount on the tax rolls for collection like other taxes.

Section 3

If any person, firm or corporation shall fail or neglect to comply with the requirements of this ordinance same shall be guilty of a misdemeanor and shall upon conviction thereof be fined in a sum not less than \$10.00 nor more than \$500.00 and costs of the action.

Section 4

This ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city paper.

Passed, adopted and approved this 1st day of April, 1959.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 194

AN ORDINANCE DEEMING AND DECLARING IT NECESSARY TO APPROPRIATE PRIVATE PROPERTY FOR THE PURPOSE OF ENLARGING AND EXTENDING THE CITY CEMETERY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, The Governing Body of the City of LeRoy, Coffey County, Kansas, deems and declares it necessary to appropriate and take the following described private property located in Coffey County, Kansas, to-wit:

A tract of approximately four (4) acres of land located immediately west and adjacent to the present City of LeRoy Cemetery, located in the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Four (4), Township Twenty-three (23), Range Sixteen (16), For the use of said city in enlarging and extending the City Cemetery of the City of LeRoy, Kansas.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That a survey, description and plat of the aforesaid land so required to be taken and appropriated, be made by Francis E. Wagner, a licensed engineer, and filed with the City Clerk prior to the next meeting of the City of LeRoy, Kansas.

Section 2

This ordinance shall take effect and be in force from and after its passage, approval and publication in The LeRoy Reporter, the official publication of the City of LeRoy, Kansas.

Passed and approved this 17th day of June, 1959.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 195

AN ORDINANCE DEEMING AND DECLARING IT NECESSARY TO APPROPRIATE TAKE AND CONDEMN PRIVATE PROPERTY FOR THE PURPOSE OF ENLARGING AND EXTENDING THE CITY CEMETERY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, in accordance with Ordinance No. 194 passed and adopted by the Governing Body of said city, at a regular adjourned meeting, Francis E. Wagner, a licensed Engineer, has made a survey, description and plat of the tract of land referred to in said ordinance, and

WHEREAS, said survey, description and plat of said tract of land has been filed with the City Clerk, as provided by law.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AS FOLLOWS:

Section 1

That the appropriation and taking of the tract of land described in said survey and plat, to-wit:

Beginning at the Northeast corner of Section Four (4), Township Twenty-three (23), Range Sixteen (16), thence South on Section line Four Hundred Fifty-two (452) feet; thence west paralleling Section line Three Hundred Thirty-eight (338) feet; thence North Four Hundred Fifty-two (452) feet, thence East to place of beginning, containing 3.51 acres, more or less.

Is necessary for the purpose of enlarging and extending the City Cemetery of the City of LeRoy, Kansas, for the use of said City.

Section 2

That the said tract of land as described in *Section 1* be and the same is hereby condemned for the purpose of enlarging and extending the City Cemetery of the City of LeRoy, Kansas, for the use of said City.

Section 3

That written application be made to the Judge of the District Court of Coffey County, Kansas, asking for the appointment of three disinterested freeholders of said County as commissioners to condemn and appraise such tracts of land and the City Attorney be and he is hereby instructed to present said written application to the Judge of the District Court of Coffey County, Kansas and obtain the appointment of said commissioners.

Section 4

This ordinance shall take effect and be in force from and after its passage, approval and publication in The LeRoy Reporter, the official publication of the City of LeRoy, Kansas.

Passed and approved this 17th day of June, 1959.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 196

AN ORDINANCE PROVIDING FOR A SERVICE CHARGE TO BE PAID TO THE CITY OF LEROY, COFFEY COUNTY, KANSAS FOR THE USE OF THE SEWAGE DISPOSAL SYSTEM OF SUCH CITY BY ALL PERSONS, FIRMS OR CORPORATIONS WHOSE PREMISES ARE CONNECTED TO THE SANITARY SEWER SYSTEM OF SUCH CITY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That there is hereby fixed and provided a sewer charge of fifty cents (50c) per month to be paid to said city for the use of the sewage disposal system of said city by all persons, firms or corporations whose premises are connected to the sanitary sewer system of such city or shall hereafter be connected to the sanitary sewer system of such city.

Section 2

That this ordinance is proposed and adopted pursuant to G.S. 1959 Supp., 12-631g, and G.S. 1959 Supp., 12-631h.

Passed and approved this 16th day of November, 1960.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 197

AN ORDINANCE PROVIDING FOR THE REGULAR ELECTION.

BE IT ORDAINED BY THE CITY GOVERNING BODY OF THE CITY OF LEROY, KANAS:

Section 1

The regular city election of the City of LeRoy, Kansas shall be on Tuesday, April 4th, 1961, from the hours of 8:00 a.m., to 6:00 p.m. in the LeRoy City Hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section 2

That Mabel Curbey, Eda Beall, Dorothy Brutchin, citizens, not candidates for office are hereby designated by the mayor with approval of the council to act as judges of said election, and Inez E. Ward and Betty C. Corbin, citizens not candidates for office are designated by the council to act as clerks, of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter the official City newspaper.

Passed this 1st day of March, 1961.

Approved this 1st day of March, 1961.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 198

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

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

Section 1

The regular City election of the City of LeRoy, Kansas, shall be held on Tuesday, April 2nd, 1963, from the hours of 8:00 a.m. to 6:00 p.m. in the city hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section 2

That Kate Baird, Maude Crotts and Inez E. Ward, citizens not candidates for office are hereby designated to act as judges of said election, and Elaine Rohr and June Hess, citizens not candidates for office are designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter, the official city newspaper.

Passed this 6th day of February, 1963.

Approved this 6th day of February, 1963.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 199

AN ORDINANCE DECLARING AN EMERGENCY TO EXIST AND THAT THE PURCHASE OF FIRE DEPARTMENT EQUIPMENT IN THE MAXIMUM SUM OF \$5,000.00 IS NECESSARY IN ORDER TO PROPERLY PROTECT AND SERVICE THE CITY AND THE PUBLIC PURSUANT TO AND UNDER THE AUTHORITY OF G.S. 1961 SUPP., 12-110a.

Whereas, Rural High School District Joint 5, Coffey and Woodson Counties, State of Kansas, has pursuant to G.S. 1961 Supp., Chapter 31, Article 3, organized and created a Fire protection Benefit District, which said Benefit District is now duly existing as provided by law, and

Whereas, said Benefit District has requested the City of LeRoy, Coffey County, Kansas, to furnish to said Benefit District fire fighting services, on a contract basis, pursuant to G.S. 1961 Supp., 31-302, and

Whereas, said City desires to contract with said Benefit District to furnish fire fighting services as provided by law, and

Whereas, said City is without funds to purchase said fire fighting equipment, now therefore BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That an emergency exists and that the purchase of fire department equipment in the maximum sum of \$5,000.00 is necessary in order to properly protect and service the City and the public pursuant to and under the authority of G.S. 1961 Supp., 12-110a.

Section 2

That this ordinance is adopted and published to comply with G.S. 1961 Supp., 12-110a and said ordinance as published is to be presented with proper application to The Board of Tax Appeals of the State of Kansas for authority to issue no fund warrants to purchase said fire fighting equipment, all as provided by law.

Section 3

That this ordinance shall take effect and be in force from and after its publication once in The LeRoy Reporter, the official city paper.

Passed by the City Council this 5th day of March, 1963.

Approved this 5th day of March, 1963.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 200

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

BE IT ORDAINED by the governing Body of the City of LeRoy, Kansas as follows:

Section 1

That the City of LeRoy, Kansas, is hereby authorized to and does contract with Kansas Gas and Electric Company, a corporation, its successors and assigns, for the furnishing by said Company of electric service and equipment to light the streets, alleys, and public places of the City, in accordance with the terms and provisions hereinafter set out, which contract is as follows:

“STREET LIGHTING AGREEMENT

“THIS AGREEMENT made and entered into this ____ day of _____ 19____, by and between the City of LeRoy, Kansas, hereinafter referred to as “City” and Kansas Gas and Electric Company, a corporation, it’s successors and assigns, hereinafter referred to as “Company”,

“WITNESSETH:

“WHEREAS, the City desires to continue the benefits of a modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same, and supply the necessary electric energy

therefore, all in accordance with the terms and provisions hereinafter set out and it is hereby agreed as follows:

“1. Company will provide, construct and install in place, ready for operation, certain street lighting equipment, consisting of lamp posts or other supports, brackets, lamps and globes, wiring and supports for wiring, conduits and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places all as shown on a street lighting Location Map now on file in the City Clerk’s office, bearing the signed approval of the Mayor, dated November 8, 1963, which map, with its designations and descriptive, or explanatory data, is hereby approved, namely:

Primary Traffic Streets (White Way) 23 6,000 Lumen – Wood Poles

Secondary Traffic Streets None

Residential Streets 80 2,500 Lumen – Wood Poles

Miscellaneous None

“All of the above lights are to be served and supplied by overhead conductors, except none.

“Company is to retain ownership of all the foregoing equipment with right to remove the same upon termination of this agreement.

“2. Company will also at its sole cost and expense operate and maintain the above-described equipment, including the maintenance and repair of standards, poles, overhead conductor and fixtures, inspection, cleaning of glassware and replacement of lamps during the life of this agreement. Company will also provide and City will use and purchase from Company an electric energy necessary for the illumination of said lights.

“3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company the sum of One Thousand Five Hundred Thirty-four and no/100 Dollars (\$1,534.00) annually, said sum being the aggregate of the rates per unit for such service embodied in the Company’s street lighting service rate schedule copy of which is on file with the City Clerk, such rates and the resultant aggregate annual payment being, however, subject to change or modification pursuant to order of the State Corporation Commission, or other regulatory tribunal having jurisdiction subject to the right of either party (*illegible*) review such action in the courts. Each annual payment shall be made in twelve (12) equal monthly installments, payable within fifteen (15) days after receipt of bills from the Company, and to be made at Company’s office in Fort Scott, Kansas.

“4a. Upon order or resolution of the Governing Body of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company’s street lighting service rate schedule applicable to said City.

“4b. Upon order or resolution, City may discontinue from service not to exceed three (3) street light installations described in *Section One (1)* hereof. Upon such discontinuance reduction in Company’s charges to City will be made at the applicable rates as specified above.

“5. In case of default on the part of City in making payments within two (2) months and fifteen (15) days after receipt of bill therefore, and upon written notice from Company to that effect, addressed to the Governing Body and delivered to the City Clerk, if such default is not remedied in full within thirty (30) days after delivery of such notice to the City Clerk, Company shall have the right in addition to and without waiving any other remedies, to shut off the electric service to any or all parts of the system until such default is remedied, this agreement nevertheless, at Company’s option, continuing in full force and effect.

“6. Company agrees to change the location of any street light upon written request of City, provided City shall pay the actual cost of such moving.

“7. Company agrees to protect and save harmless City from any and all loss, damage, or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruptions of service due to breakdown of its generating transmission or distribution system, or due to shutdowns necessary to make repairs or to avoid risk of danger to persons or property, or for other interruptions caused by accidents, strikes, fuel shortage or other causes beyond its control.

“8. The Company may supply at its option any type of lamp which the electrical industry may later develop in place of lamps in use under this contract, provided that it is proven to the

reasonable satisfaction of the Governing Body that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

“9. This agreement shall be in force and effect for a period of ten (10) years from the date hereof. All other street lighting service agreements, or parts thereof, if any in conflict with the terms of this agreement, shall be and the same are hereby repealed.

“IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date above set forth.

CITY OF LEROY, KANSAS BY _____ Mayor

Attest: _____ City Clerk.

(Seal) KANSAS GAS AND ELECTRIC COMPANY BY _____ President

Attest: _____ Secretary” (Seal)

Section 2

Upon the passage and approval of this Ordinance and its publication once in The LeRoy Reporter, which publication is hereby directed two counterparts of the “Street Lighting Agreement” embodied herein shall be prepared and signed in the name of the City by the Mayor and attested by the City Clerk, with the seal of the City affixed, and when signed on behalf of Kansas Gas and Electric Company, by its President, Vice President, or Assistant to the President, attested by its Secretary or an Assistant Secretary, with the seal of the Company affixed, said agreement embodied herein shall become effective and constitute a valid and binding contract between the parties thereto, and the signing of such contract and delivery to the City Clerk of one such signed counterpart by Kansas Gas and Electric Company, shall be deemed an acceptance by it of this Ordinance. The other counterpart shall be delivered to the Company.

Passed and approved this 8th day of November, 1963.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

• ORDINANCE NO. 201

AN ORDINANCE RELATING TO THE FIRE DEPARTMENT IN THE CITY OF LEROY, KANSAS, IT’S ORGANIZATION, GOVERNMENT, AND REGULATION AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, KANSAS.

Sec. 1

That there be and hereby is established a fire department in the City of LeRoy, Kansas, to consist of a chief, an assistant chief, and not less than 10 nor more than 15 men per company, who shall be appointed by the Mayor and confirmed by the Councilmen. There shall be a total of two companies as follows, City Company and Joint 5 Fire District Company.

Sec. 2

That members of the fire department shall be volunteers. They shall meet at least once each month for practice and drill. The chief shall keep a record of attendance of such meetings. Any member who shall fail to attend 6 consecutive meetings shall automatically become expelled from membership. The chief shall receive the sum of \$1.00 and the other members of the department shall receive the sum of \$1.00 for attendance at fires.

Sec. 3

The chief of the fire department shall be under the supervision of the Mayor and shall have superintendency and control over and be responsible for the care and condition of the fire apparatus and equipment, and it shall be his duty to see that all such apparatus and equipment

shall be at all times ready for immediate use and shall submit a written report as to its condition to the Mayor and Council at their fir meeting in October.

Sec. 4

The chief of the fire department shall be responsible for the discipline of members and is hereby given the authority to suspend or expel any member for the refusal to obey orders, or for misconduct or failure to do his duty at a fire. The chief shall also have the right to summon any and all persons present to aid in extinguishing a fire, or to aid in removing personal property from any building on fire or in danger thereof, and in guarding the same.

Sec. 5

The chief of the fire department shall have full power, control and command over all persons whomsoever present at fires, and he shall direct the use of all fire apparatus and equipment, and command all firemen in the discharge of their duties. He shall take such measures as he may deem necessary in the preservation and protection of property and the extinguishing of fires.

Sec. 6

The chief of the fire department shall keep in convenient form a complete record of all fires. Such information shall include the time and location, construction of building, owner, occupancy, how extinguished, value of building and contents, loss on building and contents, insurance on building and contents, members responding to the alarm, and any other information deemed advisable.

Sec. 7

It shall be the duty of the chief of the fire department to adopt all prudent measures for the prevention of fires and for this purpose he or his assistant under his direction may upon request or whenever he has reason to believe that the safety of life and property demands it, and as often as he may deem necessary, enter any building, yard or premises in the city during reasonable hours for the purpose of inspection, and where dangerous, unsafe or hazardous conditions are found to exist he shall give such directions for the alteration, change or removal or better care or management of the same as he may deem proper, and such directions shall be obeyed and complied with by the person directed in that regard and at their expense.

Sec. 8

In the absence of the chief, the assistant chief shall perform all the duties and have all the authority and responsibility of the chief as conferred by this ordinance.

Sec. 9

All fire apparatus and equipment is hereby given and granted the exclusive right-of-way over and through all streets, avenues, alleys and public thoroughfares in said city which enroute to fires or in response to any alarm of fire, and no person or persons shall in any manner obstruct or hinder said apparatus as aforesaid stated.

Sec. 10

It shall be unlawful for any person or persons to drive any wagon, carriage, automobile, truck, locomotive, railroad car or any other vehicle over any fire hose laid in any street, avenue, alley, bridge or vacant lot. Provided that this section shall not apply to any apparatus or vehicle belonging to the fire department.

Sec. 11

No person shall place or cause to be placed upon or about any fire hydrant any rubbish, building material, fence or other obstruction of any character, whatsoever, in any manner to obstruct hinder or delay the fire department in the performance of its duties in case of fire. Nor shall any person hitch or cause to be hitched to any fire hydrant any animal or animals, nor fasten to same any guy rope or brace, nor back or stand any wagon, truck, automobile or other vehicle within 15 feet of any such hydrant.

Sec. 12

It shall be unlawful for any person or persons to make or sound or cause to be made or sounded or by any other means any false alarm of fire, without reasonable cause.

Sec. 13

No person or persons shall use any fire apparatus or equipment for any private purpose, nor shall any person willfully and without proper authority remove, take away, keep or conceal any tool, appliance or other article, used in any way by the fire department.

Sec. 14

Any person or persons violating any of the provisions of this ordinance or refusing or neglecting to comply with any of the requirements thereof, shall upon conviction, be deemed guilty of a misdemeanor and fined not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars.

Sec. 15

This ordinance shall take effect and be in force from and after its passage and legal publication.

Adopted and passed this 6th day of May, 1964.

W.E. HAZEN, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 202

AN ORDINANCE FIXING THE MINIMUM WATER RATE IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND TO RAISE THE SANITARY SEWER CHARGE, AND AMENDING *SECTION ONE (1)* OF ORDINANCE NO. 177, AND AMENDING *SECTION ONE (1)* OF ORDINANCE NO. 196.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That *section one (1)* of ordinance No. 177 is hereby amended to read as follows: The rates charged for water sold by the Municipal Water Plant shall be as follows: Two and fifty One Hundred Dollars (\$2.50) for the first one thousand (1,000) gallons and Fifty Cents (50c) per one thousand gallons, thereafter with two and Fifty One Hundreds Dollars (\$2.50) minimum charge per month.

Section 2

That *section one (1)* of ordinance number 196 be amended to read as follows: That there is hereby fixed and provided a sewer charge of One Dollar (\$1.00) per month to be paid to said City for the use of the sewage disposal system of said City by all persons, firms, or corporations

whose premises are connected to the sanitary sewer system of such City or shall hereafter be connected to the sanitary sewer system of such City.

Section 3

Section one (1) of ordinance number 177 is hereby repealed.

Section 4

Section one (1) of ordinance number 196 is hereby repealed.

Section 5

This ordinance shall take effect and be in force from and after its passage and approval and its publication once in the official City newspaper.

Passed this 3rd day of June, 1964.

Approved this 3rd day of June, 1964.

W.E. HAZEN, Mayor of City of LeRoy

Attest: W.L. CRABTREE, Clerk of City of LeRoy

•ORDINANCE NO. 203

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

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

Section 1

The regular city election of the City of LeRoy, Kansas, shall be held on Tuesday, April 6th, 1965, from the hours of 8:00 a.m. to 6:00 p.m. in the LeRoy City Hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section 2

That Inez E. Ward, Maude Crofts and Kate Baird, citizens not candidates for office are hereby designated by the mayor, with the approval of the council, to act as judges of said election, and Elaine Rohr and Gloria Walters, citizens, not candidates for office, are designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter, the official city newspaper.

Approved this 3rd day of March, 1965.

Passed this 3rd day of March, 1965.

RAYMOND L. Slagel, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 204

AN ORDINANCE CANCELLING TWENTY-FIVE (25) YEAR LEASE ON DUMPING GROUND OWNED BY BERTIE DRAPER.

Whereas, the City of LeRoy, Coffey County, Kansas, did on the 25th day of March, 1959 execute a twenty-five (25) year lease agreement with Bertie Draper for a dumping ground area for the benefit of the inhabitants of said city, and

Whereas, it is not deemed to be in the best interest of said city to surrender up, cancel and abandon, said lease and dumping ground area.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF SAID CITY AS FOLLOWS:

Section 1

That the one certain lease dated March 25, 1959 between said city and Bertie Draper leasing to said city a dumping ground area for a period of twenty-five (25) years, be and the same is cancelled and dumping area is abandoned: that said lease is surrendered up to the said Bertie Draper and the city claims no further interest or right of possession to said premises described in said lease. That the city relinquished control of said dumping grounds to Bertie Draper on March 15, 1966.

Section 2

That this ordinance shall be in full force and effect upon its passage by the Governing Body, approval by the Mayor and publication in the official city paper.

Dated this 6th day of April, 1966.

IVAN R. JONES, Mayor

Attest: W.L. CRABTREE, City Clerk

•ORDINANCE NO. 205

AN ORDINANCE PROVIDING FOR THE REGULAR CITY ELECTION.

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

Section 1

The regular City Election of the City of LeRoy, Kansas shall be held on Tuesday, April 4, 1967, from the hours of 8:00 a.m. to 6:00 p.m. in the LeRoy City Hall for the purpose of electing a mayor, a police judge, and five (5) councilmen.

Section 2

That Mabel Curbey, Maude Crotts, and Kate Baird, citizens not candidates for office are hereby designated by the mayor, with the approval of the council to act as judges of said election, and Inez Ward and Mabel Bolen, citizens not candidates for office are designated by the council to act as clerks of said election.

Section 3

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter, the official city newspaper.

Approved this 1st day of March, 1967.

Passed this 1st day of March, 1967.

IVAN R. JONES, Mayor

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 206

AN ORDINANCE PROHIBITING THE SALE OF EDIBLE OR NON-EDIBLE PRODUCTS OR PRODUCE UPON THE STREETS, ALLEYS, SIDEWALKS, OR PUBLIC GROUNDS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AND PROVIDING A PENALTY FOR THE VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it shall be unlawful for any person, persons, firm or corporation to sell merchandise of any kind, including edible or non-edible products or produce, from trucks, wagons, or vehicles of any kinds, located in the streets, alleys, sidewalks or public grounds of the City of LeRoy, Coffey County, Kansas.

Section 2

Any person, persons, firm or corporation violating the provisions of this ordinance shall upon conviction thereof be fined not less than \$25.00 nor more than \$100.00.

Section 3

That each and every day's violation of the provisions of this ordinance shall constitute a separate offense hereunder.

Section 4

That this ordinance shall take effect and be in full force upon its publication in The LeRoy Reporter, the official city paper.

Passed by the City Council and approved by the Mayor this 1st day of November, 1967.

R.L. SLAGEL, Mayor

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 207

AN ORDINANCE PROVIDING FOR A LICENSE FEE FOR CERAIN BUSINESSES, OCCUPATIONS OR PROFESSIONS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR A PENALTY FOR FAILURE TO OBTAIN SUCH LICENSE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it shall be unlawful for any person, firm or corporation to carry on or conduct in the City of LeRoy any of the following named businesses, occupations or professions without first having paid the license fee or fees hereinafter specified and required to be paid and without having secured a license therefore as provided by ordinance.

(a) Solicitors, canvassers and peddlers.

(1) Provided each solicitor, canvasser or peddler shall pay a license fee of Three Dollars (\$3.00) per day.

(b) Transient merchants.

The term transient merchant shall include those who advertise for sale a stock of goods brought into the city and to be kept there for a short time or limited period or who advertise such stock of goods for sale for the purpose of closing out any salvaged wreckage, fire or bankrupt sale or those who make the practice of moving a stock of goods from town to town for the purpose of sale for a short or limited period from said stock of goods at each town.

(1) Any person firm or corporation commonly known as transient merchants engaged in business in the city at retailing license fee per day \$20.00.

Section 2

All license fees shall be due and payable prior to the commencement of the occupation, business or profession for which the license is required. No license shall be issued until the fee is paid. All license fees to be paid to the City Clerk who shall issue the proper license upon payment of the proper fee as herein before set out.

Section 3

No license issued under the provisions of this ordinance shall be transferable or assignable. No license shall be subject to a refund and no license fee shall be prorated.

Section 4

Every person, firm or corporation refusing to pay the license fee and to procure a license as herein provided or any person, firm or corporation failing, neglecting, or refusing to comply with any of the provisions of this ordinance or any agent, officer or employee of the same failing to comply with any of the provisions of this ordinance shall upon conviction thereof be fined in any sum not exceeding One Hundred Dollars (\$100.00) for each and every such offense; provided that each and every day's violation of any of the provisions of this ordinance shall constitute a separate offense hereunder.

Section 5

That this ordinance shall take effect and be in full force and effect upon its publication in The LeRoy Reporter.

Passed by the Governing Body of the City of LeRoy, Kansas this 6th day of December, 1967.

R.L. SLAGEL, Mayor

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 208

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS: IN CORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION OF 1965, AND REPEALING ALL ORDINANCES OF SAID CITY IN CONFLICT THEREWITHIN.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities". Edition of 1965, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, such incorporation being authorized by K.S.A. 12-3009 through 12-3012 inclusive. Not less than three (3) copies of said standard ordinance shall be marked or stamped "Official Copy as Adopted by **Ordinance No. 208.**" And filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Police Judge and all administrative departments of the city charged with the enforcement of the ordinance shall be supplied at the cost of the city, such number of official copies of such standard ordinance similarly marked as may be deemed expedient.

Section 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100), or by imprisonment for not more than ten (10) days; for a second such conviction within one (1) year thereafter such person shall be punished by a fine of not more than Two Hundred Dollars (\$200), or by imprisonment for not more than twenty (20) days, or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment; provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to violation of its provisions.

Section 3

All ordinances of the City of LeRoy, Coffey County, Kansas, in conflict herewith are hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter.

Passed by the Governing Body of the City of LeRoy, Kansas, this 6th day of December, 1967.

Approved by the Mayor this 6th day of December, 1967.

R.L. SLAGEL, Mayor

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 209

AN ORDINANCE DECLARING IT NECESSARY TO CONSTRUCT A SEWAGE DISPOSAL PLANT FOR THE CITY OF LEROY, COFFEY COUNTY, KANSAS, THE COST THEREOF TO BE PAID FOR BY ISSUANCE OF GENERAL OBLIGATION BONDS OF SAID CITY IN THE AMOUNT OF NOT EXCEEDING \$44,080.00, SAID BONDS TO BE ISSUED UNDER THE AUTHORITY OF K.S.A. 12-621 TO 12-624, BOTH INCLUSIVE AND ALL AMENDMENTS THERETO.

WHEREAS: In the judgment of the Governing Body of the City of LeRoy, Coffey County, Kansas, it is deemed necessary for the health and welfare of the inhabitants of said City that a sewage disposal plant be constructed; and

WHEREAS: Said City of LeRoy, Coffey County, Kansas has full authority under K.S.A. 12-621 to 12-624; both inclusive, and acts amendatory and supplemental thereto, to issue general obligation bonds of said City in the amount of not exceeding \$44,080.00, for the purpose of paying the cost of constructing a sewage disposal plant for said City.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That the City of LeRoy, Coffey County, Kansas construct a sewage disposal plant for said City.

Section 2

That to pay the cost of constructing said sewage disposal plant for the City of LeRoy, Coffey County, Kansas, general obligation bonds of said City be issued and sold as provided by law, in an amount not exceeding \$44,080.00. The principal and interest of said bonds as the same shall become due, shall be paid by levying a tax on all the taxable property of said City of LeRoy, Coffey County, Kansas.

Section 3

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4

That this ordinance shall be in full force and take effect from and after its publication in the official City paper, as provided by law.

PASSED by the Governing Body and approved by the Mayor this 8th day of August, 1968.

RAY L. SLAGEL, Mayor of the City of LeRoy

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 210

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT FOR THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE ISSUANCE OF \$49,683.00, GENERAL OBLIGATION BONDS. TO PAY THE COST OF CONSTRUCTING SAID SEWAGE DISPOSAL PLANT, UNDER AUTHORITY OF K.S.A. 12-621 TO 12-624, BOTH INCLUSIVE AND ARTICLE 1 OF CHAPTER 10 AND ALL AMENDMENTS THERETO.

WHEREAS, the City of LeRoy, Coffey County, Kansas, has heretofore, by official action of its Governing Body, declared it necessary to construct a Sewage Disposal Plant for the City of LeRoy, Coffey County Kansas; and

WHEREAS, said City of LeRoy, Coffey County, Kansas, has full authority under K.S.A. 12-621 to 12-624, both inclusive and Article 1 of Chapter 10, and acts amendatory thereof and supplementary thereto, to issue General Obligation Bonds (Sewage Disposal Plant Bonds) of the City of LeRoy, Coffey County, Kansas, in the sum of \$49,683.00 for the purpose of paying the cost of constructing a Sewage Disposal Plant for said City and Sewage Disposal Plant to cost approximately \$49,683.00; and

WHEREAS, said City at large is liable for the payment of said cost; and

WHEREAS, all legal requirements, as provided in the statutes of the State of Kansas have been fully complied with, with reference to the constructing of a Sewage Disposal Plant, and the issuance of bonds to pay the cost of constructing said Sewage Disposal Plant.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That the City of LeRoy, Coffey County, Kansas, construct a Sewage Disposal Plant for said city.

Section 2

That for the purpose of paying the cost of constructing said Sewage Disposal Plant, there shall be and hereby are, issued Sewage Disposal Plant Bonds, Series 1968-1, of the City of LeRoy, Coffey County, Kansas, in the amount of \$49,683.00 which said issue shall consist of 49 bonds numbered from 1 to 49 both inclusive, in the denomination of \$1,000.00 each, except bond No. 1 in the denomination of \$1,683.00, shall be dated November 1, 1968 and shall mature and bear interest in the following amounts, upon the following dates, to-wit

Numbers	Interest Rates	Maturity	Amount
1	4 ½%	November 1, 1970	\$1,683.00
2, 3	4 ½%	November 1, 1971	\$2,000.00
4, 5	4 ½%	November 1, 1972	\$2,000.00
6, 7	4 ½%	November 1, 1973	\$2,000.00
8, 9	4 ¾%	November 1, 1974	\$2,000.00

10, 11	4 ³ / ₄ %	November 1, 1975	\$2,000.00
12, 13	4 ³ / ₄ %	November 1, 1976	\$2,000.00
14 to 16	4 ³ / ₄ %	November 1, 1977	\$3,000.00
17 to 19	4 ³ / ₄ %	November 1, 1978	\$3,000.00
20 to 22	5%	November 1, 1979	\$3,000.00
23 to 25	5%	November 1, 1980	\$3,000.00
26 to 28	5%	November 1, 1981	\$3,000.00
29 to 31	5%	November 1, 1982	\$3,000.00
32 to 34	5%	November 1, 1983	\$3,000.00
35 to 37	5 ¹ / ₄ %	November 1, 1984	\$3,000.00
38 to 40	5 ¹ / ₄ %	November 1, 1985	\$3,000.00
41 to 43	5 ¹ / ₄ %	November 1, 1986	\$3,000.00
44 to 46	5 ¹ / ₄ %	November 1, 1987	\$3,000.00
47 to 49	5 ¹ / ₄ %	November 1, 1988	<u>\$3,000.00</u>
			\$49,683.00

Interest on said bonds shall be payable May 1, 1970, and semi-annually thereafter on the first days of November and May of each year until said principal sum shall have been paid. The City of LeRoy, Coffey County, Kansas reserves the right and option to call and redeem any and all bonds numbered 10 to 49 maturing November 1, 1979 to November 1988, both inclusive in their inverse numerical order, on November 1, 1978, or on any interest paying date thereafter, at par and accrued interest, plus a premium of \$50.00 for each \$1,000.00 of principal amount so called; provided that notice of its intention to call and redeem said bonds is published in the official state paper at least thirty (30) days prior to the date on which said bonds are to be called, and such bonds so called shall cease to bear interest after the date fixed for the redemption thereof.

Section 3

Said bonds and coupons shall contain recitals, and be in the form and of the size as provided by the statutes of the State of Kansas.

Section 4

That said bonds shall be signed by the Mayor and attested by the Clerk of said city, and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5

The Mayor and City Clerk are hereby authorized to prepare and execute said bonds and coupons and when so executed, said bonds shall be registered as required by law and the Governing Body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said City of LeRoy, Coffey County, Kansas.

Section 6

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7

That this ordinance shall be in full force and take effect from and after its publication in The LeRoy Reporter, the official city paper, as provided by law.

Passed by the Governing Body and *(remainder is missing)*

•ORDINANCE NO. 211

AN ORDINANCE AMENDING *SECTION 3* OF **ORDINANCE NUMBER 95** AND REPEALING **ORDINANCE 100** OF THE LAWS OF LEROY, KANSAS, BE IT ORDAINED BY THE GOVERNING BODY OF LEROY, KANSAS.

Section 1

That *Section 1* of **Ordinance Number 100** be amended to read “payment to the City Clerk of a license fee of \$12.50 for six months”.

Section 2

This ordinance shall be in full force and effect from and after its publication in The LeRoy Reporter.

Passed by the Council and approved by the Mayor this 2nd day of October, 1968.

R.L. SLAGEL, Mayor

Attest: EDNA P. GLEUE, City Clerk

•ORDINANCE NO. 212

AN ORDINANCE PROVIDING FOR THE CONDEMNING AND TAKING OF CERTAIN LANDS IN COFFEY COUNTY KANSAS FOR AND ON BEHALF OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, FOR THE PURPOSE OF CONSTRUCTING A SEWAGE DISPOSAL PLANT ON SAID PREMISES, UNDER AUTHORITY OF AND PURSUANT TO K.S.A. 1967 SUPP. 26-201.

WHEREAS, the State Board of Health of the State of Kansas has required the City of LeRoy, Coffey County, Kansas to provide a new sewage disposal plant for the health and welfare of the inhabitants of said City, and

WHEREAS, a new site is required for the location and construction of the same.

Now therefore, Be it ordained by the governing body of the City of LeRoy, Coffey County, Kansas

1. That the governing body of the City of LeRoy, Coffey County, Kansas deem it necessary to appropriate private property for the use of the City of LeRoy, Coffey County, Kansas to build and construct a new sewage disposal plant for the use, health and welfare of the inhabitants of said City.
2. That pursuant to and under authority of K.S.A. 1967 Supp. 26-201, the Governing Body of the City of LeRoy, Kansas does hereby condemn and appropriate to the use of the City of LeRoy, Coffey County, Kansas the following described real estate situated in Coffey County, Kansas, to-wit:

Beginning at the Southwest corner of the Northwest Quarter, Section 2, Township 23 South, Range 16 East; thence east 745 feet; thence north 672 feet; thence west 500 feet; thence south 267 feet; thence west 245 feet; thence south 405 feet, more or less, to a point of beginning all in Coffey County, Kansas and containing 10.0 acres, more or less.

Pipeline easement; A strip of land 15' wide and 60' long described as follows:

Beginning at a point 730 feet east of the northwest corner of the southwest ¼ Section 2, Township 23, South, Range 16 East, thence south 60 feet thence east 15 feet, thence north 60 feet, thence west 15 feet to the point of beginning, all in Coffey County, Kansas and containing 0.027 acre more or less.

The same to be taken and used in the construction of a new sewage disposal plant for the health and welfare of the inhabitants of said City.

3. That this ordinance shall be in full force and take effect from and after its publication in the official City paper as provided by law.

Passed by the Governing Body of said City and approved by the Mayor this 18th day of December, 1968.

RAY L. SLAGEL, Mayor of the City of LeRoy, Coffey County, Kansas

•ORDINANCE NO. 213

AN ORDINANCE AMENDING *SECTION NO. 2* OF **ORDINANCE NO. 212**.

Be it ordained by the governing body of the City of LeRoy, Coffey County, Kansas:

1. That the governing body of the City of LeRoy, Coffey County, Kansas deem it necessary to appropriate private property for the use of the City of LeRoy, Coffey County, Kansas to build and construct a new sewage disposal plant for the use, health and welfare of the inhabitants of said City.
2. That pursuant to and under authority of K.S.A. 1967 Supp. 26-201, the Governing Body of the City of LeRoy, Kansas does hereby condemn and appropriate to the use of the City of LeRoy, Coffey County, Kansas the following described real estate situated in Coffey County, Kansas, to-wit:

Tract No. 1. A tract beginning at the Southwest corner of the Northwest Quarter (NW1/4), Section Two (2), Township Twenty-three (23) South, of Range Sixteen (16), East of the Sixth Principal Meridian; thence East 745 feet; thence North 672 feet; thence West 500 feet; thence South 267 feet; thence West 245 feet; thence South 405 feet, more or less to the place of beginning, all in Coffey County, Kansas, and containing 10.0 acres, more or less, excepting land taken for road purposes off the West side thereof.

Tract No. 2. Pipeline Easement. A tract of land fifteen (15) feet wide the center line of which is described as follows: Beginning 737.5 feet East of the Northwest corner of the Southwest Quarter (SW1/4) of Section Two (2) Township Twenty-three (23) South, of Range Sixteen (16) East of the Sixth Principal Meridian; thence South to the center line of the existing drainage ditch along the South line of the abandoned railroad right-of-way, in Coffey County, Kansas.

Tract No. 3. Pipeline Easement. A tract of land fifteen (15) feet wide the center line of which is located in the center of the existing drainage ditch along the South side of the abandoned railroad right-of-way and seven hundred forty-five (745) feet east of the West line of the Southwest Quarter (SW1/4) of Section Two (2), Township Twenty-three (23) South, of Range Sixteen (16), East of the Sixth Principal Meridian, thence easterly along the said center line of said drainage ditch to its junction with Crooked Creek.

The same to be taken and used in the construction of a new sewage disposal plant for the health and welfare of the inhabitants of said City. The City attorney is hereby authorized to proceed with condemnation proceedings to be brought in the District Court of Coffey County, Kansas, as provided by law.

3. That this ordinance shall be in full force and take effect from and after its publication in the official City paper as provided by law.
Passed by the Governing Body of said City and approved by the Mayor this 10th day of January, 1969.

RAY L. SLAGEL, Mayor of the City of LeRoy, Coffey County, Kansas
Attest: JANE ROLF, City

•ORDINANCE NO. 214

ORDINANCE GRANTING THE FRANCHISE, PRIVILEGES AND RIGHTS TO KANSAS TELEPHONE COMPANY. IT'S SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ACQUIRE, OPERATE AND MAINTAIN A TELEPHONE SYSTEM IN THE CITY OF LEROY, KANSAS, AND TO USE THE STREETS, ROADS, ALLEYS, AND OTHER PUBLIC PLACES WITHIN SAID CITY FOR SUCH PURPOSES.

Section 1

Kansas Telephone Company, its successors and assigns (herein referred to as "Telephone Company") shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of LeRoy, State of Kansas, (herein referred to as "City"). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now planned or constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purpose of which it is or may be incorporated may from time to time, require along, across, on, over, through, above and under all the public streets, avenues, alleys, bridges, and the public grounds and places within the limit of said City as the same from time to time may be established.

Section 2

The Telephone Company on the request of any person shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than forty-eight hours advance notice to arrange for such temporary wire changes.

Section 3

Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company, all the said trimming to be done under the supervision and direction of any City official to whom said duties have been or may be delegated.

Section 4

Permission is hereby granted to the Telephone Company to make all necessary excavations in the public streets, roads, alleys, sidewalks or other public places, all in accordance with the ordinances applicable to such excavations by public utilities or others securing such permission.

Section 5

The Telephone Company agrees to pay the City as full (*remaining section is missing*)

Sections 6 and 7 missing

Section 8

(*first part of section 8 is missing*)

Telephone Company as not to interfere with traffic on the traveled portions of such thoroughfares: and the Telephone Company after the construction or reconstruction of the telephone lines, will restore to their original condition the streets, roads, alleys or other public thoroughfares on which such lines have been constructed, insofar as this is practicable: and the said Telephone Company shall at all times hold the City harmless and free from liability for any damages which may be done to real or personal property by the exercise of this franchise, or

injuries to persons caused by the Telephone Company in the exercise of this franchise, and such Telephone Company in accepting this franchise assumes any and all such liability as far as the City is concerned.

Section 9

The rates to be charged and exacted from the City of LeRoy and its inhabitants for telephone service furnished by the Telephone Company shall be the rates as approved by the Corporation Commission of the State of Kansas, or other regulatory body having jurisdiction over the Company's rates and services.

Section 10

The Telephone Company will comply with all reasonable rules and regulations of the City of LeRoy and with all ordinances now in effect or which may hereafter be passed insofar as they do not conflict with the terms or the purposes of the franchise herein granted.

Section 11

The Telephone Company shall pay the printing costs of this franchise ordinance.

Section 12

All other ordinances and agreements and parts of ordinances and agreements relating to the operation of a telephone system within said City are hereby repealed.

Section 13

The said Telephone Company shall have sixty (60) days from and after its passage and approval to file its written acceptance of this ordinance with the City Clerk, and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force from and after the date of its passage and approval by the Mayor for a period of ten years; and for two successive five-year terms thereafter, unless either party shall notify the other in writing of its intention of terminating said agreement at the expiration of the original term or at the expiration of the first succeeding 5-year term, said notice of intention to terminate shall be served by either party on the other at least nine year prior to the effective date of such termination.

Approved this 5th day of March, 1969.

RAY L. SLAGEL, Mayor

Attest: JANE ROLF, City Clerk

•ORDINANCE NO. 215

AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE SAID CITY THE QUESTION OF ISSUING GENERAL OBLIGATION BONDS OF SAID CITY IN THE AMOUNT OF \$17,272.75 FOR THE PURPOSE OF PAYING THE COSTS OF MAKING AN IMPROVEMENT OF A GENERAL NATURE IN SAID CITY; THE SAME BEING THE BUILDING AND CONSTRUCTING OF A FIRE DEPARTMENT BUILDING, THE SAME TO BE LOCATED ON CITY PROPERTY IN SAID CITY; FOR THE PURPOSE OF HOUSING THE CITY FIRE DEPARTMENT EQUIPMENT THEREIN ALL IN ACCORDANCE WITH UNDER THE AUTHORITY OF K.S.A. 15-408 AND ANY AMENDMENTS THERETO.

WHEREAS, the governing body of the City of LeRoy, Coffey County, Kansas deems it necessary that said City shall make an improvement of a general nature in said city; the same

being the building and constructing of a Fire Department Building, the same to be located on City property, in said City, for the use and benefit of the people of said City.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it is hereby deemed necessary that a special election is hereby called to be held on the 1st day of April, 1969 for the purpose of submitting to the qualified voters of the City of LeRoy, Coffey County, Kansas the proposition of issuing general obligation bonds of said City in the sum of \$17,272.75 for the purpose of paying the costs of making an improvement of a general nature in said City, the same being the building and constructing of a fire department building in said City, the same to be located on City property in said City for the purpose of housing the City fire department equipment therein, all for the use and benefit of the people of said City, all in accordance with and under the authority of K.S.A. 15-408 and any amendments thereto.

Section 2

That the Mayor and City Clerk of the City of LeRoy, Coffey County, Kansas be and they are hereby authorized and directed to give the notice required by law for said bond election. Said election shall be held at the City Hall in LeRoy, Coffey County, Kansas and the notice of said election shall be published in the official city paper of the City of LeRoy, Coffey County, Kansas, once each week for three (3) consecutive weeks, the first publication of said notice to be not less than twenty-one (21) days prior to such election and the judges and clerks for such special election shall be appointed in the manner as provided by law. Said special election shall in all manners and things be held as provided by law.

Section 3

That the ballot of such special election shall contain the following proposition:

“Shall the City of LeRoy, Coffey County, Kansas, issue general obligation bonds in the sum of Seventeen Thousand Two Hundred Seventy-two and 75/100 (\$17,272.75) for the purpose of paying the cost of making an improvement of general nature in said city; the same being the building and constructing of a fire department building, the same to be located on City property in said city; for the purpose of housing the City Fire Department equipment therein, all for the use and benefit of the people of said city all in accordance with and under the authority of K.S.A. 15-408 and any amendments thereto?”

and said ballots shall otherwise be of the form as provided by law.

Section 4

This ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City paper.

Passed and approved this 5th day of March, 1969.

RAY L. SLAGEL, Mayor

Attest: JANE ROLF, City Clerk

•ORDINANCE NO. 216

AN ORDINANCE DECLARING AN EMERGENCY TO EXIST AND THAT THE PURCHASE OF STREET DEPARTMENT EQUIPMENT IN THE MAXIMUM SUM OF \$6,000.00 IS NECESSARY IN ORDER TO PROPERLY MAINTAIN AND SERVICE THE STREETS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS. PURSUANT TO AND UNDER THE AUTHORITY OF K.S.A. 12-110a.

Whereas, the City of LeRoy, Coffey County, Kansas, maintains a street department for the purpose of maintaining the streets of said city for the use and benefit of the inhabitants of said city, and

Whereas, the present equipment belonging to said city has become unserviceable and must be replaced, and

Whereas, said equipment has become inadequate and is below standard and thereby makes the maintenance of said streets of said city impossible, and

Whereas, said streets have become in such a condition that they must be replaced, repaired and maintained forthwith, and

Whereas, the City of LeRoy, Coffey County, Kansas, is without funds to purchase said street department equipment.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That an emergency exists and that the purchase and replacement of additional street department equipment in the maximum sum of \$6,000.00 is necessary in order to properly maintain and service the city streets for the use and benefit of the inhabitants thereof.

Section 2

That in order to properly protect, maintain and service the city streets the city governing body ought to be authorized to purchase additional street department equipment in the sum not to exceed \$6,000.00 pursuant to and under the authority of K.S.A. 12-110a, and to issue no-fund warrants for the said equipment the same to be retired by the levying of taxes to pay those said warrants as provided by law.

Section 3

That this ordinance is adopted and published to comply with K.S.A. 12-110a, and that this ordinance is published as provided by law and after publication is to be presented with proper application to the Board of Tax Appeals, State Office Building, Topeka, Kansas, requesting authority to issue no-fund warrants in the sum of not to exceed \$6,000.00 to purchase said street department equipment, all as provided by law.

Section 4

That this ordinance shall take effect and be in force from and after its publication once in The LeRoy Reporter, the official city newspaper.

Passed by the City Council of the City of LeRoy, Coffey County, Kansas this 10th day of April, A.D., 1969.

Approved this 10th day of April, 1969.

RAY L. SLAGEL, Mayor

Attest: JANE ROLF, City Clerk

•ORDINANCE NO. 217

AN ORDINANCE AMENDING *SECTION 10* OF **ORDINANCE NO. 164** OF THE LAWS OF THE CITY OF LEROY, KANSAS AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That *Section 10* of **Ordinance No. 5** be amended to read as follows: No dog shall run at large in the City of LeRoy unless the owners or harborers thereof shall place and keep on the neck of

said dog a substantial collar to which the city dog license tag and the vaccination tag are securely attached at all times.

Section 2

That *Section 1* of **Ordinance No. 164** be amended to read as follows: That no dog license shall be issued to any person unless the dog has been vaccinated against rabies and the person presents a receipt to the city clerk showing that the dog was vaccinated and is protected from rabies for the current year.

Section 3

That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4

That this ordinance shall be in full force and take effect from and after its publication in The LeRoy Reporter, the official city paper as provided by law.

Passed by the Governing Body and approved by the Mayor this 7th day of April, 1971.

R.L. SLAGEL, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: JOYCE E. BROWNFIELD, City Clerk

•ORDINANCE NO. 218

AN ORDINANCE REGULATING THE USE OF B-B GUNS WITHIN THE CITY LIMITS OF THE CITY OF LEROY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

The use of B-B guns within the city limits of the City of LeRoy is hereby prohibited except under the following condition: that said weapon is used only upon the private property of the person using the gun, or if as the case may be, said person is a minor then upon the property of his parents or guardian.

Section 2

The use of B-B guns is prohibited on all public property.

Section 3

Transporting a B-B gun from one property to another or to the city limits is prohibited unless the gun is unloaded.

Section 4

If any person or persons, shall fail or neglect to comply with the requirements of this ordinance they shall be guilty of a misdemeanor and upon conviction shall be fined not less than one nor more than twenty-five dollars.

Section 5

This ordinance shall take effect and be in full force from and after its publication in The LeRoy Reporter, the official city paper, as provided by law.

R.L. SLAGEL, Mayor of City of LeRoy, Coffey County, Kansas
Attest: JOYCE E. BROWNFIELD, City Clerk

•ORDINANCE NO. 219

AN ORDINANCE PRESCRIBING FIRE LIMITS AND RELATING TO THE CONSTRUCTION OF BUILDINGS THEREIN, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, KANSAS:

Section 1

The following shall be and are hereby declared to be the fire limits: the east half of blocks thirty-eight, forty-five, and fifty-two and the west half of blocks fifty-three and forty-six.

Section 2

Every building hereafter erected or enlarged within the fire limits shall be enclosed on all sides with walls constructed of stone, brick, tile, terra cotta, concrete or cement block, except as otherwise provided by this ordinance.

Section 3

Small frame outhouses not exceeding 150 square feet in area and 8 feet in height and temporary one-story frame buildings for use of builders may be built within the fire limits, provided, however, that such buildings shall not be located within 10 feet of any other building. One-story buildings having metal walls on metal supports and not exceeding 2500 sq. ft. in area may be built within the fire limits, provided, however, that such buildings shall not be located within 10' of any other building or adjoining property line.

Section 4

No frame building shall be moved from without to within the fire limits. For the purpose of this ordinance a building shall be classed as frame when the exterior walls or portions thereof are of wood; also, a building with wooden framework veneered with brick, stone, terra-cotta, tile or concrete, or wood covered with plaster, stucco or sheet metal shall be classed as a frame building.

Section 5

Any frame building within the fire limits, which may hereafter be damaged by fire, decay or otherwise to an amount greater than 50 percent, exclusive of its foundation shall not be repaired or rebuilt but shall be removed.

Section 6

All buildings hereafter erected within the fire limits shall have the roof, top and sides of all roof structures, including dormer windows and mansard roofs, covered with incombustible material. No existing wooden shingle roof within the fire limits shall be renewed or repaired with other than incombustible roof covering.

Section 7

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not less than five dollars (\$5.00) nor more than twenty-five (\$25.00) for each offense. Each day that any of the provisions of this ordinance shall be violated shall constitute a separate offense.

Section 8

All ordinances or parts of ordinances in conflict with the foregoing are hereby repealed.

Section 9

This ordinance shall take effect and be in force from and after its passage and publication in The LeRoy Reporter, the official city newspaper.

Passed by the council and approved by the mayor this 22nd day of June, 1971.

RAY L. SLAGEL, Mayor City of LeRoy, Coffey County, Kansas

Attest: JOYCE E. BROWNFIELD, City Clerk

•ORDINANCE NO. 220

AN ORDINANCE AMENDING *SECTION 2* OF **ORDINANCE NO. 98** OF THE LAWS OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF LEROY, KANSAS:

Section 1

That *Section 2* of **Ordinance No. 98** be amended to read “no person shall deposit or stack any hay or straw within 500 feet of any building located in the fire limits”.

Section 2

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3

This ordinance shall take effect and be in full force from and after its passage and publication in The LeRoy Reporter, the official city newspaper.

Passed by the council and approved by the mayor this 22nd day of June, 1971.

RAY L. SLAGEL, Mayor City of LeRoy, Coffey County, Kansas

Attest: JOYCE E. BROWNFIELD, City Clerk

•ORDINANCE NO. 221

AN ORDINANCE RELATING TO CULVERTS OR WATERWAYS OR COVERINGS PLACED IN OR OVER THE GUTTERS OR DITCHES ALONG THE SIDES OF THE ROADWAYS OF THE STREETS TO AFFORD A MEANS OF ENTERING AND LEAVING PRIVATE PROPERTY AND THE OBSTRUCTION OF DRAINAGE DITCHES, AND REPEALING ANY ORDINANCES OR PARTS THEREOF IN CONFLICT WITH THIS ORDINANCE.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That before any person shall construct any waterway or place any culvert in any gutter, or ditch alongside the roadway of any street or shall place any covering over any such gutter or ditch for the purpose of affording a means of entering or leaving the property abutting on such street, he shall first obtain the approval for such from the street committee of the city council.

Section 2

The city shall not be liable for the costs of such waterways, culverts or coverings or any part thereof.

Section 3

It shall be unlawful for any person to place in or fill with concrete, dirt, planks, stones or other materials in any drainage ditch which may change the course of any drainage ditch or obstruct any open drain in the city.

Section 4

Any previous ordinances or parts thereof in conflict with this ordinance are hereby repealed.

Section 5

Any person not complying with this ordinance will be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than One Hundred Dollars (\$100) or by imprisonment for not longer than thirty (30) days, or by both such fine and imprisonment.

Section 6

This ordinance shall take effect and be in force from and after its publication in The LeRoy Reporter, the official city newspaper, according to law.

Passed by the city council this 7th day of June, 1972.

Approved this 7th day of June, 1972.

RAY L. SLAGEL, Mayor

Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 222

AN ORDINANCE GRANTING TO KANSAS GAS AND ELECTRIC COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC LIGHT, HEAT AND POWER FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS THEREOF AND RELATING THERETO, AND REPEALING **ORDINANCE NO. 181**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That there be and is hereby granted to Kansas Gas and Electric Company, a corporation herein called the Grantee, its successors and assigns, the right, privilege and franchise until February 1, 1994, to construct, maintain and operate in the present and future streets, alleys, and public places in the City of LeRoy, Kansas, electric distribution and transmission lines, together with all necessary or desirable appurtenances, including underground conduits, poles, towers, wires and other appurtenances, for the purpose of supplying electricity to said City, the inhabitants thereof, and persons, and corporations beyond the limits thereof, for light, heat, power and other purposes.

Section 2

That in consideration of and as compensation for the franchise and privilege hereby granted, and in lieu of all occupation and license taxes, Grantee shall make a written report to the governing body of said City, on or before the 15th days of February and August, respectively, in each year, of all its gross receipts during the preceding six (6) months' periods ending December 31 and June 30, respectively, derived from and after the date this franchise is effective, from consumers from the sale of electric energy used within the present or future corporate boundaries of said City, during such periods, and shall pay to said City, at the times of making such reports, an amount equal to two percent (2%) of such gross receipts of the Grantee during such preceding six (6) month's periods. The governing body of said City shall have access and the right to examine, at all reasonable times, all books, receipts, files, records and documents of said Grantee necessary to verify the correctness of such semi-annual statement and to correct the same, if found to be erroneous. If such statement of gross receipts be incorrect, then such payment shall be made upon such corrected statement.

Section 3

Poles and towers shall be so erected as to interfere as little as practicable with traffic over said streets and alleys. The location of all poles, towers and conduits shall be fixed under the supervision of the governing body of the City or its authorized representative, but not so as unreasonably to interfere with the proper operation of said lines.

Section 4

The City shall not, in any way, be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its lines and appurtenances hereunder, and the acceptance of this franchise shall be deemed an agreement on the part of said Grantee, its successors and assigns, to indemnify the City and hold it harmless against any and all liability, loss, cost, damages or expense which may accrue to said City by reason of the negligence, default or misconduct of the Grantee in the construction, operation or maintenance of the Grantee's lines and appurtenances hereunder.

Section 5

Grantee, its successors and assigns, shall furnish and install for its patrons reliable meters and shall keep same in repair without cost to the patrons, all meters used by the Grantee, its successors and assigns, shall at all reasonable times be subject to inspection by the City, and the City shall have the right to test said meters, or cause the same to be tested by said Grantee its successors and assigns, at all reasonable times.

Section 6

Grantee, its successors and assigns, shall at all times make extensions of its lines in compliance with such rules, regulations and orders as may be authorized or permitted from time to time, by such regulatory body, municipal or otherwise, as may be vested by law with regulatory authority over such matters. In ordering such extensions, said regulatory body shall give due consideration to the elements of cost of installation and income.

Section 7

Grantee, its successors and assigns, shall during the life of this franchise, furnish electricity to the City, and the inhabitants thereof, at such compensatory rates without discrimination, as shall be fixed or permitted from time to time by such regulatory body, municipal or otherwise, as may be authorized by law to fix rates for such service, PROVIDED, however, that nothing herein contained shall be construed as waiving the right of either the City or the Grantee, its successors and assigns, to review in the courts, in such manner as is now or may hereafter be provided by law, any findings or order of said regulatory body, or other authority, establishing rates or electric current furnished under this franchise.

Section 8

Grantee, its successors, assigns, shall have the right to make such reasonable rules and regulations for the protection of its property, for the prevention of loss and waste in the conduct and management of its business, and for the sale and distribution of electricity, as may from time to time be deemed necessary.

Section 9

All other ordinances and parts of Ordinances in conflict with the terms hereof shall be and the same are hereby repealed.

Section 10

This Ordinance shall take effect and be in force at the expiration of sixty-one (61) days from the date of its final passage and following its publication once a week for three (3) consecutive weeks immediately after its final passage, in the LeRoy Reporter, the official paper of said City, which publication is hereby directed, and thereupon the franchise grant embodied herein, pursuant to Sections 12-824 and 12-2001, G.S. of Kansas, 1949, shall become effective upon its acceptance by the Grantee, which acceptance shall be acknowledged in writing, duly acknowledged before some officer authorized by law to administer oaths, and filed with the City Clerk of LeRoy, Kansas, within thirty (30) days after the Ordinance becomes finally effective.

Passed and approved by the Governing Body of the City of LeRoy, Kansas, on this 6th day of December, 1972.

R.L. Slagel, Mayor

Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 223

AN ORDINANCE ESTABLISHING THE COMPENSATION TO BE PAID TO THE COUNCILMEN OF THE LEROY CITY COUNCIL AND TO THE MAYOR OF THE CITY OF LEROY.

Be it ordained by the Mayor and Council of the City of LeRoy:

Section 1

That each council member be paid the sum of \$10.00 (ten dollars) for each city council meeting regular or called at which he is in attendance.

Section 2

That the mayor of the City of LeRoy be paid the sum of \$15.00 (fifteen dollars) each city council meeting regular or called at which he is in attendance.

Section 3

That the payments be made to the council members and to the mayor quarterly.

Section 4

Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5

This ordinance shall take effect and be in force from and after its publication in the LeRoy Reporter, the official newspaper of the City of LeRoy.

Passed by the Councilmen and approved by the Mayor, this (*illegible*) day of April, 1973.

Ray L. Slagel, Mayor

Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 224

AN ORDINANCE PROVIDING FOR THE GRADING AND PAVING AND OTHERWISE IMPROVING CERTAIN STREETS IN LEROY, COFFEY COUNTY, KANSAS AND PROVIDING FOR THE PAYMENT OF THE COST OF SAME.

WHEREAS, By Resolution adopted at the regular meeting held on May 22, 1973, the Governing Body of the City of LeRoy, Coffey County, Kansas declared that it deems it necessary to grade and pave with asphaltic surface and otherwise improve the following streets, to-wit:

Broadway and Division from Grand Ave. to Fourth Street;
B Street from 9th to 4th;
C Street from 9th to 4th;
Main from 6th to 2nd;
California from Nebraska to 6th;
E Street from 8th to 4th;
F Street from Nebraska to 6th;
9th Street from Broadway to Main;
8th Street from Broadway to E Street;
7th Street from Broadway to California;
Nebraska Street from Broadway to F Street;
Kansas Street from Division to California;
5th Street from Division to California;
4th Street from Division to E Street;
2nd Street from Main to D Street;
Scott Street from Central to Division, in the City of LeRoy, Coffey County, Kansas, and,

WHEREAS, Said Resolution was duly published in the LeRoy Reporter, the official city paper in two consecutive issues of said paper as provided by law; and,

WHEREAS, More than twenty days have elapsed since the date of the last publication and sufficient protests have not been filed with the City Clerk within said elapsed time by the resident owners of real property liable for taxation therefore:

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That it is hereby declared necessary and ordered that the above described streets in the City of LeRoy, Coffey County, Kansas be graded and paved with asphaltic surface and otherwise improved in accordance with the plans, specifications and estimates made to the City of LeRoy, Coffey County, Kansas, it being understood that the cost of improving all intersections and streets running along and through city property shall be improved by the city at large.

Section 2

That the Mayor and the City Clerk are hereby authorized and directed to enter into a contract for such work in accordance with the plans, specifications and estimates provided as accepted and adopted by the Governing Body.

Section 3

That for the purpose of providing for the cost of such improvement, bonds of the City shall be issued, payable in approximately equal installments each year for ten years, and said bonds shall be in the form as provided by law.

Section 4

That this ordinance shall take effect and be in force upon and after its publication once in the official city paper.

PASSED by the Governing Body and approved by the Mayor this 6th day of August, 1973.

Don E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 225

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF CERTAIN STREET IMPROVEMENTS IN THE CITY OF LEROY, KANSAS, TO BE PAID FOR BY THE ISSUANCE OF BONDS, UNDER THE AUTHORITY OF K.S.A. 10-123 AND K.S.A. 12-602 ET SEQ., AND ALL AMENDMENTS THERETO.

WHEREAS, Certain improvements to streets in the City of LeRoy, Coffey County, Kansas, have been duly and regularly authorized by resolution previously adopted and published in the LeRoy Reporter, the official paper of the City of LeRoy, Kansas; and

WHEREAS, The City has no funds to finance such improvements until bonds are issued; and

WHEREAS, The cost of said improvements is authorized to be paid for in whole or in part by the issuance of bonds; and

WHEREAS, Bonds will be issued under the authority of K.S.A. Article 6 of Chapter 12, and amendments thereto, to pay the cost of said improvements, in whole or in part; and

WHEREAS, Under K.S.A. 10-123 proper and full authority is conferred upon the City of LeRoy, Kansas, to issue its Temporary Notes for the purpose of financing improvements described in previously adopted resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That for the purpose of providing funds to pay the cost of improving the streets in the City of LeRoy, Coffey County, Kansas, as described and authorized by previously adopted resolution published in the LeRoy Reporter until bonds can be issued therefore, the Mayor and City Clerk be and they are hereby authorized to issue Temporary Notes of the City of LeRoy, Coffey County, Kansas not to exceed the aggregate of \$175,000.00, the notes of which issue shall be consecutively numbered, bearing interest at the rate not to exceed the maximum rate allowed by law, payable semi-annually, all of said notes maturing within four years from the date of said notes, or not later than the due date of the first installment of bonds issued by said city to pay the cost of said improvements, and said Temporary Notes shall be redeemable and cancelable at the time permanent bonds are issued in lieu thereof. Said Temporary Notes shall be issued from time to time as required during the progress of the work, and shall not exceed in the aggregate the amount of bonds which are to be issued and are un-issued, as shown by the approved estimates on file.

Section 2

That said Temporary Notes shall be in the form prescribed by law.

Section 3

That said Temporary Notes shall be signed by the Mayor and attested by the City Clerk, under the corporate seal of the city, and shall be registered in the City Bond Register of the City of LeRoy, Coffey County, Kansas, and said notes and interest shall be paid for in whole or in part by the issuance of bonds, as provided by law.

Section 4

This ordinance shall take effect and be in force from and after its passage and approval, and publication in the official city paper.

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR THIS 8TH DAY OF OCTOBER, 1973.

Don E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas
Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 226

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas, as follows:

Section 1

That the City of LeRoy, Kansas, is hereby authorized to and does contract with Kansas Gas and Electric Company, a corporation, its successors and assigns, for the furnishing by said Company of electric service and equipment to light the streets, alleys, and public places of the City, in accordance with the terms and provisions hereinafter set out, which contract is as follows:

“STREET LIGHTING AGREEMENT”

“THIS AGREEMENT made and entered into this day of , 19 , by and between the City of LeRoy, Kansas, hereinafter referred to as ‘City’ and Kansas Gas and Electric Company, a corporation, its successors and assigns, hereinafter referred to as ‘Company’.

“WITNESSETH”

“WHEREAS, the City desires to continue the benefits of a modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same and supply the necessary electric energy therefore, all in accordance with the terms and provisions hereinafter set out, and it is hereby agreed as follows:

“1. Company will provide, construct and install in place, ready for operation, certain street lighting equipment, consisting of lamp posts or other supports, brackets, lamps, globes, wiring and supports for wiring, conduits and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places, all as shown on a street lighting Location Map now on file in the City Clerk’s office, bearing the signed approval of the Mayor, dated October 25, 1973, which map, with its designations and descriptive, or explanatory data, is hereby approved, namely:

33 10,000 Lumens Mercury Vapor on wood poles

72 2,500 Lumens Incandescent on wood poles

“All of the above lights are to be served and supplied by overhead conductors, except none.

“Company is to retain ownership of all foregoing equipment, with right to remove the same upon termination of this agreement.

“2. Company will also at its sole cost and expense operate and maintain the above-described equipment, including the maintenance and repair of standards, poles, overhead conductor and fixtures, inspection, cleaning of glassware and replacement of lamps during the life of this agreement. Company will also provide, and City will use and purchase from Company all electric energy necessary for the illumination of said lights.

“3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company the sum of One Thousand Eight Hundred Sixty-six and No/100 Dollars (\$1,866.00) annually, said sum being the aggregate of the rates per unit for such service embodied in the Company’s street lighting service rate schedule, copy of which is on file with the City Clerk, such rates and the resultant aggregate annual payments being, however, subject to change or modification, pursuant to order of the State Corporation Commission or other regulatory tribunal having jurisdiction, subject to the right of either party to review such action in the courts. Each annual payment shall be made in twelve (12) equal monthly installments, payable within fifteen (15) days after receipt of bills from the Company, and to be made at Company’s office in Fort Scott, Kansas.

“4. Upon order or resolution of the Governing Body of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company’s street lighting service rate schedule applicable to said City.

“5. In case of default on the part of City in making payments within two (2) months and fifteen (15) days after receipt of bill therefore, and upon written notice from Company to that effect, Addressed to the Governing Body and delivered to The City Clerk, if such default is not remedied in full within thirty (30) days after delivery of such notice to the City Clerk, Company shall have the right, in addition to and without waiving any other remedies, to shut off the electric service to any or all parts of the system until such default is remedied, this agreement nevertheless, at Company’s option, continuing in full force and effect.

“6. Company agrees to change the location of any street light upon written request of City, provided City shall pay the actual cost of such moving.

“7. Company agrees to protect and save harmless City from any and all loss, damage, or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruption of service due to breakdown of its generating, transmission or distribution system, or due to shutdowns necessary to make repairs, or to avoid risk of danger to persons or property, or for other interruptions caused by accidents, strikes, fuel shortage or other cause beyond its control.

“8. The Company may supply at its option any type of lamp which the electric industry any later develop in place of lamps in use under this contract, provided that it is proven to the reasonable satisfaction of the Governing Body that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

“9. This agreement shall be in force and effect for a period of ten (10) years from the date hereof. All other street lighting service agreements, or parts thereof, if any, in conflict with the terms of this agreement, shall be and the same are hereby repealed.

“IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date above set forth.

CITY OF LEROY, KANSAS

By _____
Mayor

ATTEST:

_____ City Clerk
(Seal)

KANSAS GAS AND ELECTRIC COMPANY

By _____
Vice President

ATTEST:

_____ Secretary
(SEAL)

Section 2

Upon passage and approval of this Ordinance and its publication once in the LeRoy Reporter, which publication is hereby directed, two counterparts of the "Street Lighting Agreement" embodied herein shall be prepared and signed in the name of the City by the Mayor, and attested by the City Clerk, with the seal of the City affixed, and when signed on behalf of Kansas Gas and Electric Company, by an authorized Officer of the Company, attested by the Secretary or an Assistant Secretary, with the seal of the Company affixed, said Agreement embodied herein shall become effective and constitute a valid and binding contract between the parties thereto, and the signing of such contract and delivery to the City clerk of one such signed counterpart by Kansas Gas and Electric Company, shall be deemed an acceptance by it of this Ordinance. The other counterpart shall be delivered to the Company.

Passed and approved this 7th day of November, 1972.

Don E. Mattingly, Mayor

ATTEST: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 227

An Ordinance of the City of LeRoy, Kansas, granting to Kyle Moore and Albert M. Burrell, d/b/a LeRoy Community T.V. Company, its successors and assigns for a term of fifteen (15) years, acquire, maintain and operate a community antenna television and system within the City of LeRoy, Kansas; to render, furnish sell and distribute television and radio programs and entertainment for all purposes and environs thereof, and to use and occupy the streets, alleys, easements and other public places of said City for such community antenna television system.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

That there is hereby granted to LeRoy Community T.V. Company, herein after called the grantee and to its successors, leasees and assigns, for the full term of fifteen (15) years from the date hereof, the non-exclusive right, power, authority and franchise to establish, construct, acquire, maintain and operate a Community Antenna Television system within the City of LeRoy, Kansas; herein called the City; to render, furnish, sell and distribute television signals and programs and entertainment for all purposes, from such system to the inhabitants of the City and its environs; and to use and occupy the streets, alleys, easements and other public places of said City as the same now exist or may hereafter exist, for the grantee's Community Antenna Television system, including the right to enter and construct, erect, locate, remove, repair and rebuild in, on, under, along, over and across the streets, alleys, easements and other public places of said City all towers, poles, cables, amplifiers, conduits and other facilities owned, leased or otherwise used by the grantee for the furnishing of a Community Antenna Television service within the City and environs thereof during the continuance of the franchise hereby granted. The company shall not be required to extend its service lines within said City more than 250 feet from any customer service feeder line to serve a prospective customer located within the City of LeRoy.

Section 2

Construction (a). The Company's transmission and distribution system, poles, wires and appurtenances shall be located, erected and maintained so as to not endanger or interfere with any improvements the City may deem proper to make or to hinder un-necessarily or obstruct the free public use of the streets, alleys, easements, bridges or other public property. That the Company's transmission and distribution system shall in no way interfere with other public utilities now in existence and in operation nor will it interfere with the continued operation and expansion of said public utilities.

Section 2

Construction (b). The franchise company shall have the right to set, erect, install and maintain its own poles for the mounting of its amplifiers, cables, and appurtenances; provided, that the franchisee shall keep and maintain a complete set of maps showing the locations of all such poles and that the City shall be provided with a copy of this map; said map to be kept up to date and accurate at all times, such up-dating to be the responsibility of the franchisee.

Section 2

Construction (c). The maintenance and operations of its transmission and distribution system in the streets, alleys, easements and other public places and in the course of any new construction or addition to its facilities, the Company shall proceed so as to cause the least possible inconvenience to the general public. All excavations shall be properly guarded and protected and shall be replaced and the surface restored in a good condition promptly after completion of such work. The Company shall at all times comply with any and all rules and regulations which the City has made or may make applying to the public generally with reference to the removal or replacement of pavement and to excavations in the streets and other public places.

Section 3

The grantee shall have the authority to promulgate such rules, regulation, terms and conditions of his business as shall be reasonably necessary to enable the grantee to exercise his rights and perform his services under this franchise, and to assure an un-interrupted service to each and all his customers. The grantee shall have right and power to fix, charge, collect and receive reasonable rates for his community antenna television services, in line with following prescribed maximums:

- (1) Initial Installation to a Television Receiver.....\$10.95
- (2) Monthly Service Fee for First Receiver at any location..... 7.00
- (3) Monthly Service Fee for Second Receiver in Single Family Dwelling...1.00
- (4) Monthly Service Fee for third, etc. Receivers Located in Same Location...1.00
- (5) Reconnection or Move charge.....5.00

Provided, that the Governing Body of the City reserves the right, at all times, during the existence of this franchise, to fix and determine the rates charged by the franchisee and that any changes in the herein prescribed maximums must be approved in advance by the Governing Body of the City, after a full and open public meeting.

Section 4

The City reserves the right of reasonable regulation of the erection, construction or installation of any facilities or by the grantee and to reasonably designate where such facilities are to be placed within the public ways and places.

Section 5

That in the event the City shall lawfully elect to change or alter the location or grade of any streets, alley easement or other public place, or change or re-locate or replace its utility poles at any time during the existence of this franchise, the Grantee shall, upon reasonable notice given by the City, remove, relay and/or re-locate any system installation affected by such change, by and at Grantee's expense.

Section 6

That the Grantee shall, upon the request of any person holding a building or moving permit, temporarily raise or lower its wires to permit the moving of buildings and other

structures. The actual and necessary expense of such temporary removal, raising, or lowering of wires shall be paid by the person requesting the same, and the Grantee shall have the authority to request and require such payment in advance. The Grantee shall be given not less than 48 hours advance notice to arrange for such temporary wire changes.

Section 7

That the Grantee shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places and easements of the City so as to prevent the branches of such trees from coming in contact with the wires, cables, and appurtenances of the Grantee, all trimming to be done under the supervision and direction of the City and by and at the expense of the Grantee.

Section 8

That the Grantee shall, at all times during the existence of this franchise, be subject to all lawful exercise of the police power by the City and to such reasonable regulations as the City shall hereafter by resolution or ordinance provide.

Section 9

The City reserves the right to set and establish the period of time after this grant of a franchise during which the Grantee must complete certain percentages of the total system construction. Within 180 days of the start of construction of said distribution system, the Grantee shall have not less than 75% of the total system completed and operational. Within 365 days of the start of construction of said distribution system, the Grantee shall have not less than 90% of the total system completed and operations. That the City shall reserve the exclusive right and power to terminate this franchise and rescind all rights, power, privileges and authority herein granted, by a written notice to the Grantee, if the Grantee fails to meet or exceed the construction schedule set forth in this paragraph.

Section 10

The City reserves the right to establish and administer a hearing board wherein any citizens of the City who have reasonably requested service from the Grantee and who have not been afforded such service by the Grantee can be heard. The City further reserves the right to require, if after due hearing process it appears so warranted, that the Grantee correct or improve any operating deficiencies in his service to a subscriber to his service; or to provide initial service of such a citizen of the City. And that if after 30 days time the quality of the existing service or new service has not been initiated as directed by the appropriate City board, that the City reserves the right to terminate this franchise and rescind all rights, powers, and privileges herein granted.

Section 11

That the Grantee shall maintain a telephone service in the City of LeRoy for the operation of this system.

Section 12

The company will carry sufficient insurance against liability to property damage of not less than \$100,000 as to any one accident and not less than \$300,000.00 as to any one accident as to any relate to damage to property and persons. Upon obtaining such insurance, the Grantee showing that the Grantee is properly insured for all his liability, and that no such insurance will be cancelled or changed except after thirty (30) days notice to the City.

Section 13

All ordinances and parts of ordinances in conflict herewith are hereby repealed as of the effective date of this ordinance.

Section 14

All provisions of this ordinance shall be binding upon the Grantee and all successors, Lessees and assigns of the Grantee whether expressly stated herein or not and all of the rights, powers, authorities, grants, and privileges secured by this ordinance to the Grantee shall be held to inure to the benefit of the Grantee, and all successors, Lessees and assigns of the Grantee.

Section 15

If any portion of this ordinance shall be found to be at variance with the Rules and Regulations of the Federal Communication Commission, as presently constituted, or as hereinafter enacted, this ordinance shall be modified within one year of the effective date of such FCC Rules and Regulations so as to conform with the requirements of the FCC as they pertain to the regulations of Cable Television Systems; and the franchise shall in turn be required to operate under this ordinance as hereinafter constituted as it may be re-drawn to conform with the applicable Rules and Regulations of the Federal Communications Commission.

Section 16

This ordinance shall not take effect unless and until the same shall have been read in full at three (3) regular meetings of the Governing Body of the City of LeRoy and immediately thereafter published in the official City paper, the LeRoy Reporter once a week for three (3) consecutive weeks and until 10 days from the date of its final passage and then shall take effect only in conformity with the laws of the State of Kansas.

Passed, approved, adopted and ordered published at LeRoy, Kansas this 6th day of February, 1974.

Don E. Mattingly, Mayor

Attest:/s/Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 228

AN ORDINANCE AUTHORIZING AND DIRECTING THE COUNTY CLERK AS ELECTION COMMISSIONER TO CALL A SPECIAL ELECTION IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID CITY A PROPOSITION TO ISSUE AND SELL GENERAL OBLIGATION BONDS OF SAID CITY IN THE AGGREGATE AMOUNT NOT EXCEEDING \$100,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY PART OF THE COST OF IMPROVING THE CITY WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO UNDER THE AUTHORITY OF K.S.A. 12-801 ET SEQ. AND K.S.A. ARTICLE 1 OF CHAPTER 10, THE TOTAL COST OF SAID PROJECT TO BE APPROXIMATELY \$160,000.00, THE BALANCE OF THE COST TO BE PAID FOR BY THE ISSUANCE OF REVENUE BONDS. UNDER THE AUTHORITY OF K.S.A. 10-2Q1 ET SEQ.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, deems it necessary and advisable and for the best interest of the City and benefit of the people of the City of LeRoy, Kansas to improve its waterworks system by constructing a new settling basin and installing new pumps and doing all things necessary and incidental thereto in order to adequately furnish water to said city inhabitants.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That the County Clerk of Coffey County, Kansas, as Election Commissioner, is hereby authorized and directed to call a special election for the purpose of submitting to the qualified electors of the City of LeRoy, Coffey County, Kansas, a proposition to issue and sell General Obligation Bonds of said City in the aggregate amount not exceeding \$100,000.00 for the purpose of providing funds to pay part of the cost of improving the city waterworks system by constructing a new settling basin and installing new pumps and doing all things necessary and incidental thereto under the authority of K.S.A. 12-801 et seq. and K.S.A. Article 1 of Chapter 10, the total cost of said project to be approximately \$160,000.00 the balance of the cost to be paid for by issuance of revenue bonds under the authority of K.S.A. 10-1201 et seq.

Section 2

That said election shall be held on the 16th day of April 1974, and the polling places of said election shall be at the usual places of holding elections in said City, to-wit: LeRoy City Hall.

Section 3

That the ballots to be used at said election shall be in substantially the following form:

OFFICIAL BALLOT
SHALL THE FOLLOWING BE ADOPTED?

Shall the City of LeRoy, Coffey County, Kansas issue and sell its General Obligation Bonds in an amount not exceeding \$100,000.00 for the purpose of providing funds to pay part of the cost of improving the city waterworks system by constructing a new settling basing and installing new pumps and doing all things necessary and incidental thereto, under the authority of K.S.A. 12-801 et seq and K.S.A. Article 1 of Chapter 10, the total cost of said project to be approximately \$160,000.00, the balance of the cost to be paid for by the issuance of revenue bonds under the authority of K.S.A. 10-1201 et seq.?

To vote in favor of the bonds, make a cross x mark in the square after the word "YES"

To vote against the bonds, make a cross x mark in the square after the word "NO"

YES

NO

Section 4

That Notice of said election shall be given in the manner provided by law. Such notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued, shall be signed by the Mayor and Councilmen, or a majority of them and shall be published in a newspaper of general circulation in said City once each week for three (3) consecutive weeks, the first publication to be not less than twenty-one (21) clear days prior to said election.

Section 5

All qualified electors residing in the City of LeRoy, Coffey County, Kansas, shall be entitled to vote at said election. The City Clerk is hereby authorized and directed to prepare and cause to be printed ballots substantially in the form hereinbefore provided, and also to procure the necessary tally sheets and poll books, for use at said election, and said election shall be held in all respects according to the rules and regulations provided by law for holding elections in said City.

Section 6

This ordinance shall be in force and effect from and after its adoption, approval and publication in the official paper of said City.

ADOPTED AND APPROVED this 6th day of March, 1974.

Don E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Joyce E. Brownfield, City Clerk

•ORDINANCE NO. 229

AN ORDINANCE APPROVING THE ENGINEER'S REPORT OF THE PROPOSED IMPROVEMENT OF THE CITY WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENTION OF THE GOVERNING BODY OF LEROY, KANSAS TO MAKE SUCH IMPROVEMENTS AND TO ISSUE REVENUE BONDS OF SAID CITY TO PAY PART OF THE COSTS THERE

WHEREAS, the City of LeRoy, Kansas, is a municipality as defined by K.S.A. 10-101 and 10-1201 et seq., and amendments thereto, and

WHEREAS, the City of LeRoy, Coffey County, Kansas is authorized by the laws of the State of Kansas to issue revenue bonds for the improvement of its waterworks system, and by the terms of K.S.A. 10-1201 et seq., and amendments thereto, is authorized to issue and sell revenue bonds of the city to pay the cost of such utility, and

WHEREAS, it is deemed by the Governing Body of the City of LeRoy, Kansas to be necessary and advisable that the City improve its waterworks system by constructing a new settling basin and installing new pumps and doing all things necessary and incidental thereto, and that the preliminary plans, specifications and estimates of cost have been duly prepared and filed in the office of the City Clerk of said City, which estimates show the total cost of the project to be approximately \$160,000.00 and it is found by said Governing Body that such project will not cause a duplication of existing utility service furnished by a private utility.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That the report of Brink & Associates of Iola, Kansas, on the project of improving the waterworks system of the City of LeRoy, Kansas, which report is now on file in the office of the City Clerk of said City, be and the same is hereby approved.

Section 2

That the notice be given of the intention of the Governing Body of the City to improve the waterworks system of the City of LeRoy, Kansas in accordance with the plans, specifications and estimates, and to issue revenue bonds of said city to pay part of the costs thereof. Such notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the LeRoy Reporter, a newspaper in general circulation in the City, being the official city paper of said City, and shall describe the nature of the proposed improvements, and shall state the amount of revenue bonds proposed to be issued for the payment of the cost of the project and otherwise said notice shall be in the form provided by law.

Section 3

That this ordinance shall take effect and be in force from and after its adoption and publication in the official paper of the city.

PASSED and approved by the Governing Body and the Mayor this 6th day of March 1974.

/s/ Don E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

•ORDINANCE NO. 230 (*missing*)

•ORDINANCE NO. 231

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF WATERWORKS SYSTEM REVENUE BONDS SERIES 1974 OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS IN THE PRINCIPAL SUM OF \$60,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY PART OF THE COST OF IMPROVING THE WATERWORKS SYSTEM BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO: PRESCRIBING ALL OF THE DETAILS OF SAID BONDS, PROVIDING FOR THE COLLECTION, SEGREGATION, AND DISTRIBUTION OF THE INCOME OF THE WATERWORKS SYSEM OF SAID CITY FOR THE PURPOSE OF PAYING THE COST OF THE OPERATION, MAINTENANCE, AND IMPROVEMENT THEREOF, PROVIDING AN ADEQUATE DEPRECIATION FUND THEREFOR, AND FOR PAYING THE PRINCIPAL OF AND INTEREST ON SAID WATERWORKS SYSTEM REVENUE BONDS, SERIES 1974, UNDER THE AUTHORITY OF K.S.A. ARTICLE 12 OF CHAPTER 10 AND AMENDMENTS THERETO.

WHEREAS, Pursuant to the provision of K.S.A. Article 12 of Chapter 10, and amendments thereto, the Governing Body of the City of LeRoy, Coffey County, Kansas, heretofore, on the 15th day of March 1974, caused to be published in the official paper of said city a notice of the intention of the City of LeRoy, Kansas to improve the Waterworks System by constructing a new settling basin and installing new pumps and doing all things necessary and incidental thereto, the total cost of said project being \$160,000.00 of which amount the Governing Body of said City intends to issue \$60,000.00 in revenue bonds of said city, and

WHEREAS, within fifteen (15) days after the publication of the notice aforesaid, insufficient protests were filed with the City Clerk of the City of LeRoy, Kansas, against such proposed improvements or against the issuance of such bonds, and

WHEREAS, plans, specifications and estimates of the improvement aforesaid have been duly prepared and filed in the office of the City Clerk and contracts have been let for the making of such improvements; and

WHEREAS, the actual cost of said improvements do not exceed the sum of \$160,000.00 and \$100,000.00 of said \$160,000.00 is to be provided from General Obligation Bonds of said City, it is necessary at this time that said City of LeRoy, Coffey County, Kansas, proceed forthwith to issue, sell and deliver its Waterworks System Revenue Bonds, Series 1974 in the principal amount of \$60,000.00 for the purpose of paying part of the cost of making said improvements;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That for the purpose of providing part of the funds in the amount of \$60,000.00 to pay the cost of improving the municipally owned Waterworks System of the City of LeRoy, Coffey County, Kansas by constructing a new settling basin and installing new pumps and doing all things necessary and incidental thereto, there shall be issued and hereby are issued, Waterworks System Revenue Bonds, Series 1974 of the City of LeRoy, Coffey County, Kansas, in the total principal amount of \$60,000.00.

Section 2

That said Waterworks System Revenue Bonds, Series 1974 of the City of LeRoy, Coffey County, Kansas, shall consist of 60 bonds, numbered from 1 to 60 both inclusive, all of said bonds being in the denomination of \$1,000.00 each, all of said bonds being dated May 1, 1974, and said bonds becoming due serially, and bearing interest as follows, to-wit:

MATURITY	NUMBER	INTEREST	AMOUNT
1	September 1, 1976	5 ¼ %	\$1,000.00
2	September 1, 1977	5 ¼ %	\$1,000.00
3	September 1, 1978	5 ¼ %	\$1,000.00
4-5	September 1, 1979	5 ¼ %	\$2,000.00
6-7	September 1, 1980	6 %	\$2,000.00
8-9	September 1, 1981	6 %	\$2,000.00
10-12	September 1, 1982	6 %	\$3,000.00
13-15	September 1, 1983	6 %	\$3,000.00
16-18	September 1, 1984	6 ¼ %	\$3,000.00
19-22	September 1, 1985	6 ¼ %	\$4,000.00
23-26	September 1, 1986	6 ¼ %	\$4,000.00
27-30	September 1, 1987	6 ¼ %	\$4,000.00
31-35	September 1, 1988	6 ½ %	\$5,000.00
36-40	September 1, 1989	6 ½ %	\$5,000.00
41-45	September 1, 1990	6 ½ %	\$5,000.00
46-50	September 1, 1991	6 ½ %	\$5,000.00
51-55	September 1, 1992	6 ½ %	\$5,000.00
56-60	September 1, 1993	6 ½ %	\$5,000.00

Interest on said bonds shall be payable March 1, 1975 and semi-annually thereafter on the first days of September and March of each year until said principal sum shall have been paid.

The City of LeRoy, Coffey County, Kansas, reserves the right and option to call and redeem any or all bonds numbered 36 to 60, maturing September 1, 1989 to September 1, 1993, both inclusive, in their inverse numerical order on September 1, 1988 or on any interest paying date thereafter, at par and accrued interest, plus a premium of \$80.00 per \$1,000.00, provided that notice of its intention to call and redeem said bond is published in the official state paper at least thirty (30) days prior to the date on which the bonds are to be called. Such bonds so called shall cease to bear interest after the date fixed for the redemption thereof.

Section 3

Said bonds and coupons shall contain recitals and be in the form and of the size as provided by the Statutes of the State of Kansas.

Section 4

Said bonds shall be signed by the Mayor and attested by the Clerk of said City, and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and said facsimile signatures are hereby confirmed and ratified as the signatures of said officers. Said bonds shall be registered by the City Clerk of the City of LeRoy, Coffey County, Kansas and by the Auditor of the State of Kansas, and both principal and interest on the revenue bonds shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5

That said bonds are to be sold and the proceeds therefrom are to be used only to pay the cost of the improvements heretofore mentioned.

Section 6

That the Waterworks System Revenue Bonds, Series 1974 of the City of LeRoy, Coffey County, Kansas, in the principal sum of \$60,000.00, dated May 1, 1974, hereinbefore described and authorized, are hereby made a lien on the revenues produced by the Waterworks System of said City, subject only to the unpaid balance of any prior existing Revenue and General Obligation Bonds against said utility.

Section 7

Said bonds shall be sold and the proceeds therefrom shall be deposited, upon receipt, in the Waterworks System Improvement Fund which shall be used solely to pay the cost of enlarging and improving said Waterworks System. Money remaining in the Waterworks System Improvement Fund upon completion of said improvement, if any, shall be transferred to the Waterworks System Bond and Interest Account.

Section 8

So long as any of said bonds remain outstanding the revenues derived from the operation of the Waterworks System of said City, and any additional improvement thereof, shall be paid into the treasury of said City and be kept in a separate fund to be designated as the Waterworks System Fund, and said funds shall be used only for the purpose of paying the cost of operation, maintenance, and improvement of such system, providing an adequate depreciation fund, and for paying the principal and interest on said Waterworks System Revenue Bonds, Series 1974, and any prior existing revenue bonds against said utility as provided by law.

Section 9

Said City agrees that so long as any of the Revenue Bonds issued under authority of this ordinance are unpaid and outstanding, it will use the revenues heretofore separately set aside in the Waterworks System Fund only for the purpose of paying the cost of operation and normal maintenance of said Waterworks System, and will make no extensions of said systems which are to be paid from said fund without setting aside therefrom an amount sufficient to pay one year's principal and interest on the Revenue Bonds issued hereunder, in addition to the current year's principal and interest.

Section 10

There is hereby created Bond and Reserve Account No. 1 for the payment of Waterworks System Revenue Bonds, Series 1974. The City, out of the Waterworks System Improvement Fund hereinbefore created, after paying the cost of operation and maintenance of said waterworks system and providing for any other obligations imposed by law, will beginning September 1, 1974, monthly transfer 1/6 of the next maturing interest and beginning September 1, 1975 shall monthly transfer 1/12 of the next maturing principal to the Bond and Reserve Account No. 1. All amounts paid and deposited in said Bond and Reserve Account No. 1 shall be expended and used for the sole purpose of paying the interest on and principal of said Waterworks System Revenue Bonds, Series 1974, herein authorized.

Section 11

There is hereby created in the treasury of the City a fund to be known and hereinafter referred to as bond and Interest Account No. 2, and so long as any of the Waterworks System Revenue Bonds, Series 1974 of the City herein authorized remain outstanding and unpaid, the City of LeRoy, Coffey County, Kansas, covenants and agrees that it will maintain said fund. Said City further covenants and agrees that, beginning September 1, 1974 it will deposit in said Bond and Interest Account No. 2 for Waterworks System Revenue Bonds, Series 1974, \$200.00 per month until a total of \$7,000.00 has been accumulated. If at any time or times the amount of cash on hand in the Bond and Interest Account No. 1 created in *Section 10* of this ordinance shall be insufficient to pay either the interest on or the principal of said Waterworks System Revenue Bonds, Series 1974 as and when the same become due, the City shall use the moneys in said Bond and Interest Account No. 2 to pay said interest or principal and to prevent any default in either on said Waterworks System Revenue Bonds, Series 1974. In the event that the City is ever compelled to expend or use a part of the money in said Bond and Interest Account No. 2 for the purpose aforesaid, the City shall then pay into said Bond and Interest Account No. 2 after

making the payments hereinbefore specified all moneys then remaining in said Waterworks System Improvement Fund until moneys in said Bond and Interest Account No. 2 aggregate the sum of \$7,000.00. No part of the moneys in said Bond and Interest Account No. 2 shall be expended or used by the City to call any of said Waterworks System Revenue Bonds Series 1974 for payment prior to their ultimate maturity unless all of said outstanding bonds be called for payment and funds are available to pay the same according to their terms.

Section 12

The City of LeRoy, Coffey County, Kansas further agrees to immediately create a Maintenance Reserve Account into which funds the City shall deposit the sum of \$100.00 per month commencing on September 1, 1974 and continuing until said fund has attained the sum of \$3,500.00. In the event any expenditures made from this fund shall reduce the accumulated amount below the sum of \$3,500.00 said expenditures shall be replaced at the rate of \$100.00 per month until said fund shall reach the sum of \$3,500.00.

Section 13

So long as any of the Waterworks System Revenue Bonds, Series 1974 of said City, hereinbefore authorized remain outstanding, said City shall not, and said City hereby agrees that it will not, mortgage, pledge, or otherwise encumber the Waterworks System of said City, or any part thereof nor will it sell, lease, or otherwise dispose of said system, or any substantial part thereof, provided none of the provisions of this ordinance shall prohibit the issuance of additional Waterworks System Revenue Bonds, providing that at the time of issuance there shall be no default by the City in the performance of any covenants herein and that any additional bonds shall be junior and subordinate to the issue herein authorized, unless net operating income being defined as the gross income less only the reasonable expenses of operating income being defined as the gross income less only the reasonable expenses of operation, maintenance and repair of said system, shall equal 125% of the average yearly payments of principal and interest on all the revenue bonds of said utility then outstanding plus the additional bonds to be issued. In the event additional bonds are issued as provided herein, said bonds shall be of equal parity as to the payment of principal and interest with the bonds authorized hereunder.

Section 14

Moneys held in each of the accounts hereinbefore created, in excess of the amount required to pay the interest on and principal of said Waterworks System Revenue Bonds, Series 1974 may be invested by the City, if at the time permitted by law, in bonds or other obligations of the United States Government or unconditionally guaranteed by the United States Government, having a fixed redemption value, and not to exceed five years in maturity.

Section 15

Said City further agrees that it will, at all times during the life of said Revenue Bonds, keep all property of the Waterworks System of said City insured against loss of every insurable kind, in an amount equal to the unpaid principal and interest of said bonds, in recognized insurance companies authorized to transact business in the State of Kansas, and further agrees that, in event of loss, money received on said insurance policies shall be used only to repair the damage to said Waterworks System, and to the retirement of the Revenue Bonds issued hereunder, and any maturing interest thereon, or for the payment of the principal and interest on any prior existing Revenue Bonds issued against said utility.

Said City further agrees that at all times during the life of said Revenue Bonds it will keep and maintain the properties of said Waterworks System in good repair and will at all times operate said Waterworks System in an approved and efficient manner.

Section 16

Said City agrees to keep proper records of receipts and disbursements of said Waterworks System distinct from all other accounts of said City, which accounts shall be available at all reasonable times for the inspection of the bondholders, and agrees to annually cause an audit of said account to be made by a competent firm of independent auditors, and to cause a copy of said audit to be filed with the City Clerk, said copy to be available at all reasonable times for inspection by any bondholder or his representative.

This ordinance shall take effect and be in force from and after its passage, approval, and publication in the LeRoy Reporter, the official City paper of said City.

PASSED and approved this 15th day of May 1974.

/s/ Don Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 232

AN ORDINANCE AUTHORIZING THE IMPROVING OF THE WATERWORKS SYSTEM OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS BY CONSTRUCTING A NEW SETTLING BASIN AND INSTALLING NEW PUMPS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, AND PROVIDING FOR THE ISSUANCE OF \$100,000.00 GENERAL OBLIGATION BONDS OF SAID CITY TO PAY PART OF THE COST OF THE SAME:

WHEREAS, The Governing Body of the City of LeRoy, Coffey County, Kansas, has heretofore, by Ordinance duly and regularly passed on the 6th day of March, 1974, authorized the Mayor of said city to call a special election for the purpose of providing funds to pay the cost of improving the waterworks system of the City of LeRoy, Coffey County, Kansas, and doing all things, necessary and incidental thereto; and

WHEREAS, Notice of said special election for that purpose, stating the purpose for which the election was called, the amount of bonds to be voted on, and the purpose for which the bonds were to be issued, and the time when and the place where, and the voting places where said election was to be held, was given by the Mayor, which notice, signed by the Mayor and City Clerk, was duly and regularly published in the three consecutive issues of the LeRoy Reporter, the official paper of the City of LeRoy, Coffey County, Kansas, the first publication of which was on the 15th day of March, 1974, which was at least twenty-one (21) clear days prior to the date fixed for such election; and

WHEREAS, Said election was held on the 16th day of April, 1974, and the election duly canvassed and as a result of such canvass, it was determined that a majority of the electors voting voted in favor of the proposition of issuing said bonds; and

WHEREAS, all other legal requirements, as provided in the Statutes of the State of Kansas, have been fully complied with, with reference to the making of said improvements, and the issuance of bonds to pay for the cost thereof:

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

That the City of LeRoy, Coffey County, Kansas improve the waterworks system in the City of LeRoy, Kansas, and do all things necessary as previously authorized by ordinance of the city and as authorized by K.S.A. 12-801 to 12-803, both inclusive and Article 1 of Chapter 10 and all amendments thereto.

Section 2

That for the purpose of paying the cost thereof, there shall be issued General Obligation Bonds, Series 1974 (Waterworks), of the City of LeRoy, Coffey County, Kansas, in the amount of \$100,000.00 which said bonds shall be in the denomination of \$1,000.00 each, numbered from 1 to 100 both inclusive be dated May 1, 1974 and shall bear interest and mature in the following amounts, upon the following dates, to-wit:

NUMBER	MATURITY	INTEREST	AMOUNT
1-5	September 1, 1975	5 ½ %	\$5,000.00
6-10	September 1, 1976	5 ½ %	5,000.00
11-15	September 1, 1977	5 ½ %	5,000.00
16-20	September 1, 1978	5 ½ %	5,000.00
21-25	September 1, 1979	5 ½ %	5,000.00
26-30	September 1, 1980	5 ¾ %	5,000.00
31-35	September 1, 1981	5 ¾ %	5,000.00
36-40	September 1, 1982	5 ¾ %	5,000.00
41-45	September 1, 1983	5 ¾ %	5,000.00
46-50	September 1, 1984	5 ¾ %	5,000.00
51-55	September 1, 1985	6 %	5,000.00
56-60	September 1, 1986	6 %	5,000.00
61-65	September 1, 1987	6 %	5,000.00
66-70	September 1, 1988	6 %	5,000.00
71-75	September 1, 1989	6 %	5,000.00
76-80	September 1, 1990	6 ¼ %	5,000.00
81-85	September 1, 1991	6 ¼ %	5,000.00
86-90	September 1, 1992	6 ¼ %	5,000.00
91-95	September 1, 1993	6 ¼ %	5,000.00
96-100	September 1, 1994	6 ¼ %	5,000.00

Said interest shall be payable March 1, 1975 and semi-annually thereafter on the first day of September and March of each year until said principal sum shall have been paid.

Section 3

Said bonds and coupons shall contain recitals and be in the form and of the size as provided by the Statutes of the State of Kansas.

Section 4

That said bonds shall be signed by the Mayor and attested by the City Clerk of said city, and shall have the corporate seal affixed and the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5

That the Mayor and City Clerk are hereby authorized to prepare and execute said bonds and coupons, and when so executed, said bonds shall be registered as required by law, and the Governing Body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said city.

Section 6

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7

That this ordinance shall be in full force and take effect from and after its publication in the LEROY REPORTER, the official city paper, as provided by law.

PASSED by the Governing Body and approved by the Mayor this 15th day of May 1974.

/s/ Don Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas
 Attest: /s/ Mary I. Schmidt, City Clerk

•ORDINANCE NO. 233

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF **ORDINANCE NO. 202**.

BE IT ORDAINED BY THE GOVERNING BODY OF THEE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

Section 1 of **Ordinance No. 202** is hereby amended to read as follows: The rates charged for water sold by the municipal water plant shall be as follows:

- (a) Minimum charge \$3.50 per month for which sum up to one thousand (1,000) gallons shall be furnished.
- (b) For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rate shall be as follows:
- (c) The next four thousand (4,000) gallons Two Dollars (\$2.00) per one thousand (1,000) gallons.
- (d) The next ten thousand (10,000) gallons One Dollar Fifty cents (\$1.50) per one thousand (1,000) gallons. All over fifteen thousand (15,000) gallons, One Dollar (\$1.00) per one thousand (1,000) gallons.

Section 2

That *Section 1* of **Ordinance No. 202** be and the same is hereby repealed.

Section 3

This Ordinance shall take effect and be in force from and after its passage, approval and publication in The LeRoy Reporter, the official city paper.

Passed and approved this 30th day of May, 1974.

/s/ Don E. Mattingly, Mayor

Attest: Mary Schmidt, City Clerk

•ORDINANCE NO. 234

AN ORDINANCE CONFIRMING THE REPORT OF APPRAISERS AND LEVYING SPECIAL ASSESSMENTS TO PAY THE COST OF CERTAIN STREET IMPROVEMENTS WITH IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-601 ET SEQ., AND ALL AMENDMENTS THERETO.

WHEREAS, The Governing Body of the City of LeRoy, Coffey County, Kansas has caused the appointment of appraisers to be made in accordance with K.S.A. 12-601 et seq.; and

WHEREAS, The report of the appraisers has been on file at the office of the City Clerk of the City of LeRoy, Kansas and available for public inspection; and

WHEREAS, A public meeting has been held to consider the report of the appraisers and all objections thereto.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That the total cost of the street improvement project has been ascertained to be the sum of \$179,209.95 of which amount \$130,997.44 shall be assessed against the property benefited by said improvements and \$48,212.51 shall be paid by the city at large.

Section 2

That for the purpose of paying the cost and expense of said improvements, there shall be and there is hereby apportioned, levied and assessed a special assessment on all lots, pieces and parcels of ground liable therefore, as follows, to-wit:

The amount set opposite each of the respective separate description of ground is the amount levied against the land therein described and the name printed with each description is the name of the owner of the respective tract so far as the same can be ascertained.

(See City Ordinance Manuals for exact description of the names, lots and assessments listed)

The taxes levied in accordance with *Section 1* hereof may be paid to the city treasurer any time within thirty (30) days of the publication of this ordinance and if so paid no further liability shall attach to the property on which said assessments are paid. Assessments not so paid shall be and are hereby divided into ten (10) semi annual installments, payable at the same time and in the same manner as other taxes, with interest on deferred payments. It shall be the duty of the city clerk to certify all assessments not paid to the city treasurer to the County Clerk of Coffey County, Kansas to be placed on the tax role for collection with interest thereon.

Section 3

This ordinance shall take effect and be in force from and after its publication one time in the official city newspaper.

PASSED AND APPROVED this 2nd day of October, 1974.

/s/s Don Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Mary Schmidt, City Clerk

•ORDINANCE NO. 235

AN ORDINANCE AMENDING ORDINANCE NO. [234](#) IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, The Governing Body of the City of LeRoy, Coffey County, Kansas, has by appropriate proceedings heretofore had, levied special assessments to pay the cost of certain street improvements within the City of LeRoy, Coffey County, Kansas, and

WHEREAS, *Section 2* of **Ordinance No. [234](#)** contained certain errors and omissions, and

WHEREAS, It is necessary that said ordinance be amended and corrected;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, THAT *SECTION 2* OF **ORDINANCE NO. [234](#)** BE AND IS HEREBY AMENDED AS HEREINAFTER SET FORTH:

Section 1

The name of the owners of the property in Block 35, Lots 6,7,8, 9 and 10 is changed to Floyd E. Ohmie.

Section 2

That the following assessments are hereby repealed:

Eli and Daisy Kellenberger	Block 29, Lot 11	178.28
“ “ “	12	246.18
“ “ “	13	178.28
“ “ “	14	178.28
“ “ “	15	246.17
Lester J. and Mary C. Burr	Block 59, Lot 20	246.18
Lankton	Block 46, Lot 1	89.14
“ “ “	2	89.14

“ “ “ 3 89.14
 “ “ “ 4 89.14

Marcella A. and Robert E. Varvel Block 49, Lot 10 89.13

Lemuel and Wanda L. France Block 37, Lot 5 246.17

Section 3

That for the purpose of paying the cost and expense of said improvements, there shall be and there is hereby apportioned, levied and assessed a special assessment on all lots, pieces and parcels of ground liable therefore, as follows, to-wit:

The amount set opposite each of the respective separate description of ground is the amount levied against the land therein described and the name printed with each description is the name of the owner of the respective tract so far as the same can be ascertained:

NAME	DESCRIPTION	ASSESSMENT
Eli and Daisy Kellenberger	Block 29, Lot 11	178.28
	“ “ S 90' Lot 12	172.09
	“ “ S 90' Lot 13	104.19
	“ “ S 90' Lot 14	104.19
	“ “ S 90' Lot 15	104.19
Geneva Gunlock	Block 29, N 64' Lot 12	74.09
	“ “ N 64' Lot 13	74.09
	“ “ N 64' Lot 14	74.09
	“ “ N 64' Lot 15	141.99
Lester J. and Mary C. Burr	Block 59, Lot 20	178.28
Marcella A. and Robert E. Varvel	Block 49, Lot 10	7.13
Lemuel and Wanda France	Block 37, Lot 5	178.28
Mae Rohr	Robinson's Addition Block 9, Lot 4	73.18
	“ “ “ 5	74.68
	“ “ “ 6	74.68
C.S. Colton	Block 46, N 49' of S 80' Lots 1,2,3,4	114.10
Don E. Brownfield	“ “ S 34 2/3' of N 80' Lots 1,2,3,4	62.01
C.S. Colton	“ “ N 30' of N 80' Lots 1,2,3,4	67.75
	“ “ N 15 1/3' of S 50' of N 80' Lots 1,2,3,4	35.66
Ralph and Bella M. Rankin	Block 46, S 25' of Lots 1,2,3,4	57.05
SCOTTS ADDITION		
Verna Alice and Clarence George Conrad	Block 43, Tr. Com. 60' W of SW corner Block 43, N. 128', th w 156' th S 128', th E 156' to place of beg.	356.56

Glen and Vera Varvel	Tr. Com. 60' W of NW corner of Bl 50, S. 131', W. 156', N. 131' E 156' to place of beginning.	364.91
Conrad and Valeta Parmely	Tr com. 60' W of SW corner, Block 50, W. 156', N. 189', E. 156' S. 189' to Place of beginning.	594.38
Conrad and Valeta Parmely	Tr. Com. 60' W, 323' S., NW corner Block 50, S. 30', W. 156' N 30' E. 156' to place of beginning.	83.57
Daisy and William W. Farrow	Tr. 60' W and 350' S of NW corner of Block 50, S. 181', W. 156'. N. 181', E. 156' to place of beginning	572.09
Merle Houck	SW corner of Block 57, W. 216', N 176', E. 216', S 176' less the Street on E. side is 60' wide	558.16
City of LeRoy	S 20' of Lot 3, Block 7, Scotts Addition	55.71

Section 4

The taxes levied in accordance with *section 3* hereof may be paid to the city treasurer any time within thirty (30) days of the publication of this ordinance and if so paid no further liability shall attach to the property on which said assessments are paid. Assessments not so paid shall be and are hereby divided into ten (10) equal annual installments, payable at the same time and in the same manner as other taxes, with interest on deferred payments. It shall be the duty of the city clerk to certify all assessments not paid to the city treasurer to the County Clerk of Coffey County, Kansas to be placed on the tax roles for collection with interest thereon.

Section 5

This ordinance shall take effect and be in force from and after its publication one time in the official city newspaper.

PASSED AND APPROVED this 21 day of October, 1974.

Don E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 236

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$146,854.69 STREET IMPROVEMENT BONDS, SERIES 1975-A, CITY OF LEROY, COFFEY COUNTY, KANSAS, TO PAY THE COST OF MAKING STREET IMPROVEMENTS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, UNDER THE AUTHORITY OF K.S.A. 12-601 ET SEQ. AND K.S.A. ARTICLE 1 OF CHAPTER 10, AND ALL AMENDMENTS THERETO.

WHEREAS, The Governing Body of the City of LeRoy, Coffey County, Kansas, has caused the improvement of certain streets in said City of LeRoy, Coffey County, Kansas, as authorized by ordinances duly passed and approved by said Governing Body, and

WHEREAS, All legal requirements pertaining to the improvements have been complied with, and the total cost of said improvements has been ascertained to be the sum of \$179,209.95, of which total cost \$48,212.51 has been ascertained to be chargeable to all the taxable property of the City of LeRoy, Kansas and \$130,997.44 has been ascertained to be chargeable to the lots and pieces of ground liable therefore, which last named amount has been heretofore assessed and

apportioned against the several lots and pieces of ground liable therefore, and according to law, \$32,355.26 of which has been paid by the property owners, thereby leaving unpaid on the total cost of said improvements for which Street Improvement Bonds may be issued the sum of \$146,854.69.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That for the purpose of paying the cost of certain street improvements in the City of LeRoy, Coffey County, Kansas, there shall be and hereby are issued Street Improvement Bonds, Series 1975-A of the City of LeRoy, Coffey County, Kansas, in the aggregate amount of \$146,854.69, which said issue shall consist of 30 bonds, numbered from 1 to 30, both inclusive, in the denomination of \$5,000.00 each except Bond No. 1 in the denomination of \$1,854.69; said bonds shall be dated January 1, 1975, shall bear interest at the rate of 5.90% per annum payable July 1, 1976 and semi-annually thereafter on the first days of January and July of each year until said principal sum shall have been paid, and shall mature in the following amounts upon the following dates, to-wit:

NUMBER	MATURITY	AMOUNT
1	January 1, 1977	1,854.69
2-3	January 1, 1977	10,000.00
4-6	January 1, 1978	15,000.00
7-9	January 1, 1979	15,000.00
10-12	January 1, 1980	15,000.00
13-15	January 1, 1981	15,000.00
16-18	January 1, 1982	15,000.00
19-21	January 1, 1983	15,000.00
22-24	January 1, 1984	15,000.00
25-27	January 1, 1985	15,000.00
28-30	January 1, 1986	15,000.00

Section 2

Said bonds and coupons shall contain recitals and be in the form and of the size as provided by the statutes of the State of Kansas.

Section 3

That said bonds shall be signed by the Mayor and attested by the Clerk of said city and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and both principal and interest, shall be payable at the office of the State Treasurer of the state of Kansas, in the City of Topeka, Kansas.

Section 4

The Mayor and City Clerk are hereby authorized to prepare and execute said bonds and coupons, and when so executed, said bonds shall be registered as required by law, and the Governing Body shall annually make provisions for the Payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the lots and pieces of ground liable therefore and upon all the taxable property of the City of LeRoy, Kansas.

Section 5

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6

That said ordinance shall be in full force and take effect from and after it's publication in the LeRoy Reporter, the official city paper, as provided by law.

PASSED by the Governing Body and approved by the Mayor this 5th day of February 1975.

/s/ Don. E. Mattingly, Mayor of the City of LeRoy, Coffey County, Kansas

Attest: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 237

AN ORDINANCE CREATING THE OFFICE OF BUILDING INSPECTOR IN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That there be and is hereby created the office of Building Inspector in and for the City of LeRoy, Kansas.

Section 2

That said Building Inspector shall be appointed by the Mayor and confirmed by the full City Council, all pursuant to K.S.A. 14-302.

Section 3

That the City Council may by resolution compensate said building inspector.

Section 4

That all ordinances contrary to this ordinance are hereby repealed.

Section 5

This ordinance shall take effect and be in full force and effect upon its publication in The LeRoy Reporter, the official City paper.

Passed by the City Council and approved by the Mayor this 30th day of May, 1975.

/s/ Donald Meats, Mayor

ATTEST: Mary Schmidt, City Clerk

•ORDINANCE NO. 238 (missing)

•ORDINANCE NO. 239

AN ORDINANCE PROVIDING FOR DOG CONTROL REGULATIONS PERTAINING TO THE KEEPING OF DOGS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

The following regulations shall govern the keeping of dogs within the corporate limits of the City of LeRoy, Kansas.

ARTICLE 1: DOG CONTROL REGULATIONS

- 1-101. DEFINITIONS. For the purpose of this Ordinance, the following terms, phrases, words and deviations shall have the meaning given herein. The word “shall” is always mandatory and not merely directive.
HUMANE OFFICER: The Chief of Police of the City of LeRoy.
CITY CLERK: The City Clerk of the City of LeRoy or his duly designated and authorized representative.
OWNER: Any person, partnership or corporation owning, keeping or harboring one or more dogs.
AT LARGE: A dog shall be deemed to be at large if off the premises of its owner and not under the immediate control of a responsible person.
- 1-102. LICENSING. No person shall own or have custody of any dog over six (6) months of age unless such dog is licensed as herein provided.
- 1-103. ANTI-RABIES VACCINATION REQUIRED. Before a license will be issued, the owner shall produce satisfactory evidence that the dog has been vaccinated against rabies with either of the following: (a) killed tissue vaccine (sometimes known as “one-year” vaccine) within the six (6) months previous to the date of the issuance of a license; (b) with the modified live virus vaccine (sometimes known as “two-year” vaccine) within twenty (20) months previous to the date of the issuance of the license.
- 1-104. LICENSE FEES. The license fee shall be Two Dollars (\$2.00) for each male or spayed female dog or Four Dollars (\$4.00) for each unsprayed female dog.
- 1-105. LICENSING PERIOD. All licenses shall be valid and cover the period from June 10th to June 9th of following year or part thereof each year. Such license shall be due and payable on or before the 10th day of June of each year. The license for any dog brought into the city shall be due and payable within thirty (30) days after the date such dog is brought into the city.
- 1-106. LICENSE TAGS. License tags (*illegible*) issued by the City Clerk in the form of a durable tag numbered and lettered LeRoy and the year, which shall be fastened to the dog’s collar or harness and worn at all times. License tags shall not be transferable. Should a dog tag be lost or destroyed the owner shall forthwith apply to the City Clerk for a new license tag and shall pay unto the City Clerk the sum of Fifty Cents (50c) for each such duplicate. No refunds shall be made on any dog license fee because of the death of the dog or the removal of the dog from the city before the expiration of the license. It shall be the duty of the City Clerk to issue a receipt which shall show the name of the person paying the license fee, a description and sex of the dog and number of the tag issued. Any moneys received under this ordinance shall be paid to the City Treasurer to the credit of the general fund of the city.
- 1-107. DOGS ON SCHOOL GROUNDS OR RECREATION AREAS. Owners shall not permit their dogs on any school ground, or on any public recreation area, unless the dog is controlled by a leash or similar device.
- 1-108. OWNER NOTIFICATION. The Humane Officer shall upon taking any dog into custody and impounding the (*illegible*) make a record thereof with a description of said dog and the date and place taken into custody and the place of impounding, and thereupon shall immediately post a public notice at the City Clerk’s Office setting forth such facts. After impoundment of a dog which can be identified by the license tag, the City Humane Officer shall notify the owner and the owner may claim his dog within three days after notification. If the owner does not claim his dog, or if no claim is made on a dog of unknown ownership after five days, the Humane Officer shall dispose of the dog in a humane manner.
- 1-109. DOG POUND FEES. Dogs shall be released from the Dog Pound upon payment of the license fee, if necessary, and the applicable dog pound fees. The dog pound fees shall consist of the following: (a) the sum of Two Dollars (\$2.00) for cost of impounding; \$2.00 maximum feeding and care of such dog, with a maximum cost of \$2.00 per day; and (b) the sum of Five Dollars (\$5.00) as redeeming fee for each time a dog is redeemed.
- 1-110. DOGS IN HEAT. Every female dog in heat shall be confined in a closed building so that the animal cannot come into contact with another animal except for planned

breeding. Any such dog in heat and of unknown ownership found running at large shall be disposed of by the Humane Officer immediately wherever found.

- 1-111. NUISANCE. Every owner of a dog shall exercise proper care and control of his animal to prevent the animal from becoming a public nuisance. Excessive or untimely barking, molesting passersby, chasing vehicles, attacking other domestic animals, depositing excretory matter on property other than that of the owner, damaging property, running at large in the case of dogs, or similar acts performed by dogs, shall be deemed a nuisance. Further, it shall be unlawful to permit a dog which has the propensity to bite or attack human beings to run loose on or within the owner's premises in such a manner as to endanger the safety of any person lawfully entering such premises.
- 1-112. HUMANE CARE. All owners shall provide their dog with sufficient food and water, proper shelter, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall poison or ill treat a dog, nor may a dog be abandoned.
- 1-113. INJURED OR ILL ANIMALS. Whenever the Humane Officer encounters a stray animal suffering pain, injury or illness, he shall take the animal to a veterinarian where the cost of any care or treatment shall be borne by the owner. If the ownership of the animal cannot be determined, the Humane Officer shall act in accordance with his best judgment in a humane manner.
- 1-114. DOGS WHICH HAVE BITTEN PERSONS. When any dog or other animal subject to rabies has bitten or attacked any person or when any dog or other animal is suspected of having rabies, it shall be the duty of any person having a knowledge of such facts to report the same immediately to the Humane Officer. Such report may be made at the police station or city clerk's office. Such animal shall not be killed but shall be confined in such way and for such period of time as the City Humane Officer shall direct. No person shall release from confinement any such animal or remove such animal from its place of confinement to another place without the consent of the City Humane Officer. The confinement of the animal shall be at the expense of the owner, or custodian, of such animal, and the City Humane Officer shall be empowered in his discretion to order impoundment or examination of such animal, or both, to determine whether it may have rabies. No person shall refuse to surrender any animal for quarantine when demand is made by the order of the City Humane Officer. If the animal dies or is killed, a laboratory examination of the head shall be made. Any person refusing or failing to comply with the provisions of this section or with the order or directives of the City Humane Officer relating thereto shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties set forth under *Section 1-117* of this ordinance.
- 1-115. MAYOR'S PROCLAMATION. Whenever it shall become necessary to safeguard the public from the dangers of hydrophobia or rabies, the Mayor is hereby empowered to issue his proclamation declaring it necessary to muzzle or confine, or both, all dogs in the City.
- 1-116. INTERFERENCE. The City Humane Officer or any properly designated City employee is authorized to enter upon private property for the purpose of enforcing this ordinance. No person shall conceal any dog or break open or destroy an animal pound or shelter or to attempt to take therefrom any dog therein impounded or otherwise interfere with the proper enforcement of this ordinance.
- 1-117. PENALTIES. Any person violating any of these regulations shall be deemed guilty of a misdemeanor, and upon conviction therefore may be fined a sum not exceeding One Hundred Dollars (\$100.00).
- 1-118. ADMINISTRATION. The City Governing Body is hereby authorized to develop whatever administrative regulations as may be necessary to implement the provisions of this ordinance, including procedures for dog enumerations and dog pound operation.
- 1-119. SEVERABILITY CLAUSE. If any word, phrase, clause, item, sentence, paragraph, section or part in or of this ordinance shall judicially be declared to be unconstitutional or the applicability thereof to any person or circumstance is held

invalid, the constitutionality of the remainder of this ordinance shall not be affected thereby.

Section 2

This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in The Coffey County Reporter, the official City paper, as provided by law.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 15th day of October, 1975.

Donald S. Meats, Mayor
ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 240

AN ORDINANCE PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE OR DANGEROUS STRUCTURES AND PROVIDING FOR THE DESIGNATION OF AN ENFORCING OFFICER TO DETERMINE THE CONDITION OF STRUCTURES LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF LEROY, KANSAS.

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

SECTION 1

The provisions of K.S.A. 12-1750 et al in regards to the repair and removal of unsafe or dangerous structures including all definitions and amendments thereto, is hereby adopted by reference by the Governing Body of the City of LeRoy, Kansas.

SECTION 2

All provisions of K.S.A. 12-1750 et al plus amendments shall be given full force and effect for the City of LeRoy, Kansas as if the same were fully set forth herein.

SECTION 3

The enforcing officer shall be the building inspector of the City of LeRoy, Kansas as designated by the city council of the same.

SECTION 4

This ordinance shall take effect and be in full force and effect from and after its passage, approval and publication in The Coffey County Reporter, the official city paper.

Passed by the City Council and approved by the Mayor of the City of LeRoy, Kansas this 7th day of January, 1976.

/s/ Donald S. Meats, Mayor
ATTEST: /s/ Mary I. Schmidt, City Clerk

•ORDINANCE NO. 241

AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

That the regular monthly meeting of the City Council of the city of LeRoy, Kansas shall be the first Monday of each and every month and shall commence at 7:30 o'clock P.M. and shall Be held at the city Hall in the city of LeRoy, Kansas.

Section 2

All other ordinances in regards to the establishment of regular City Council meetings are hereby repealed.

Section 3

This ordinance shall be in force and take effect upon its passage and approval and publication in The Coffey County Reporter, the official city paper.

Passed and approved this 7th day of January, 1976.

/s/ Donald S. Meats, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 242

AN ORDINANCE CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH DEFINING CERTAIN TERMS USED THEREIN, REGULATING THE MANNER IN WHICH GARBAGE AND TRASH SHALL BE PREPARED, COLLECTED AND DISPOSED OF, AUTHORIZING THE MAYOR AND CITY COUNCIL OF LEROY TO ENTER INTO A CONTRACT, UNDER STATED CONDITIONS, FOR THE EXCLUSIVE PRIVILEGE OF COLLECTING AND DISPOSING OF GARBAGE AND TRASH WITHIN THE SAID CITY, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY.

SECTION 1 Definitions.

Garbage – The putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, and also bakery and market waste from the handling, and storage for sale of bakery goods or produce.

Trash – All putrescible and nonputrescible wastes consisting of miscellaneous materials including among other things, paper, tin cans, glass, crockery, fabric, coffee grounds, utensils, pliable cartons, boxes, excelsior, packing, sweepings of dust and dirt, grass trimmings, leaves, wood, non-pliable cratings, boxes or cartons, barrels, wood shavings, metal shavings, shrubbery and tree trimming, discarded furniture, bedding, masonry, ashes, clinkers, and other discarded materials, provided that trash shall not include any materials resulting from building excavation, demolition, or remodeling work, or any construction work, nor shall it include stumps, tree trunks, tree trimmings, and limbs resulting from operations of professional tree trimmers, or the tree trimmings resulting from the cutting down or the topping of any tree, regardless of who performs the work, nor shall it include refuse resulting from tornado, cyclone, extreme wind storms, ice storms, flood, or other act of God, or the burning of any building.

Refuse – All garbage and trash.

Dwelling Unit – A room or group of rooms within a building or structure and forming a single habitable unit with facilities which are used or are intended to be used for living, sleeping, cooking and eating.

Commercial Establishment – Mercantile, industrial, business assembly, public, institutional and all other establishments commonly designated as such or any that may hereafter be designated as such.

Person – Any person, firm, partnership, association, corporation, company or organization of any kind or a governmental body or agency.

Premises – A lot, plot, or parcel of land including the buildings and structures thereon.

Sanitary land-fill – The method of disposing of refuse by depositing the same in an open natural ditch or excavation, compacting the refuse in place and covering the same with sufficient earth, also compacted, to eliminate as far as practicable, unsightliness and the escape of offensive odors.

Contractor – A person with whom the City of LeRoy has a contract to collect and dispose of refuse.

Permit Trash Hauler – Any person duly licensed by the City of LeRoy to collect and dispose of (*illegible*) own trash.

Storage Container – The container in which refuse is to be placed by the occupant of any premises.

The Governing Body of the City of LeRoy may by Ordinance limit or extend these definitions (*illegible*) may give interpretations to words and phrases used in this ordinance.

SECTION 2 Collection of refuse by City

All refuse accumulated within City of LeRoy shall be collected, conveyed and disposed of by the City, or by the employees of said City or by contractors, specifically authorized to collect and dispose of refuse or by persons authorized to dispose of their own trash; provided, that tree stumps, tree trimmings, and limbs over six (6) feet in length, and of weight in excess of fifty (50) pounds or more than three (3) inches in diameter, whether such tree trimming was performed by professional tree trimmers or by person, shall not be collected by the City, its employees or its contractors.

SECTION 3 Contracts

The Governing Body of the City of LeRoy, shall have the right to enter into a contract with any responsible person providing that said contractor shall collect and dispose of all refuse within the City of LeRoy, the terms of the contract to be arranged and determined by the Governing Body of said City and said contract to be awarded to a responsible person after proper invitation or after receiving (*illegible*) whichever, in the judgment of the Governing Body, shall (*illegible*) proper, provided that the contract for the collection and disposal of refuse as herein stated shall in no wise conflict with the terms and conditions of (*illegible*) Ordinance. Contracts entered into by the City for the collection and disposal of trash, garbage or refuse, prior to the effective date of this Ordinance now in force are hereby (*illegible*) ratified and validated.

SECTION 4 Unlawful to Collect or Haul Refuse

It shall be unlawful for any person to collect or haul over the streets in the City of LeRoy, trash, garbage or refuse unless such person shall have a contract with the City of LeRoy; (*illegible*) that this section shall apply to departments of the government of the City of LeRoy; providing further that (*illegible*) in this section shall be construed to prevent a person from hauling or disposing of his trash accumulated at his residence, in such a manner as to endanger the public health, safety, not to create a nuisance to the inhabitants of said City and to litter the streets and alleys of said city and after having obtained a permit from the City Chief of Police to so haul and dispose of his own trash.

SECTION 5 Application for a permit to Haul Trash Only

Any person, the occupant of a dwelling, desiring to collect or transport his own trash over the streets of the City of LeRoy, shall make application for a permit for such purpose to the City Chief of Police. Such application shall set forth the name of the applicant, the address of the applicant and the method and way of hauling and disposal of the trash and waste materials from the City Chief of Police (*illegible*) satisfied that said applicant will dispose (*illegible*) trash in conformity with the terms and provisions of this ordinance, he shall issue a permit to such applicant.

SECTION 6 Terms of Collection

The contractor shall collect and remove garbage and trash and other refuse from the residential districts and commercial establishments one day each week. Large objects of (*illegible*) material which cannot be placed in packer trucks shall be collected and removed at least once each month.

SECTION 7 Method of Disposal

The contractor shall collect all refuse in said city and dispose of thereof by a sanitary land-fill method or by other approved method at a place provided by said contractor and approved by the Governing Body of the City of LeRoy and State Board of Health.

SECTION 8 Cleanliness of Streets, Alley and Public Places

It shall be unlawful for any person to throw, place, deposit or allow to accumulate, leave or cause to be thrown, placed, deposited or left upon any sidewalk, gutter, street, alley, thoroughfare, park, other public grounds, or any city-owned property, any garbage, trash, cast-off machinery, abandoned automobile bodies, tires, junk, filth, dirt, or litter of any kind except by depositing the same in containers provided specifically for such purpose.

SECTION 9 Construction areas

That nothing in the Ordinance shall prevent any person under a permit from the City of LeRoy from encumbering the streets or alleys with building materials or earth as may be necessary for the purpose of construction, erection, adding to remodeling, or repairing any building or structure or resulting improvements, however, that in the event of such encumbering of the streets or alleys, the contractor, owner, or occupant shall remove any and all materials remaining within ten (10) days from the completion of the work, and shall leave the said street or alley in the same condition that they were in prior to such use thereof.

SECTION 10 Obligations of Occupants: Burning Refuse

Every owner or occupant of a dwelling or commercial establishment shall keep his premises in a clean and sanitary condition and free from any accumulations of garbage, rubbish, trash, or other type of refuse, and each owner or occupant of any such premises shall dispose of all garbage and trash and other refuse in a clean and sanitary manner by placing such refuse in an approved storage container at times and places hereinafter described or deposited as provided in *Section 13* hereof; provided that refuse may be burned at times and places and in a manner prescribed in *Sections 17 and 19* in this Article.

SECTION 11 Storage Containers

It shall be the duty of every person in possession, charge or control of any place, premises, dwelling, commercial establishment, building or structure from which garbage or trash accumulates in the City of LeRoy, to provide or cause to be kept or provided suitable containers or enclosures for holding and storing such garbage, trash or other refuse. Such containers or enclosures, shall be wind-proof, water tight, fire resistant and shall be provided with a lightly fitted cover or lid, shall be of a sufficient size to hold accumulations of refuse but shall not exceed thirty (30) gallons capacity and shall be kept closed at all times except when (*illegible*) Garbage or trash (*illegible*) when taking garbage and (*illegible*).

SECTION 12 Type of Containers

The Governing Body may (*illegible*) type and size of containers which refuse may be (*illegible*) owners and occupants of premises.

SECTION 13 Large volume and Items of Refuse

Trash, such as leaves, tree limbs, grass clippings and other large volumes of trash, not suitable to be placed in said containers shall be bagged in disposable containers or bundled and placed at a point convenient for pickup by the Contractor.

SECTION 14 Location of Storage Containers

Containers for the storage of refuse shall be placed and kept by the occupants of premises in the following locations:

- (a) All dwellings and commercial establishments shall place said containers at a suitable location at the edge of an adjacent alley or at such other location as may be designated by the contractor, if such an alley is available or adjacent to said property.
- (b) Where no alley is available and adjacent to said premises said storage containers shall be kept at the rear of the dwelling on said premises, and at a place readily accessible to the contractor, provided that where no alley is adjacent to the rear of the premises the occupants who may so desire may place their storage containers and refuse on the parking in front of their premises on collection days and in such event the contractor shall empty such storage containers at the front of the premises, provided further that where no alley is available, the contractor may designate the proper place at which to keep said storage containers.
- (c) All containers or enclosures shall be maintained in a clean and sanitary manner by the person or persons in possession of the premises which said container or containers serve.

SECTION 15 Storage of Trash and Garbage

Garbage and trash may be placed in the same storage container, but all garbage shall be drained and wrapped before placing said garbage in the container as herein provided.

SECTION 16 Burying Garbage

It shall be unlawful for any person to bury any garbage as herein defined on public or private property without first having obtained a permit from the City Council.

SECTION 17 Garbage Burning

No garbage or other materials described herein as garbage shall be burned at any time except in an incinerator or other appliance constructed specifically for such purposes and approved by the Fire Department, and equipped with a flue, chimney, or smoke stack which will carry the smoke and odors therefrom above surrounding rooftops.

SECTION 18 Fires on Public Property

It shall be unlawful for any person to kindle or maintain any bonfire or any rubbish fire or authorize any such fire to be kindled or maintained on or in any public sidewalk, street, alley, road or other public ground except in authorized fire places in park locations, unless permission from the Fire Department shall have first been obtained.

SECTION 19 Fires on Private Property

No person shall kindle or maintain any bonfire, rubbish fire or trash fire nor permit any such fire to be kindled or maintained on any private property within the established fire limits of the City of LeRoy except in an incinerator properly and safely constructed within a structure and approved by the Fire Department of said City.

No person shall kindle or maintain nor permit to be kindled or maintained outside the established fire limits and within the City of LeRoy and bonfire, rubbish fire or trash fire unless such fire shall be contained in an incinerator constructed and located in accordance with requirements of the CITY FIRE DEPARTMENT.

SECTION 20 Ownership of Refuse

Owner of refuse materials, when placed in the containers by the occupants or owners of premises upon which refuse accumulates, shall be vested in the City, and shall thereafter be subject to the exclusive control of the City, its employees or contractors.

SECTION 21 Construction and Demolition Operations

Noting else where contained in this Ordinance shall be construed as prohibiting construction contractors, tree surgeons, roofers and other private contractors, whose operations result in the accumulations of refuse, from hauling and disposing of accumulations of trash and rubbish resulting from their own operations, provided they shall at all times comply with the regulations and provisions of this Ordinance.

SECTION 22 Unusual Situations

In situations which are not contemplated or considered by the terms and conditions of this Ordinance, the City Chief of Police shall have the power and the authority to grant special rights and privileges on a temporary basis for the collection, hauling and disposal of trash and garbage where such special privileges are required in order to maintain the health and sanitation of the City and its inhabitants or such right and privilege is required to avoid the creation of a public nuisance.

SECTION 23 Charges for Collection and Disposal

The City of LeRoy in providing the service of collecting and disposing of all refuse accumulated within the City for the purpose of preventing unsanitary, unsightly, hazardous, unhealthful and dangerous conditions caused by the accumulation of garbage and trash, shall establish and collect a service charge or fee to defray the cost and maintenance of service and to pay to any person contracting with the City for the collection and disposal of refuse; the fees and charges provided by the contract for the collections and disposal thereof. Such service charges and fees shall be computed, based and charged to the owners or occupants of dwelling units or commercial establishments as nearly as practicable upon the basis of volume or time expended in the collection and disposal thereof.

The following schedule of charges is hereby established as reasonable and in accordance with the volume of refuse handled from the following classifications of residences, dwellings and commercial establishments, to-wit:

- (a) For each single family dwelling or each unit of a multiple – family dwelling containing 3 or less dwelling units \$3.00 per month for each dwelling unit.
- (b) For each commercial establishment, a minimum of \$10.00 per month provided that for each commercial establishment having an average daily accumulation of refuse of (*illegible*) gallons or more, monthly charge shall be made in accordance with a schedule prepared from time to time by the Contractor and approved by the Governing Body of the City of LeRoy, which schedule shall be based upon the volume of refuse or the time expended in collection and disposal thereof.
- (c) For multiple – family dwelling containing more than (*illegible*) dwelling units, the charge or fee shall be established by the Contractor with the approval of the Governing Body and based upon the volume of refuse or the time expended in collection and disposal thereof in the same manner as for commercial establishments.
- (d) Mobile home courts shall have individual home pickup and collection service \$3.00 per month for each mobile home unit.
- (e) For each commercial establishments which is occupied by the owner as residence, minimum of \$5.00 per month.

SECTION 24 Collection and Billing

All fees and charges provided for by this Ordinance shall be collected by the City Clerk of the City of LeRoy, and such charge shall be added to and noted on the monthly utility bills sent to the customers and users of City Utilities and shall be paid in the same manner and at the same time as utility bills. Persons and establishments not connected with the municipal utilities, shall be billed separately at the first of each month and all fees and charges shall be paid on or before the 10th day of the following month. If such fees and charges are not paid as provided above the City, at its option, is authorized to discontinue collection of refuse from the premises of the person thus failing to pay and to discontinue water and sewer services, and such collection shall not be resumed until collection charges against the premises shall have been paid. The discontinuance of service to the City for non-payment of the refuse collection fee shall not relieve any person of his responsibility and obligation to abide by the terms of this Ordinances regarding the removal of garbage, trash and refuse.

The City Clerk shall not have authority to and shall not accept partial payment of a total utility bill.

SECTION 25 Additional Rules

Additional rules and regulations not inconsistent with the terms and provisions of this Ordinance may be promulgated and enforced by the Governing Body of said City.

SECTION 26 Penalties

Any person who shall violate any of the provisions of this ordinance shall upon conviction be punished by a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, and each day of failure to comply with such provisions of this ordinance shall constitute separate offense.

SECTION 27 Effective Date

This ordinance shall take effect and be in force from and after its passage and publication in the official city paper.

Passed by the City Council of LeRoy, January 21st, 1976.

/s/ Donald S. Meats, Mayor

ATTEST: City Clerk /s/ Mary I. Schmidt

•ORDINANCE NO. 243

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON TO SELL, DISPENSE DRINK OR CONSUME CEREAL MALT OR ALCOHOLIC BEVERAGES UPON CERTAIN PLACES, OR TO TRANSPORT CEREAL MALT OR ALCOHOLIC BEVERAGES UPON CERTAIN PLACES, EXCEPT WHERE UNOPENED OR IN-ACCESSIBLE, IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CIT OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

It shall be unlawful to sell, dispense, drink or consume any cereal malt or alcoholic beverages within or upon any street, right-of-way, avenue, alley, public park, thoroughfare, sidewalk, public driveway or parking facility within the City of LeRoy, Coffey County, Kansas; and it shall be unlawful to transport any cereal malt or alcoholic beverages, except when said beverages, are in the original unopened container or are in a rear trunk or rear compartment or any outside compartment which is not accessible to the driver or any other person in or upon said vehicle while it is in motion, in or upon any vehicle within or upon any street, avenue, right-of-way, alley, thoroughfare, sidewalk, public driveway or parking facility within the City of LeRoy, Coffey County, Kansas.

SECTION 2

Any person, or persons violating the provisions of this ordinance, shall upon conviction thereof be punished by a fine of not less than \$5.00 nor more than \$100.00.

SECTION 3

This ordinance shall take effect upon its approval and publication in the Coffey County Reporter, the official city newspaper.

Passed and approved this 7th day of November, A.D., 1977.

Glen Varvel, Mayor

Filed: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 244

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF **ORDINANCE NO. 233**.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

Section 1 of **Ordinance No. 233** is hereby amended to read as follows: The rates charged for water sold by the municipal water plant shall be as follows:

- (a) Minimum charge \$3.50 per month for which sum up to one thousand (1,000) gallons shall be furnished.
- (b) For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rates shall be as follows:
- (c) The next four thousand (4,000) gallons Two Dollars and Fifty cents (\$2.50) per one thousand (1,000) gallons.
- (d) All over five thousand (5,000) gallons, Two Dollars (\$2.00) per one thousand (1,000) gallons.

SECTION 2

That *Section 1* of **Ordinance No. 233** be and the same is hereby repealed.

SECTION 3

This Ordinance shall take effect and be in force from and after its passage, approval and publication in The Coffey County Reporter, the official city paper.

Passed and approved this 1st day of October, 1979.

Glen Varvel, Mayor

Attest: Mary I. Schmidt, City Clerk

•CHARTER ORDINANCE NO. 244a

A CHARTER ORDINANCE EXEMPTING THE CITY OF LEROY, KANSAS, FROM THE PROVISIONS OF K.S.A. 15-201, RELATING TO THE ELECTION OF CITY OFFICERS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

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

Section 1

That the city of Leroy, Kansas, under authority of Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it, K.S.A. 15-201, which applies to said city, but the provisions of which do not apply uniformly to all cities, and to provide substitute and additional provisions on the same subject.

Section 2

That on the first Tuesday in April, 1981, there shall be elected a Mayor and five (5) councilmen from said city. There shall be designated positions of councilman number one, councilman number two, councilman number three, councilman number four and councilman number five. Those officers elected to the positions of councilman number two and councilman number four shall hold their offices for a term of two (2) years. Those officers elected to the position of councilman number one, councilman number three and councilman number five shall hold their offices for a term of four (4) years. The office of Mayor shall be for a term of four (4) years. On the first Tuesday in April, 1983, and every four (4) years thereafter, there shall be elected a councilman for the position of councilman number two and councilman number 4 for a term of four (4) years. On the first Tuesday in April, 1981, and every four (4) years thereafter, there shall be elected a Mayor and councilman for one, councilman number three and councilman number five for a term of four (4) years.

Section 3

In case of a vacancy in the council, occurring by reason of resignation, death, or removal from office or from the city, the Mayor, by and with the advice and consent of the remaining councilman, shall appoint some suitable elector to fill the vacancy until the next election for that office. In case any person elected as a councilman neglects or refuses to qualify within thirty (30) days after his or her election, he or she shall be deemed to have refused to accept such office and a vacancy shall exist, and thereupon the Mayor may, with the consent of the remaining councilmen, appoint some suitable elector to fill said vacancy. In case of a vacancy in the office of Mayor, the President of the council shall become Mayor until the next regular election for that office and a vacancy shall occur in the office of the councilman becoming Mayor.

Section 4

This **Charter Ordinance** shall be published once each week for two consecutive weeks in the official city newspaper.

Section 5

This **Charter Ordinance** shall take effect sixty one (61) days after its final publication, unless a sufficient petition for referendum is filed, as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon the approval by a majority of electors voting at an election on this **Charter Ordinance**.

(missing) members elect voting in favor thereof, and approved by the Mayor this 2 day of April, 1979.

Glen Varvel, Mayor

ATTEST: Mary I. Schmidt

•ORDINANCE NO. 245

AN ORDINANCE FIXING THE MINIMUM WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION 1* OF **ORDINANCE NO. 233**.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

Section 1 of **Ordinance No. 233** is hereby amended to read as follows: The rates charged for water sold by the municipal water plant shall be as follows:

- (a) Minimum charge \$3.50 per month for which sum up to one thousand (1,000) gallons shall be furnished.
- (b) For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rate shall be as follows:
- (c) The next four thousand (4,000) gallons Two Dollars and Fifty cents (\$2.50) per one thousand (1,000) gallons.
- (d) All over five thousand (5,000) gallons Two Dollars (\$2.00) per one thousand (1,000) gallons.

SECTION 2

That *Section 1* of **Ordinance No. 233** be and the same is hereby repealed.

Section 3

This Ordinance shall take effect and be in force from and after its passage, approval and publication in The Coffey County Reporter, the official city paper.

Passed and approved this 4th day of September, 1979.

Eldon Wright, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 246

AN ORDINANCE PROHIBITING CARELESS DRIVING IN THE CITY OF LEROY, KANSAS AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1

Any person who drives, operates or halts any vehicle upon a street or highway in the City of LeRoy, Kansas, in such a manner as to indicate a careless or heedless disregard for the rights or the safety of others, or in such a manner as to endanger or be likely to endanger any person or property, shall be deemed guilty of careless driving.

SECTION 2

Every person convicted of careless driving shall be punished upon a first conviction by a fine of not less than \$10.00 nor more than \$100.00, and on a second or subsequent conviction shall be punished by a fine of not less than \$25.00 nor more than \$500.00.

SECTION 3

This ordinance shall take effect and be in full force and effect from its publication in The Coffey County Reporter, the official city newspaper.

Passed and approved this 3rd day of December, A.D., 1979.

Glen Varvel, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 247

AN ORDINANCE CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH DEFINING CERTAIN TERMS USED THEREIN, REGULATING THE MANNER IN WHICH GARBAGE AND TRASH SHALL BE PREPARED, COLLECTED AND DISPOSED OF, AUTHORIZING THE MAYOR AND CITY COUNCIL OF LEROY TO ENTER INTO A CONTRACT, UNDER STATED CONDITIONS, FOR THE EXCLUSIVE PRIVILEGE OF COLLECTING AND DISPOSING OF GARBAGE AND TRASH WITHIN THE SAID CITY, AND REPEALING **ORDINANCE NO. 242** AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY.

Section 1 Definitions.

Garbage – The putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, and also bakery and market waste from the handling, and storage for sale of bakery goods or produce.

Trash – All putrescible and nonputrescible wastes consisting of miscellaneous materials including among other things, paper, tin cans, glass, crockery, fabric, coffee grounds, utensils, pliable cartons, boxes, excelsior, packing sweepings of dust and dirt, grass trimmings, leaves, wood, non-pliable cratings, boxes or cartons, barrels, wood shavings, metal shavings, shrubbery and tree-trimming, discarded furniture, bedding, masonry, ashes, clinkers and other discarded materials, provided that trash shall not include any materials resulting from building excavation, demolition, or remodeling work, or any construction work, nor shall it include stumps, tree trunks, tree trimmings resulting from the cutting down, or the topping of any tree, regardless of who performs the work, nor shall it include refuse resulting from tornado, cyclone, extreme wind storms, ice storms, flood or other act of God, or the burning of any building.

Refuse – All garbage and trash.

Dwelling Unit – A room or group of rooms within a building or structure and forming a single habitable unit with facilities which are used or are intended to be used for living, sleeping, cooking and eating.

Commercial Establishment – Mercantile, industrial, business assembly, public, institutional and all other establishments commonly designated as such or any that may hereafter be designated as such.

Person – Any person, firm, partnership, association, corporation, company or organization of any kind or a governmental body or agency.

Premises – A lot, plot or parcel of land including the buildings and structures thereon.

Sanitary land-fill – The method of disposing of refuse by depositing the same in an open natural ditch or excavation, compacting the refuse in place and covering the same with sufficient earth, also compacted, to eliminate as far as practicable, unsightliness and the escape of offensive odors.

Contractor – A person with whom the City of LeRoy has a contract to collect and dispose of his own trash.

Storage Container – The container in which refuse is to be placed by the occupant of any premises.

The Governing Body of the City of LeRoy may by Ordinance limit or extend these definitions and may give Interpretations to words and phrases used in the Ordinance.

SECTION 2 Collection of Refuse by City.

All refuse accumulated within the City of LeRoy shall be collected, conveyed and disposed of by the City or by the employees of said City or by contractors specifically authorized to collect and dispose of refuse or by persons authorized to dispose of their own trash; provided that tree stumps, tree trimmings and limbs over six (6) feet in length, and of weight in excess of fifty (50) pounds or more than three (3) inches in diameter, whether such tree trimming was performed by professional tree trimmers or by any person, shall not be collected by the City, its employees or its contractors.

SECTION 3 Contracts.

The Governing Body of the City of LeRoy shall behave the right to enter into a contract with any responsible person providing that said contractor shall collect and dispose of all refuse within the City of LeRoy, the terms of said contract to be arranged and determined by the Governing Body of said City and said contract to be awarded to a responsible person after proper negotiations or after receiving bids, whichever, in the judgment of the Governing Body, shall seem proper, provided that the contract for the collection and disposal of refuse as herein defined shall in no wise conflict with the terms and conditions of this Ordinance. Contracts entered into by the City for the collection and disposal of trash, garbage or refuse, prior to the effective date of this Ordinance or now in force are hereby confirmed, ratified and validated.

SECTION 4 Unlawful to Collect or Haul Refuse.

It shall be unlawful for any person to collect or haul over the city streets in the City of LeRoy any trash, garbage or refuse unless such person shall have a contract with the City of LeRoy; provided further that nothing in this section shall be construed to prevent a person from hauling or disposing of his own trash accumulated at this residence, in such a manner as not to endanger the public health or safety, not to create a nuisance to the inhabitants of said City and not to litter the streets and alleys of said city and after having obtained a permit from the City Chief of Police to so haul and dispose of his own trash.

SECTION 5 Application for a Permit to Haul Trash Only.

Any person, the occupant of a dwelling, desiring to collect or transport his own trash over the city streets of the City of LeRoy shall make application for a permit for such purpose to the City Clerk. Such application shall set forth the name of the applicant, the address of the applicant and the method and site of hauling and disposal of such trash and waste materials. Upon the City Clerk being satisfied that said applicant will dispose of said trash in conformity with the terms and provisions of this ordinance, he shall issue a permit to such applicant.

SECTION 6 Time of Collection.

The contractor shall collect and remove garbage and trash and other refuse from the residential districts and commercial establishments one day (s) each week. Large objects of non-putrescible material which cannot be placed in packer trucks shall be collected and removed at least once each month on request.

SECTION 7 Method of Disposal.

The contractor shall collect all refuse in said city and dispose of thereof by a sanitary land-fill method or by other approved method at a place provided by said contractor and approved by the Governing Body of the City of Leroy and State Board of Health.

SECTION 8 Cleanliness of Streets, Alley and Public Places.

It shall be unlawful for any person to throw, place, deposit or allow to accumulate, leave or cause to be thrown, placed, deposited, or left upon any sidewalk, gutter, street, alley, thoroughfare, park, other public grounds, or any city-owned property, any garbage, trash, cast-off machinery, abandoned automobile bodies, tires, junk, filth, dirt or litter of any kind except by depositing the same in containers provided specifically for such purpose.

SECTION 9 Construction areas.

That nothing in the Ordinance shall prevent any person under a permit from the City of LeRoy from encumbering the streets or alleys with building materials or earth as may be necessary for the purpose of construction, erection, adding to, remodeling, or repairing any

building or structure or resulting improvements, however, that in the event of such encumbering of the streets or alleys, the contractor, owner, or occupant shall remove any and all materials remaining within ten (10) days from the completion of the work, and shall leave the said street or alley in the same condition that they were in prior to such use thereof.

SECTION 10 Obligations of Occupants; Burning Refuse.

Every owner or occupant of a dwelling or commercial establishment shall keep his premises in a clean and sanitary condition and free from any accumulation of garbage, rubbish, trash, or other type of refuse, and each owner or occupant of any such premises shall dispose of all garbage and trash and other refuse in a clean and sanitary manner by placing such refuse in an approved storage container at times and places hereinafter described or deposited as provided in *Section 13* hereof; provided that refuse may be burned at times and places and in a manner prescribed in *Sections 17 and 19* in this Article.

SECTION 11 Storage Containers.

It shall be the duty of every person in possession, charge or control of any place, premises, dwelling, commercial establishment, building or structure from which garbage or trash accumulates in the City of LeRoy, to provide or cause to be kept or provided suitable containers or enclosures for holding and storing such garbage, trash or other refuse. Such containers or enclosures shall be wind-proof, water tight, fire resistant and shall be provided with a tightly fitted cover or lid, shall be of sufficient size to hold thirty (30) gallons capacity and shall be kept closed at all times except when dumping garbage or trash therein or when taking garbage and trash therefrom.

SECTION 12 Type of containers.

The Governing Body may prescribe the type and size of containers in which refuse may be stored by owners and occupants of premises.

SECTION 13 Large volume and Items of Refuse.

Trash, such as leaves, tree limbs, grass clippings, and other large volumes of trash, not suitable to be placed in said containers shall be bagged in disposable containers or bundled and placed at a point convenient for pickup by the Contractor.

SECTION 14 Location of storage containers.

Containers for the storage of refuse shall be placed and kept by the occupants of premises in the following locations:

- (a) All dwellings and commercial establishments shall place said containers at a suitable location at the edge of an adjacent alley or at such other location as may be designated by the contractor, if such an alley is available or adjacent to said property
- (b) Where no alley is available and adjacent to said premises said storage containers shall be kept at the rear of the dwelling on said premises and at a place readily accessible to the contractor, provided that where no alley is adjacent to the rear of the premises the occupants who may so desire may place their storage containers and refuse on the parking in front of their premises on collection days and in such event the contractor shall empty such storage containers at the front of the premises, provided further that whereon alley is available the contractor may designate the proper place of which to keep said storage containers.
- (c) All containers or enclosures shall be maintained in a clean and sanitary manner by the person or persons in possession of the premises which said container or containers serve.

SECTION 15 Storage of Trash and Garbage.

Garbage and trash may be placed in the same storage container but all garbage shall be drained and wrapped before placing said garbage in the container or herein provided.

SECTION 16 Burying Garbage.

It shall be unlawful for any person to bury any garbage as herein defined on public or private property without first having obtained a permit from the City Council.

SECTION 17 Garbage Burning.

No garbage or other materials described herein as garbage shall be burned at any time except in an incinerator or other appliance constructed specifically for such purposes and approved by the Fire Department, and equipped with a flue, chimney, or smokestack which will carry the smoke and odors therefrom above surrounding rooftops.

SECTION 18 Fires on Public Property.

It shall be unlawful for any person to kindle or maintain any bonfire or any rubbish fire or authorize any such fire to be kindled or maintained on or in any public sidewalk, street, alley, road or other public ground except in authorized fire places in park locations, unless permission from the Fire Department shall have first been obtained.

SECTION 19 Fires on Private Property.

No person shall kindle or maintain any bonfire, rubbish fire, or trash fire nor permit any such fire to be kindled or maintained on any private property within the established fire limits of the City of LeRoy except in an incinerator properly and safely constructed within a structure and approved by the Fire Department of said City.

No person shall kindle or maintain nor permit to be kindled or maintained outside the established fire limits and within the City of LeRoy any bonfire, rubbish fire or trash fire, unless such fire shall be contained in an incinerator constructed and located in accordance with requirements of the City Fire Department.

SECTION 20 Ownership of Refuse.

Owner of refuse materials, when placed in the containers by the occupants or owners of premises upon which refuse accumulates, shall be vested in the City, and shall thereafter be subject to the exclusive control of the City, its employees or contractors.

SECTION 21 Construction and Demolition Operations.

Nothing else where contained in this Ordinance shall be construed as prohibiting construction contractors, tree surgeons, roofers, and other private contractors, whose operations result in the accumulations of refuse, from hauling and disposing of accumulations of trash and rubbish resulting from their own operations, provided they shall at all times comply with the regulations and provisions of this Ordinance.

SECTION 22 Unusual Situations.

In situations which are not contemplated or considered by the terms and conditions of this Ordinance, the City Chief of Police shall have the power and the authority to grant special rights and privileges on a temporary basis for the collection, hauling and disposal of trash and garbage where such special privileges are required in order to maintain the health and sanitation of the City and its inhabitants or such right and privileges is required to avoid the creation of a public nuisance.

SECTION 23 Charges for Collection and Disposal.

The City of LeRoy in providing the service of collecting and disposing of all refuse accumulated within the City for the purpose of preventing unsanitary, unsightly, hazardous, unhealthful and dangerous conditions caused by the accumulation of garbage and trash, shall establish and collect a service charge or fee to defray the cost and maintenance of service and to pay to any person contracting with the City for the collection and disposal of refuse; the fees and charges provided by the contract for the collections and disposal thereof. Such service charges and fees shall be computed based and charged to the owners or occupants of dwelling units or commercial establishments or nearly as practicable upon the basis of volume or time expended in the collection and disposal thereof.

The following schedule of charges is hereby established as reasonable and in accordance with the volume of refuse handled from the following classifications of residences, dwellings and commercial establishments, to-wit:

- (a) For each single family dwelling or each unit of multiple-family dwelling containing 3 or less dwelling units - \$2.50 per month, if one person resides in said unit; \$3.50 per month if 2 or more persons live in said dwelling unit.
- (b) For each commercial establishment, monthly charges shall be made in accordance with a schedule which shall be prepared from time to time by the Contractor and approved by the Governing Body of the City of LeRoy, which schedule shall be based upon volume of refuse or the time expended in collection and disposal thereof.
- (c) For multiple-family dwelling containing more than 3 dwelling units, the charge or fee shall be established by the Contractor with the approval of the Governing Body and based upon the volume and refuse or the time expended in collection and disposal thereof in the same manner as for commercial establishments.
- (d) Mobile home courts shall have individual home pickup and collection, \$3.50 per month for each mobile home unit.
- (e) For each commercial establishment which is occupied by the owner as a residence, a minimum of \$5.50 per month.

SECTION 24 Collection and Billing.

All fees and charges provided for by this Ordinance shall be collected by the City Clerk of the City of LeRoy, and such charges shall be added to and noted on the monthly utility bills sent to all customers and user of City Utilities and shall be paid in the same manner and at the same time as utility bills. Persons and establishments not connected with the municipal utilities shall be billed separately at the first of each month and all fees and charges shall be paid on or before the 14th day of the following month. If such fees and charges are not paid as provided above, the City at its option, is authorized to discontinue collection of refuse from the premises of the person thus failing to pay, and such collection shall not be resumed until all collection charges against the premises shall have been paid. The discontinuance of service by the City for non-payment of the refuse collection fee shall not relieve any person of his responsibility and obligation to abide by the terms of this Ordinance regarding the removal of garbage, trash and refuse.

SECTION 25 Additional Rules.

Additional rules and regulations not inconsistent with the terms and provisions of this Ordinance may be promulgated and enforced by the Governing Body of said City.

SECTION 26 Penalties.

Any person who shall violate any of the provisions of this ordinance shall upon conviction be punished by a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day of failure to comply with such provisions of this ordinance shall constitute a separate offense.

This ordinance shall take effect and be in force from and after its passage and publication in the official city paper.

Passed by the City Council of LeRoy, November 5, 1979.

Glen Varvel, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 248

AN ORDINANCE AUTHORIZING A SEWER CONNECTION FEE AND WATER CONNECTION FEE IN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF LEROY, KANSAS:

Section 1

For each premises connected to the City sanitary sewer system a connection fee of \$75.00 shall be paid to the City Clerk and by him deposited in the proper fund.

Section 2

For each water meter connected to the City water system a connection fee of \$175.00 shall be paid to the City Clerk and the additional sum of \$10.00 per meter shall be paid as a meter deposit.

Section 3

The \$10.00 meter deposit provided for in *Section 2*, above, shall be refunded to the person or entity that has paid the same upon surrendering said water meter to the City or upon transferring said meter to any other person or entity who shall then pay the meter deposit and be accepted by the City.

Section 4

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5

Any owner, agent or other person violating any of the provisions of this ordinance shall, upon conviction thereof, be deemed guilty of a misdemeanor and fined a sum not exceeding One Hundred Dollars (\$100.00). Such conviction and such payment of fine shall not relieve the duty and responsibility of paying the sanitary sewer system connection or water meter installation fee, as provided in *Section 2* and *3* of this ordinance.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 27th day of December, 1979.

Glen Varvel, Mayor

ATTEST: Mary I Schmidt, City Clerk

•ORDINANCE NO. 249

AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR THE USE OF THE SANITARY SEWAGE DISPOSAL SYSTEM OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

The Governing Body of the City of LeRoy, Kansas, hereby finds and determines that the rates or charges for the use of and services rendered by the sanitary sewage disposal system of said City shall be as hereinafter specified, subject however, to such changes therein and revisions thereof as may be made from time to time by said City.

Section 2

Sewer Service Charges Established: Monthly service charges shall be paid to the City for the use of the Sewage Disposal System of the City by all persons, firms, corporations, political bodies and political subdivisions who use facilities that are or shall hereafter be connected directly or indirectly to the Sewage Disposal System of said City, as herein provided.

Section 3

Service Charges Payable to Clerk: All money due the City for sewer service charges shall be payable at the office of the Clerk in the same manner, and on the same date as in the case of the bills for water. The Clerk or other representative of the City may calculate the amount of each bill for sewer service charges and add the same to the account of the bill of the customer for water and trash service, and render such customer a combined bill for water, trash and sewer service charge.

Section 4

Sewer service charges for the use of services rendered by the sewage disposal system to be paid to the city shall be \$1.50 per month.

Section 5

When No Service Charge: There shall no service charge for the use of the sewage disposal system for any premises connected with such system for any billing period in which during the entire billing period, no water or sewage of any kind has been discharged into the sewage disposal system from said premises and on which premises the water system has been discontinued for the entire billing period, and there shall be no service charge for any premises having a water connection and having no sewer connection, providing the lack of said sewer connection is due to the fact that said premises are not located within a lateral sewer district within the city.

Section 6

That any Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in force and effect from and after its passage, approval and publication in The Coffey County Reporter, the official city newspaper.

Passed and approved this 27th day of December, 1979.

Glen Varvel, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 250

AN ORDINANCE AMENDING **ORDINANCE NO. 227**, ADDING *SECTION 17* TO SAID **ORDINANCE NO. 227** OF THE CITY OF LEROY, KANSAS.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

SECTION 1

That **Ordinance Number 227** of the City of LeRoy, Kansas, be and the same is amended to read as follows by inclusion of a new *Section 17* therein:

“*Section 17.* Notwithstanding any language to the contrary herein, and specifically notwithstanding any statements to the contrary in *Section 1* of this **Ordinance Number 227**, the Franchisee shall, whenever he receives a request for service from anyone in the City of LeRoy, extend such system to such applicant within a reasonable time not to exceed ninety (90) days at no cost to the applicant for system extension other than the usual connection fees charged to all subscribers. PROVIDED If said request for service results in the extension of the existing system more than two hundred fifty (250) feet, the Franchisee may collect a reasonable installation fee in addition to the usual connection fee charged to all subscribers pursuant to a private agreement solely between the Franchisee and Applicant. Said private agreement shall provide terms for the refund to applicant of the additional installation fee as additional subscribers are added to the extension. PROVIDED FURTHER, that the Franchisee shall, whenever he shall receive a request for service from at least six (6) subscribers within 1,200 feet of his existing system and more than 250 feet from his existing system, extend such system to such subscribers at no cost to the subscriber for system extension other than the usual connection fees charged to all subscribers. In measuring the 250 foot distance or the 1,200 foot distance or any distance of extension as may be necessary according to this franchise agreement, the distance shall be measured in extension length of Franchisee’s cable required for service located within the public way or easement and shall not include the length of the necessary service drop to the subscriber’s home or premises.”

SECTION 2

This Ordinance shall not take effect unless and until the same shall have been read at three (3) regular meeting of the Governing Body of the City and immediately thereafter published in the official city paper, the Coffey County Reporter, once a week for three (3) consecutive weeks and until 10 days from the date of its final passage and then shall take effect only in conformity with the laws of the State of Kansas.

Passed, approved, adopted and ordered published at LeRoy, Kansas this 7th day of July, 1980.

Eldon Wright, Mayor

ATTEST: Mary I. Schmidt, City Clerk

•ORDINANCE NO. 251

AN ORDINANCE DECLARING THE LANDOWNER RESPONSIBLE FOR WATER UTILITY BILLS ARISING OUT OF SERVICE TO THE LANDOWNER’S LAND IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, the City of LeRoy has had difficulty in collecting City water bills from tenants of real property because said tenants often move from the area without notice or forwarding addresses; and

WHEREAS, the City has the authority to ordain that the landowners will be responsible for City water utility bills.

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

1. That the owners of the fee simple title to real estate situated in the City of LeRoy, Kansas, are hereby responsible for payment of water utility bills arising out of water service furnished to an owner’s real estate, irregardless of whether said water service was furnished at the request of the owner, the owner’s tenant, or any other person.

2. This Ordinance shall take effect and be in force from and after its publication in the Coffey County Reporter, the official city newspaper.
Passed by the Governing Body of the City of LeRoy, Kansas, and approved by the Mayor of said city this 2nd day of March, 1981.

Harry E. Ohmie, Mayor
Mary I. Schmidt, City Clerk

•ORDINANCE NO. 252

AN ORDINANCE OF THE CITY OF LEROY, KANSAS, AUTHORIZING AND PROVIDING FOR THE ACQUISITION OF LAND FOR AND THE CONSTRUCTION OF EXTENSIONS, ADDITIONS, AND IMPROVEMENTS TO THE EXISTING SEWER TREATMENT FACILITY: PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF: AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY IMPROVEMENT NOTES IN ANTICIPATION OF FEDERAL AID FROM TIME TO TIME TO PAY THAT PORTION OF SAID COSTS TO BE PAID BY THE CITY AND THAT PORTION OF SAID COSTS TO BE PAID FROM THE PROCEEDS OF AN EXPECTED FEDERAL GRANT: AND AUTHORIZING AND PROVIDING FOR APPLICATION TO THE STATE BOARD OF TAX APPEALS FOR ITS APPROVAL OF THE ISSUANCE OF SAID TEMPORARY IMPROVEMENT NOTES IN ANTICIPATION OF FEDERAL AID.

WHEREAS, the governing body of the City of LeRoy, Kansas, hereby finds and determines it to be necessary to authorize and provide for acquisition of land for and the construction of extensions, additions and improvements to the existing Sewer Treatment Facility; to consist of extensions to the collection system and the addition of a lagoon, together with Plans and Specifications therefore and all necessary related appurtenances hereto (the "Sewer Treatment Facility Project") for the City at a total estimated cost of \$420,960.00 of which the sum of \$250,960.00 is expected to be paid from the proceeds of an anticipated Federal Grant from the United States Environmental Protection Agency, and the balance of said cost, in the amount of \$170,000.00 will be chargeable to the city at large and will be paid from the proceeds of general obligation bonds to be hereinafter issued by the City under the authority of K.S.A. 12-6311, which bonds will be purchased by the United States Department of Agriculture, Farmers Home Administration, through its loan to the City; and

WHEREAS, the City of LeRoy, Kansas has applied for and has received approval of a Federal Grant from the United States Environment Protection Agency in connection with the project, and said Federal Grant commitment is in the amount of \$250,960.00; and

WHEREAS, the City of LeRoy, Kansas, has further applied for a loan from the United States Department of Agriculture, Farmers Home Administration, in connection with the project in the amount of \$170,000.00, which loan will be secured by the City's general obligation bonds; and

WHEREAS, the City of LeRoy, Kansas, is a public agency within the meaning of K.S.A. 12-1662 et seq., as amended and supplemented, and the project constitutes a local program within the meaning of the Act; the United States Environmental Protection Agency is an agency of the United States Government and constitutes a Federal Agency as defined in the Act; the Federal Grant which is to be received by the City from said Federal Agency constitutes Federal Aid within the meaning of the Act; the United States Department of Agriculture, Farmers Home Administration, is an agency of the United States Government and constitutes a Federal Agency, as defined in the Act; and the loan which is to be received by the City from said Federal Agency constitutes Federal Aid within the meaning of the Act; and

WHEREAS, said governing body hereby further finds and determines it to be necessary to make provisions for the temporary financing of the cost of the project, until said Federal Aid is available, and to obtain the approval of the Board of Tax Appeals of the State of Kansas therefore as required by law.

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

It is hereby authorized, ordered and directed that the City of Leroy, Kansas, shall acquire land for constructing extensions, additions and improvements to the existing Sewer Treatment Facility, consisting of extensions to the collection system and the addition of a lagoon, together with Plans and Specifications therefore and all necessary related appurtenances thereto (the "Sewer Treatment Facility Project") in accordance with Plans and Specifications to be developed and prepared by SHELTER GRIFFITH SHELTER, P.A. , Engineers of Iola, Kansas, and which Plans and Specifications are on files in the Office of the City Clerk and are hereby approved by the Governing Body of the City, all under authority of K.S.A. 12-6311, and all of a total estimated cost of \$420,960.00.

SECTION 2

The cost of the project shall be paid from the proceeds of general obligation bonds of the City of LeRoy, Kansas, which shall be hereinafter issued under authority of K.S.A 12-6311, in an amount of not to exceed \$170,000.00, being the share of the total cost of the project to be chargeable to the city at large, and which bonds will be purchased by the United States Department of Agriculture, Farmers Home Administration, as security for its loan to the City; and from the proceeds of a Federal Grant from the United States Environment Protection Agency, for which the City has received a commitment in the amount of \$250,960.00.

SECTION 3

In order to temporarily finance the total cost of the project until the proceeds of the Federal Grant and loan are available, there shall be issued temporary improvement notes in anticipation of federal aid of the City of LeRoy, Kansas, in an aggregate amount of not to exceed \$420,960.00, and which shall be issued from time to time upon subsequent Resolutions of the City, which shall provide the details of the notes, including the fixing of the dates, terms, maturity dates (not exceeding four years from the dates of the notes and redeemable at any time prior to the stated maturity). Provision for any such notes shall be made as funds are needed and required for the orderly construction of the project; and the Mayor and City Clerk of the City of LeRoy, Kansas are hereby authorized and directed to prepare and execute each of said notes in accordance with the terms of this Ordinance and the terms of the subsequent Resolution or Resolutions of the City providing for the same; and the governing body of the City may deliver such notes to persons having claims against the City in connection with th project, or may sell the notes at private sale, at not less than par and accrued interest, and the proceeds of the notes shall be applied to the payment of actual costs and expenses of the project. Any temporary improvement notes in anticipation of federal aid of the City issued under the authority of this *Section* shall be issued under and will contain a recital that they are issued under the authority of K.S.A. 12-6311 and K.S.A. 12-1662 to 12-1668, inclusive, as amended and supplemented, and shall contain all other usual recitals and covenants and be in the form provided by K.S.A. 1980 Supp. 10-123. No such temporary improvement notes in anticipation of federal aid will be issued unless and until approval therefore has been received from the Board of Tax Appeals of the State of Kansas as required by law.

SECTION 4

The Mayor of the City of LeRoy, Kansas, is hereby authorized, ordered, directed and empowered to make application to the Board of Tax Appeals of the State of Kansas for its approval of the issuance of temporary improvement notes in anticipation of federal aid of the City, in an aggregate amount of not to exceed \$420,960.00; and said Mayor, or anyone designated by him, is hereby further specifically authorized, ordered, directed and empowered to do all things necessary to facilitate the granting of such approval, including any necessary appearances before the Board of Tax Appeals of the State of Kansas.

SECTION 5

This ordinance shall be in force and take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of LeRoy, Kansas, on September 21, `1981.

Mayor, Harry E. Ohmie

ATTEST: City Clerk, Mary I. Schmidt

•ORDINANCE NO. 253

AN ORDINANCE RELATED TO THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND DISCHARGE OF WATER AND WASTE IN TO THE PUBLIC SEWER SYSTEM AND PROVIDING PENALTIES FOR VIOLATION THEREFORE IN THE CITY OF LEROY, COUNTY OF COFFE, STATE OF KANSAS.

Be it ordained and inacted by the Council of the City of LeRoy, State of Kansas as follows:

ARTICLE I
DEFINITIONS

Sec. 1

“BOD” (DENOTING biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in milligrams per liter.

Sec. 2

“Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

Sec. 3

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

Sec. 4

“Combined Sewer” shall mean a sewer intended to receive both wastewater and storm or surface water.

Sec. 5

“Garbage” shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Sec. 6

“Industrial Wastes” shall mean liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

Sec. 7

“Natural Outlet” shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 8

“Person” shall mean any individual, firm, company, association, society, corporation, or group.

Sec. 9

“pH” shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Sec. 10

“Properly Shredded Garbage” shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all articles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Sec. 11

“Public Sewer” shall mean a common sewer controlled by a governmental agency or public utility.

Sec. 12

“Sanitary Sewer” shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Sec. 13

“Sewage” shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm waters as may be present.

Sec. 14

“Sewage Treatment Plant” shall mean any arrangement of devices and structures used for treating sewage.

Sec. 15

“Sewage Works” shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Sec. 16

“Sewer” shall mean a pipe or conduit for carrying sewage.

Sec. 17

“Shall” is mandatory: “May” is permissive.

Sec. 18

“Slug” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than

fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

Sec. 19

“Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Sec. 20

“Superintendent” shall mean the Superintendent of Sewage Works of the City of LeRoy, Kansas, or his authorized deputy, agent or representative.

Sec. 21

“Suspended Solids” shall mean solids that either float on the surface of, or are in suspensio in water, sewage, or other fluids, and which are removable by laboratory filtering.

Sec. 22

“Watercourse” shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

Sec. 23

“Wastewater Facilities” shall mean the structures, equipment and process required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

Sec. 24

“Wastewater Treatment Works” shall mean an arrangement of devices and structures for treating waste water, industrial wastes, and sludge. Sometimes used as synonymous with “waste treatment plant” or “wastewater treatment plant” or “water pollution control plant”.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

Sec. 1

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of LeRoy, Kansas, or in any area under the jurisdiction of said city, any human or animal excrement, garbage, or other objectional waste.

Sec. 2

It shall be unlawful to discharge to any natural outlet within the City of LeRoy, Kansas any sewage or other polluted wastes, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Sec. 3

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Sec. 4

The owner of all houses, buildings or property used for human occupancy, employment, recreational or other purposes, situated within the City of LeRoy, Kansas, on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the City, is hereby required at his expense to install a suitable toilet facility therein, and to connect such facility directly with the proper public sewer in accordance with provision of this ordinance within ninety (90) days after date of official notice to do so, provided such public sewer is within one hundred feet (30.5 meters) of the property line.

ARTICLE III

PRIVATE WASTEWATER DISPOSAL

Sec. 1

Where a public sanitary or combined sewer is not available under the provisions of Article II, *Section 4*, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

Sec. 2

Before commencement of construction of private sewage disposal system; the owner shall first obtain a written permission signed by the Superintendent. The application for such permit shall be made on a form furnished by the City in which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the Superintendent. A permit and inspection fee of \$10.00 shall be paid to the City Treasurer at the time the application is filed.

Sec. 3

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work in any state of construction. In any event, the applicant for the permit shall notify the Superintendent when work is ready for final inspection, and before any underground portions are covered. Inspection shall be made within 48 hours of the receipt of notice by the Superintendent.

Sec. 4

At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made within 60 days to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned.

ARTICLE IV

Sec. 1

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.

Sec. 2

There shall be two (2) classes of building sewer permits: (A) For the residential and commercial services, and (B) For the service to establish and produce on industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the City. Permit application shall be supplemented by any plans, specifications, or other information

considered pertinent in the judgment of the Superintendent. A permit inspection fee, of \$10.00 for residential and commercial building sewer permit and \$25.00 for industrial builder sewer permit. It shall be paid to the City Treasurer at the time application is filed.

Sec. 3

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 4

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 5

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.

Sec. 6

The building sewer shall be cast iron soil pipe ASTM specification (A74) or equal; Vitrified clay pipe, ASTM specification (C13) or plastic pipe PVC 1120 SDR41 of ASTM designation D-1784. Joints for PVC pipe shall be either O-ring rubber gasket joints or solvent cemented joints, or equal. All joints shall be tight and waterproof. Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron sewer pipe.

Sec. 7

The size and slope of the building sewer shall be subject to approval of the Superintendent, but in no case shall the diameter be less than four (4) inches. The slope of such four inch pipe shall not be less than one-fourth (1/4) inch per foot. If six inch pipe is required, one-eighth (1/8) inch per foot slope shall be minimum for that size connection.

Sec. 8

Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might therefore be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid on uniform grade and in straight alignment insofar as possible. Changes in direction shall be made with properly curved pipe and fittings.

Sec. 9

In all buildings in which any building drain is too low to permit gravity flow to public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged into the building sewer. The use of any pumping equipment, for which cross connections of a public water supply system are needed is prohibited.

Sec. 10

All excavation required for the installation of a building sewer shall be open trench work unless otherwise approved by Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification (C12-19) except that no backfill shall be placed until the work has been inspected.

Sec. 11

The connection of a building sewer into the public sewer shall be made at the “Y” branch, if such branch is available at a suitable location. If the public sewer is twelve (12) inches in diameter or less, and no properly located “Y” branch is available, the owner shall at his expense install a “Y” branch in the public sewer location specified by the Superintendent. When the public sewer is greater than twelve (12) inches in diameter and no properly located “Y” branch is available, a neat hole may be cut in the public sewer to receive the buildings sewer with entry in the downstream direction at an angle of about forty-five (45o) degrees. A forty-five (45o) degree elbow may be used to make such connection with the spigot end cut so as to extend past the inner surface of the public sewer. The invert of the building sewer at the point of the connection shall be at the point of the connection shall be at the same or a higher elevation as the invert of the public sewer. The smooth, neat joint shall be made, and the connection shall be made secure and water tight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent.

Sec. 12

The application for the building sewer plant shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

Sec. 13

All excavations for public sewer installation shall be adequately guarded with barricades and lights as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed in the course of work shall be restored in a manner satisfactory to the City.

Sec. 14

No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface run-off or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to public sanitary sewer.

ARTICLE V

USE OF THE PUBLIC SEWERS

Sec. 1

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2

Storm water and all other unpolluted drainage shall be discharged to storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process water may be discharged by approval of the Superintendent to a storm sewer, or a natural outlet.

Sec. 3

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/1 as CN in the wastes as discharged to the public sewer.
- (c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, cinders, sand, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk, containers, etc., either whole or ground by garbage grinders.
- (e) Any waters or wastes having (1) a 5-day BOD greater than 300 parts per million by weight, or (2) containing more than 350 parts per million by weight of suspended solids, or (3) having an average daily flow greater than 2 percent of the average sewage flow of the City, shall be subject to the review of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (1) reduce the biochemical oxygen demand to 300 parts per million by weight, or (2) reduce the suspended solids to 350 parts per million by weight, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Sec. 4

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment have an adverse effect on the receiving streams, or can otherwise endanger, life, limbs, public property, or constitute a nuisance,. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty (150o) F (65oC).
- (b) Any water or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150o) F (0 and 65oC).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

- (f) Any waters of wastes containing phenols or other taste of odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (g) Any radioactive wastes of isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- (h) Any waters or wastes have a pH in excess of (9.5).
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids, (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow of concentration of wastes constituting “slugs” as defined herein.
- (j) Waters or wastes containing substances which are not amendable to treatment of reduction by the sewage treatment processes employed or are amendable to treatment only, to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 5

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in *Section 4* of this Article, and which in the judgment of the Superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life to constitute a public nuisance, the Superintendent may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treatment the wastes not covered by existing taxes or sewer charges under provisions of *Section 10* of this Article.

Plans, specifications, and any other pertinent information related to the proposed preliminary treatment facility shall be submitted for approval of the Superintendent and Kansas Department of Health and Environment. No construction of such facilities shall be commenced until such set of approvals re obtained in writing.

Sec. 6

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any other flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8

When required by the Superintendent, the owner of any property serviced by the building sewer carrying industrial waste shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the waters. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 9

All measurement, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point of which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works, and to determine the existence of hazards to life, limbs, and property. (The particular analysis involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hr composites of all outfalls whereas pH's are determined from periodic grab samples).

Sec. 10

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern.

ARTICLE VI

Sec. 1

No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

ARTICLE VII

POWERS AND AUTHORITY OF INSPECTORS

Sec. 1

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Sec. 2

While performing the necessary work on private properties referred to in Article VII, *Section 1*, above, the Superintendent or duly authorized employees of the City shall observe all safety

rules applicable to the premises established by the company and the company shall be held blameless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operating, except as may be caused by negligence or failure of the company to maintain safe conditions as required in Article V, *Section 8*.

Sec. 3

The Superintendent and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII
PENALTIES

Sec. 1

Any person found to be violating any provision of this ordinance except Article VI shall be served by the City with written notice stating the nature of the violation and providing for a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, period of time stated in such notice, permanently cease all violations.

Sec. 2

Any person who shall continue any violation beyond the time limit provided for in Article VIII, *Section 1*, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in the amount not exceeding (100) dollars for each violation. Each 24-hour period in which any such violation shall continue shall be deemed a separate offense.

Sec. 3

Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

ARTICLE IX
VALIDITY

Sec. 1

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 2

Invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given in effect without such invalid part or parts.

ARTICLE X
ORDINANCE IN FORCE

This ordinance shall be in full force and effect from and after its passage, approval, recording and publication as provided by law.

Passed and adopted this 5th day of April, 1982.

Approved this 5th day of April, 1982.

Shane Beard, Mayor

ATTEST: Maryle G. Walters, City Clerk

•ORDINANCE NO. 254

AN ORDINANCE ESTABLISHING A USER CHARGE SYSTEM IN THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS.

WHEREAS, the City of LeRoy, Kansas, has constructed wastewater treatment works; and

WHEREAS, the City must pay all expenses associated with said treatment works and charge the users of said treatment works accordingly;

NOW THEREFORE, BE IT ORDAINED BY THE Board of Councilmen, of the City of LeRoy, Kansas, that the following user charge system be established:

ARTICLE 1

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE 2

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter (mg/l).

Section 2

"Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 200 mg/l and a suspended solids concentration of not more than 200 mg/l.

Section 3

"Operation and Maintenance" shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 4

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

Section 5

“Residential Contributor” shall mean any contributor to the City’s treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Section 6

“School Contributor” shall mean any contributor to the City’s treatment works which is defined as a school by the Statutes of the State of Kansas.

Section 7

“Shall” is mandatory; “May”, is permissive.

Section 8

“SS” (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 9

“Treatment Works” shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping power, and other equipment and their appurtenances, extensions improvement, remodeling, additions, and alterations thereof, elements essential to provide a reliable recycled supply such as a standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing , abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.

Section 10

“Useful Life” shall mean the estimated period during which a treatment works will be operated.

Section 11

“User Charge” shall mean tht portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

Section 12

“Water Meter” shall mean a water volume measuring and recording device, furnished and/or installed by the City of LeRoy or furnished and/or installed by a user and approved by the City of LeRoy.

ARTICLE 3

Section 1

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance

designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works shall be established by this ordinance.

Section 2

That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Article IV, shall be deposited in a separate nonlapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

- (a) An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).
- (b) An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made at least annually, from the operation, maintenance and replacement revenue in the amount of \$980.00 annually.

Section 3

Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund, shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

ARTICLE 4

Section 1

The following classes of users and charges to those users are hereby established:

Class I: Residential Users; Single Family Contributors; Inside City Limits, \$3.00/month for operation and maintenance including replacement plus \$2.00/month for debt service.

Class I A: Residential Users; Single Family Contributors; Outside City Limits, \$3.00/month for operation and maintenance, including replacement plus \$4.00/month for debt service.

Class II: Light Commercial/Institutional Users: Non-residential users which contribute less than 10,000 gallons per month or less than or equal to normal domestic strength wastewater, \$3.00/month for operation and maintenance, including replacement plus \$2.00/month for debt service.

Class III: Heavy Commercial Users: Non-residential users which contribute 10,000 gallons per month or more of less than or equal to normal domestic strength wastewater, \$3.00/month for operation and maintenance, including replacement for first 4,000 gallons of water metered, then \$0.82 for each 1,000 gallons over 4,000 gallons plus \$2.00/month for debt service.

Class IV: Heavy Institutional Users: (Schools) School Sites: Minimum charge \$4.00 per school; provided however, said schools shall be charged monthly for sewer service, which charge shall be based on the percentage of water used by the said schools as the same bears to the total amount of water used by the entire City of LeRoy, Kansas. The reference to percentage shall mean the percentage of annual budget of the sewer system of the City of LeRoy, Kansas. The annual budget of said sewer service shall mean the necessary expense of the operation of

such system including repairs, maintenance, extension and enlargement of the system including new construction and debt service as provided by KSA 12-860 and amended thereto.

Section 2

Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increase in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased cost. The charge to each such user will be as determined by the responsible plant operating personnel and approved by the City Council.

Section 3

The user charge rates established in this article apply to all users, regardless of their location, of the City's treatment works.

ARTICLE 5

Section 1

All users shall be billed monthly. Billings for any particular month shall be made within thirty days after the end of that month. Payments are due when the billings are made. Any payment not received within fourteen days after the billing is made shall be delinquent.

Section 2

A late payment penalty of 10 percent of the user charge bill will be added to each delinquent bill for each thirty days of delinquency. When any bill is sixty days in default, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

ARTICLE 6

Section 1

The City will review the user charge system at least annually, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the cost of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the treatment works.

ARTICLE 7

This ordinance shall be in full force and effect from and after its passage and approval.
Passed by the City Council of the City of LeRoy, Kansas this 5th day of April, 1982.

Mayor, Shane Beard
ATTEST: Maryle G. Walters, City Clerk
Approved this 5th day of April, 1982.
Shane Beard, Mayor
ATTEST: Maryle G. Walters, City Clerk

●ORDINANCE NO. 255

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A GENERAL OBLIGATION SEWER BOND IN THE CITY OF LEROY, KANSAS, IN THE PRINCIPAL AMOUNT OF \$170,000.00, TO PAY A PORTION OF THE COSTS OF THE ACQUISITION OF LAND AND CONSTRUCTION OF EXTENSIONS, ADDITIONS AND IMPROVEMENTS TO THE EXISTING SEWER TREATMENT FACILITY IN SAID CITY; AND PRESCRIBING THE TERMS AND DETAILS OF THE BOND.

WHEREAS, the governing body of the City of LeRoy, Kansas, has heretofore by **Ordinance No. 252**, duly passed and approved September 21, 1981, and published one time in the official city newspaper as required by law on September 23, 1981, authorized the acquisition of land and the construction of extensions, additions and improvements to the existing sewer treatment facility in the City, pursuant to and in accordance with the provisions of K.S.A. 12-631t, at a total estimated cost of \$420,960.00; and

WHEREAS, said **Ordinance No. 252** further made provision for the payment of a portion of the costs thereof by the issuance of general obligation bonds of the City in the amount of \$170,000.00, which bonds will be purchased by the United States Department of Agriculture, Farmers Home Administration, through its loan to the City, and the balance of said costs will be paid from the proceeds of a Federal Grant from the United States Environmental Protection Agency for which the City has a commitment in the amount of \$250,960.00 and

WHEREAS, said governing body hereby finds and determines it to be necessary at this time to authorize and provide for the issuance of a General Obligation Sewer Bond of the City of LeRoy, Kansas, in the principal amount of \$170,000.00, to pay its share of the costs in connection with the abovesaid project; and further to provide for and specify the terms, details, form and conditions of the Bond.

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

SECTION 1

For the purpose of paying the City's portion of the costs of acquiring land and the constructing thereon of extensions, additions and improvements to the existing sewer treatment facility in the City of LeRoy, Kansas, as heretofore authorized by **Ordinance No. 252** of the City, there is hereby authorized, ordered and directed to be issued a General Obligation Sewer Bond (the "Bond") of the City of LeRoy, Kansas. The Bond shall be dated May 10, 1982; shall be designated Series A. 1982; shall be issued in the form of one fully registered Bond, which shall be numbered No. S-1; shall be in the principal amount of One Hundred Seventy Thousand Dollars (\$170,000.00); and shall mature in accordance with the Amortization Schedule attached hereto as Schedule 1 and made a part hereof by reference as though fully set forth herein. The Bond shall bear interest from date at the rate of five percent (5%) per annum on the decreasing balance of the principal amount of the Bond, payable annually on each May 10, beginning May 10, 1983, said payments of Interest to also be in accordance with the Amortization Schedule.

SECTION 2

The payments of both principal and interest on the Bond shall be payable to the Registered Owner of the Bond in lawful money of the United States of America, which on the respective dates of payments is legal tender for the payment of public and private debts. The paying agent for said payments of principal and interest on the Bond shall be the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent"). All payments of principal and interest on the Bond shall be made by check mailed by said Paying Agent to the Registered Owner of the Bond. Upon the full and final payment of the principal of and all interest on the Bond, the Registered Owner will surrender the Bond to the Treasurer of the State of Kansas for cancellation as required by law.

SECTION 3

The Registered Owner of the Bond shall be the United States of America. Acting through the Administrator of the Farmers Home Administration, Finance Office, 1520 Market Street, St. Louis, Missouri 63103 (the "Registered Owner"). All checks for payment of principal of or interest on the Bond will be sent to said Registered Owner addressed as follows: C/O District Office, 2336-C Ridge Court, Lawrence, Kansas 66044.

SECTION 4

The Bond shall be callable and redeemable at the City's option prior to its maturity, on any interest paying date, at par and accrued interest. Any such call for redemption shall be accomplished by the City giving notice published once in the official newspaper of the State of Kansas, and mailing by the United States registered mail to the Registered Owner, at least thirty (30) days, but not more than sixty (60) days, before the call date. Interest to the date of redemption shall be paid on the Bond and interest shall thereafter cease to accrue on the Bond, provided money is available on the date of redemption for full payment of the outstanding principal of the Bond and all interest accrued thereon to date.

SECTION 5

The bond shall be in the form of one fully registered Bond as set out above, and shall contain the usual recitals, including a recital that it is issued under authority of K.S.A. 10-101 to 10-125, inclusive, as amended and supplemented, and K.S.A. 12-631t. The Bond shall be signed by the manual signature of the Mayor, shall have the seal of the City affixed thereon, and shall be attested by the manual signature of the City Clerk.

SECTION 6

The Mayor and City Clerk of the City of LeRoy, Kansas, are hereby empowered, authorized and directed to prepare and execute the Bond in the form and manner hereinbefore specified, without unnecessary delay; and when executed the Bond shall be manually registered in the Office of the City Clerk and in the Office of the Treasurer of the State of Kansas, as required by law. The Bond shall be sold to the Registered Owner as provided by law, and shall be delivered to the Registered Owner upon receipt by the City of the full purchase price therefore, being par, premium, if any, and accrued interest from the date of the Bond to the date of delivery, if any; and the proceeds of the Bond shall be used for the purpose hereinabove stated.

SECTION 7

The full faith, credit and resources of the City of LeRoy, Kansas are hereby pledged to secure the payment of the principal of and interest on the Bond as the same becomes due and payable as set out in the Amortization Schedule. The governing body of the City shall make provision for the payment of said principal and interest on the Bond by levying an annual tax on the property liable therefore in amounts sufficient to pay the installments of said principal and interest on the Bond as the same accrues and becomes payable.

SECTION 8

The City of LeRoy, Kansas hereby covenants with the purchaser and holder of the General obligation Sewer Bond, Series A, 1982, herein authorized, that so long as the Bond remains outstanding and unpaid, the City will make no use of the proceeds of the Bond which, if such use had been reasonably expected on the date of issuance of the Bond, would have caused the Bond to be arbitrage bond within the meaning of Section 103 (c) of the Internal Revenue Code of 1954, as amended; and the City will comply with all applicable requirements of said Section 103 (c) and the Rules and Regulations of the United States Treasury Department thereunder for so long as the Bond remains outstanding and unpaid.

SECTION 9

This Ordinance shall be in force and take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of LeRoy, Kansas, on April 20, 1982.

Shane Beard, Mayor

ATTEST: Maryle G. Walters, City Clerk

•ORDINANCE NO. 256

AN ORDINANCE AMENDING **ORDINANCE NO. 254**, OF THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN THE SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS BY AMENDMENT OF ARTICLE IV, *SECTION I*, CLASS I A AND BY AMENDMENT OF ARTICLE IV, *SECTION I*, CLASS IV.

BE IT ORDAINED by the governing body of the city of LeRoy, Kansas, that **Ordinance No. 254** of said City be amended to read as shown below, otherwise to remain in full force and effect:

1. Article IV, *Section I*, Class I A, is hereby amended to read, "Class I A: Residential Users: Single Family Contributors: Outside City Limits, \$3.00/month for operation and maintenance, including replacement plus \$4.00/month for debt service, which includes a surcharge for money not collected from taxes which would be paid if located inside the City limits."
2. Article IV, *Section I*, Class IV, is hereby amended to read: "Class IV: Heavy Industrial Users: (Schools) School Sites: Minimum charge \$4.00 per school, provided however, said schools shall be charged monthly for sewer service, which charge shall be based on the percentage of water used by the said schools as the same bears to the total amount of water used by the entire City of LeRoy, Kansas. The reference to percentage shall mean the percentage of annual budget of the sewer system of the City of LeRoy, Kansas. The annual budget of said sewer service shall mean the necessary expenses of the operation of such system, including repairs, maintenance, extension and enlargement of the system including new construction and debt service as provided by KSA 12-860 and amendments thereto. The User Charge collected from the school shall be credited to the Operation and Maintenance Account, the Replacement account and the Debt Service Account in the same percentage as they appear in the annual budget of the sewer system for the City of LeRoy."
3. Except as modified above **Ordinance No. 254** of the City of LeRoy, Kansas, shall remain in full force and effect.
4. This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

Passed by the governing body of the city of LeRoy, Kansas, this 7th day of June, 1982.

Shane Beard, Mayor

ATTEST: Maryle G. Walters, City Clerk

•ORDINANCE NO. 257

AN ORDINANCE LEVYING A CITY GROSS EARNINGS TAX ON INTANGIBLES FOR THE YEAR 1982.

Be it ordained by the Governing Body of the City of LeRoy, Kansas:

Section 1

In accordance with the provisions of House Bill No. 3142, Laws of 1982, there is hereby levied in the City of LeRoy, a tax of two and one-fourth percent (2.25%) on the gross earnings from money, notes and other evidence of debt, commonly known as intangibles, having a taxable situs in the City. Such tax is hereby levied for the year 1982, on the gross earnings from such intangibles in the year 1981, and shall be applicable to such earnings and subject to such exemptions as provided by law.

Section 2

This ordinance shall be published once in the official city newspaper, and a copy duly certified shall be transmitted to the county treasurer of Coffey County.

Passed by the Governing Body of the City of LeRoy, this 7th day of June, 1982.

Shane Beard, Mayor

Attest: Maryle G. Walters, City Clerk

•ORDINANCE NO. 258

AN ORDINANCE LEVYING A CITY GROSS EARNINGS TAX ON INTANGIBLES FOR THE YEAR 1983 AND THEREAFTER.

Be it ordained by the Governing Body of the City of LeRoy, Kansas.

Section 1

In accordance with the provisions of House Bill 3142, Laws of 1982, there is hereby levied in the City of LeRoy a tax of two and one-fourth percent (2.25%) on the gross earnings from money, notes and other evidence of debt, commonly known as intangibles, having a taxable situs in the City. Such tax is hereby levied for the year 1983 and thereafter, on the gross earnings from such intangibles, and shall be applicable to such earnings and subject to such exemptions as provided by law.

Section 2

This ordinance shall be published once in the official city newspaper, and a copy duly certified shall be transmitted to the county treasurer of Coffey County.

Passed by the Governing Body of the City of LeRoy, this 7th day of June, 1982.

Shane Beard, Mayor

Attest: Maryle G. Walters, City Clerk

•ORDINANCE NO. 259

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY CLERK OF THE CITY OF LEROY, KANSAS, TO COLLECT A WATER DEPOSIT AND ESTABLISHING A PROCEDURE FOR REFUND OF THE SAME; ESTABLISHING A FEE FOR WATER METER RE-SETS IN THE CITY OF LEROY, KANSAS; AND REPEALING ANY ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City of LeRoy, Kansas, has had difficulty in collecting the bills of some water utility users, and

WHEREAS, the City deems it necessary that a water meter deposit be paid to the Clerk of the city to ensure that there is necessary protection afforded the city for persons or entities delinquent in the payment of water utility bills, now

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

1.

That there is hereby created a water meter deposit fee to be assessed by the city clerk at the onset of water service to a new customer in the City. Said water deposit fee shall be \$50.00 per meter and shall be paid to the clerk before water service is commenced to a new customer.

2.

That after a water customer has paid prescribed water meter deposit fee and has had 12 continuous months of water service without any delinquency in payment of a water bill, \$40.00 of the water meter deposit fee shall be refunded to the customer, the city to retain a balance of \$10.00. Otherwise, the deposit shall be kept by the city until the termination of water service and satisfactory payment of all accounts owed to the city by the customer. The city clerk may apply a final water bill against the water meter deposit fee and refund the balance to the customer at termination of service.

3.

That there is hereby crated a water meter re-set fee of \$40.00 per meter for installation of a meter into an existing water meter well.

4.

That all ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

5.

That this ordinance shall take effect upon its passage and publication in the official city newspaper.

Wyatt Carlton, Protem Mayor

ATTEST: Maryle G. Walters,

•ORDINANCE NO. 260

AN ORDINANCE ESTABLISHING AN EMPLOYEE BENEFITS CONTRIBUTION FUND IN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

The City of LeRoy, Kansas, does hereby establish an employee benefits contribution fund for the purpose of paying the employee benefits prescribed by *Section 2* of this ordinance.

Section 2

The City's share of the cost of employee benefits authorized for payment from the fund created by *Section 1* of this ordinance shall include the following:

- (a) Social Security (FDIC), meeting the employer's contribution;
- (b) Workmen's compensation benefits;

(c) Employment security, unemployment compensation benefits.

Section 3

This ordinance shall take effect upon its passage and publication in the official city newspaper.

Passed by the governing body and approved by the mayor of the City of LeRoy, Kansas, this 23rd day of August, 1982.

Shane Beard, Mayor

ATTEST: Maryle G. Walters, City Clerk

•ORDINANCE NO. 261

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS: INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 1982, AND REPEALING **ORDINANCE NO. 208** AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH, WITH THE EXCEPTION OF **ORDINANCE NO. 246**.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas that certain standard traffic ordinance known as "Standard Traffic ordinance for Kansas Cities", Edition of 1982, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas; such incorporation being authorized by K.S.A 12-3009 through 12-3012, and K.S.A. 12-3301 and 12-3302. Not less than three (3) copies of said standard ordinance shall be marked or stamped "Official Copy as Adopted by **Ordinance No. 261**" and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Police Judge, and all administrative departments of the city charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such standard ordinance similarly marked, as may be deemed expedient.

SECTION 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment for not more than ten (10) days; for a second such conviction within one (1) year thereafter such person shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) or by imprisonment for not more than twenty (20) days, or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment; provided the penalties prescribed in the Standard Traffic Ordinance, incorporated by reference in *Section 1* shall prevail as to violation of its provisions.

SECTION 3

All ordinances of the City of LeRoy, Coffey County, Kansas, in conflict herewith are hereby repealed.

SECTION 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in The Coffey County Reporter.

Passed by the Governing Body of the City of LeRoy, Kansas this 1st day of November, 1982.

Approved by the Mayor this 1st day of November 1982.

Shane Beard, Mayor

Attest: Maryle G. Walters, City Clerk

•ORDINANCE NO. 262

AN ORDINANCE AMENDING **ORDINANCE NO. 227**, SECTION 3 OF THE CITY LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

That **Ordinance No. 227**, Section 3, be and the same is amended to read as follows:

“Section 3. The grantee shall have the authority to promulgate such rules, regulation, terms and conditions of his business as shall be reasonably necessary to enable the grantee to exercise his rights and perform his services under this franchise, and to assure an uninterrupted service to each and all his customers. The grantee shall have the right and power to fix, charge, collect and receive reasonable rates for his community antenna television service with the following prescribed maximums:

“(1) Initial installation to a television receiver at a permanent dwelling, \$9.95; initial installation to a television receiver at a mobile home or trailer, \$14.95; installation of additional outlets, \$14.95;

“(2) Monthly service fee for first receiver at any location, \$11.95;

“(3) Monthly service fee for second receiver at any location, \$1.00;

“(4) Monthly service Fee for third, etc., Receivers located in same location, \$1.00;

“(5) Reconnection charge, \$5.00, move charge \$7.95;

“(6) Monthly service fee for premium channels (e.g. HBO), \$10.50.

Provided that the Governing Body of the City reserves the right, at all times, during the existence of this franchise, to fix and determine the rates charged by the franchise and that any changes in the herein prescribed maximums must be approved in advance by the Governing Body of the City, after a full and open public meeting.”

Passed by the governing body and approved by the mayor of the City of LeRoy, Kansas, this 17th day of January, 1983.

Shane Beard, Mayor

ATTEST: Maryle G. Walters, City Clerk

•ORDINANCE NO. 263

AN ORDINANCE AMENDING **ORDINANCE NO. 247** CONCERNING THE COLLECTION AND DISPOSAL OF GARBAGE AND TRASH, AMENDING THE CHARGES FOR COLLECTION AND DISPOSAL.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY.

Section 1

That *Section 23* of **Ordinance No. 247** in the City of LeRoy, Kansas shall be amended to read as follows:

The City of LeRoy in providing the services of collecting and disposing of all refuse accumulated within the City for the purpose of preventing unsanitary, unsightly, hazardous,

unhealthy and dangerous conditions caused by the accumulation of garbage and trash, shall establish and collect a service charge or fee to defray the cost and maintenance of service and to pay to any person contracting with the City for the collection and disposal of refuse; the fee and charges provided by the contract for the collections and disposal thereof. Such service charges and fees shall be computed based and charged to the owners or occupants of dwelling units or commercial establishments as nearly as practicable upon the basis of volume or time expended in the collection and disposal thereof.

The following schedule of charges is hereby established as reasonable and in accordance with the volume of refuse handled from the following classifications of residences, dwellings and commercial establishments, to-wit:

- (a) For the first refuse pickup for a new customer at a residence, dwelling, or mobile home unit, a charge of \$5.00.
- (b) For each single family dwelling or each unit of a multiple-family dwelling containing 3 or less dwelling units - \$3.00 per month, if one person resides in said unit; \$4.00 per month if 2 or more persons live in said dwelling unit.
- (c) For each commercial establishment, monthly charges shall be made in accordance with a schedule which shall be prepared from time to time by the Governing Body of the City of LeRoy, which schedule shall be based upon volume of refuse of the time expended in collection and disposal thereof.
- (d) For multiple-family dwelling containing more than 3 dwelling units, the charge or fee shall be established by the Contractor with the approval of the Governing Body and based upon the volume of refuse or the time expended in collection and disposal thereof in the same manner as for commercial establishments.
- (e) Mobile home courts, shall have individual home pickup and collection, \$4.00 per month for each mobile home unit.
- (f) For each commercial establishment which is occupied by the owner as a residence, a minimum of \$6.00 per month.

Section 2

That all other provisions of **Ordinance No. [247](#)** are hereby ratified and remain in full force and effect except as specifically repealed by the terms of this Ordinance.

Section 3

Effective Date. This ordinance shall take effect and be in force from and after its passage and publication in the official city newspaper. Passed by the City Council of LeRoy, June 23, 1983.

Shane Beard, Mayor

ATTEST: Catherine A. Meats, City Clerk

[ORDINANCE NO. 264](#)

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas, as follows:

Section 1

That the City of LeRoy, Kansas, is hereby authorized to and does contract with Kansas Gas and Electric Company, a corporation, its successors and assigns for the furnishing by said Company of electric service and equipment to light the streets, alleys, and public places of the City, in accordance with the terms and provisions hereinafter set out, which contract is as follows:

STREET LIGHTING AGREEMENT

THIS AGREEMENT made and entered into this ___ day of _____, 19___, by and between the City of LeRoy, Kansas, hereinafter referred to as City and Kansas Gas and Electric Company, a corporation, its successors and assigns, hereinafter referred to as “Company”.

WITNESSETH:

WHEREAS, the City desires to continue the benefits of a modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same, and supply the necessary electric energy therefore, all in accordance with the terms and provisions hereinafter set out, and it is hereby agreed as follows:

“1. Company will provide, construct and install in place ready for operation, certain street lighting equipment, consisting of lamp post or other supports, brackets, lamps, globes, wiring and supports for wiring , conduits and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places, all as shown on a street lighting Location Map now on file in the City Clerk’s office, bearing the signed approval of the _____ dated _____, which map, with its designations and descriptive, or explanatory data is hereby approved, namely:

THIRTY-THREE (33) 10,000 LUMEN MERCURY VAPOR STREET LIGHTS ON WOOD POLES SERVED OVERHEAD

SEVENTY-SIX (76) 7,000 LUMEN MERCURY VAPOR STREET LIGHTS ON WOOD POLES SERVED OVERHEAD

“All of the above lights are to be served and supplied by overhead conductors, except none.

“Company is to retain ownership of all the foregoing equipment, with right to remove the same upon termination of this Agreement.

“2. Company will also at its sale cost and expense operate and maintain the above-described equipment, including the maintenance and repair of standards, poles, overhead conductor and fixtures, inspection, cleaning of glassware and replacement of lamps during the life of this Agreement. Company will also provide and City will use and purchase from Company all electric energy necessary for the illumination of said lights.

“3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company the sum of the aggregate of the rate per unit for such service embodied in the Company’s street lighting service rate schedule, copy of which is on file with the City Clerk, in the amount of Seven Thousand Six Hundred Four and 61/100 Dollars (7,604.61) annually, plus applicable fuel adjustment, tax adjustment, Research and Development surcharge and any other appropriate adjustments ordered by the State Corporation Commission, or other regulatory tribunal having jurisdiction, such rates and the resultant aggregate annual payment being, however, subject to change or modification, pursuant to order of the State Corporation Commission, or other regulatory tribunal having jurisdiction, subject to the right of either part to review such action in the courts. Each annual payment shall be made in twelve (12) equal monthly installments, payable within fifteen (15) days after receipt of bills from the Company, and to be made at Company’s office in Fort Scott, Kansas.

“4. Upon order or resolution of the Governing Body of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company’s street lighting service rate schedule applicable to said City.

“5. In case of default on the part of City in making payments within two (2) months and fifteen (15) days after receipt of bills therefore, and upon written notice from Company to the effect, addressed to the Governing Body and delivered to the City Clerk, if such default is not remedied in full within thirty (30) days after delivery of such notice to the City Clerk, Company shall have the right, in addition to and without waiving any other remedies, to shut off the electric service to any or all parts of the system until such default is remedied, this Agreement nevertheless, at Company’s option, continuing in full force and effect.

“6. Company agrees to change the location of any street light upon written request of City, providing City shall pay the actual cost of such moving.

“7. Company agrees to protect and save harmless City from any and all loss, damage or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruptions of service due to breakdown of its generating transmission or distribution system, or due to shutdowns necessary to make repairs, or to avoid risk of danger to persons or property or for other interruptions caused by accidents, strikes, fuel shortage or other causes beyond its control.

“8. The Company may supply at its option any type of lamp which the electric industry may later develop in place of lamps in use under this contract, provided that it is proven to the reasonable satisfaction of the Governing Body that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

“9. This Agreement shall be in force and effect for a period of ten (10) years from the date hereof. All other street lighting service agreements, or parts thereof, if any, in conflict with the terms of this Agreement, shall be and the same are hereby repealed.

“IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date above set-forth.

CITY OF LEROY, KANSAS

By _____ Mayor

ATTEST: _____ City Clerk (SEAL)

KANSAS GAS AND ELECTRIC COMPANY

By _____ Vice President

ATTEST: _____ Secretary (SEAL)

Section 2

Upon the passage and approval of this Ordinance and its publication once in the Coffey County Reporter, which publication is hereby directed, two counterparts of the “Street Lighting Agreement” embodied herein shall be prepared and signed in the name of the City by the Mayor, and attested by the City Clerk, with the seal of the City affixed, and when signed on behalf of Kansas Gas and Electric Company by an authorized Officer of the Company, attested by the Secretary or an Assistant Secretary, with the seal of the Company affixed, said Agreement embodied herein shall become effective and constitute a valid and binding contract between the parties thereto, and the signing of such contract and delivery to the City Clerk of one such signed counterpart by Kansas Gas and Electric Company, shall be deemed an acceptance by it of this Ordinance. The other counterpart shall be delivered to the Company.

Passed and approved this 7th day of November, 1983.

Shane Beard, Mayor

ATTEST: Catherine Meats, City Clerk

•ORDINANCE NO. 265

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF **ORDINANCE NO. 233** AND REPEALING **ORDINANCE NO. 245**:

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That *Section one (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“Section 1: The rates charged for water sold by the municipal water plant shall be as follows:

“(a) Minimum charge of \$4.00 per month for which amount up to one thousand (1,000) gallons shall be furnished;

“(b) For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rates shall be:

(1.) For the next four thousand (4,000) gallons, \$3.00 per one thousand gallons;

(2.) For all over five thousand (5,000) gallons, \$2.50 per one thousand gallons.”

SECTION 2

That **Ordinance No. 245** is hereby repealed.

SECTION 3

This ordinance shall take effect and be in force from and after its passage, approval and publication in the Coffey County Reporter, the official city newspaper.

Passed by the City Council and approved by the Mayor this 4th day of June, 1984.

Shane Beard, Mayor

ATTEST: Lori McCullough, City Clerk

•**ORDINANCE NO. 266**

AN ORDINANCE AMENDING **ORDINANCE NO. 247**, REQUIRING THE PURCHASE OF A PERMIT BY ANY PERSONS, CORPORATIONS, OR ENTITIES OF ANY NATURE IN THE CITY WHO ELECT NOT TO BE SERVED BY THE CITY’S CONTRACT REFUSE SERVICE; AND OTHERWISE KEEPING SAID **ORDINANCE NO. 247** IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS;

SECTION 1

That **Ordinance No. 247** of the City of LeRoy, Coffey County, Kansas, shall be amended by the addition of the following language as *Section 4a* thereof:

“*SECTION 4a.* There shall be a fee charged for an annual permit of \$25.00 and the permit shall be good for the calendar year during which the same is purchased and shall expire on December 31. The permit fee is due on or before January 15 of each year or within 30 days after the establishment of residency or occupation of premises in the city or within 30 days after the termination of subscription to the city’s contract refuse service. Any other language in this ordinance notwithstanding, the city clerk shall issue the permit and accept the permit fees.”

SECTION 2

That the provisions of **Ordinance No. 247** shall remain in full force and effect except as amended by the language contained in *Section 1* immediately above.

SECTION 5

That this ordinance shall take effect and be in force from and after its publication in the Coffey County Reporter, the official city paper.

Passed by the City Council and approved by the Mayor this 7th day of February, 1984.

Shane Beard, Mayor

ATTEST: Catherine A. Meats, City Clerk

•ORDINANCE NO. 267

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF **ORDINANCE NO. 233** AND REPEALING **ORDINANCE NO. 245**.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That *Section One (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“*Section 1.* The rates charged for water sold by the municipal water plant shall be as follows:

“(a) Minimum charge of \$4.00 per month for which amount up to one thousand (1,000) gallons shall be furnished;

“(b) For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rates shall be:

- (1) For the next four thousand (4,000) gallons, \$3.00 per one thousand gallons;
- (2) For all over five thousand (5,000) gallons, \$2.50 per one thousand (1,000) gallons.”

SECTION 2

That **Ordinance No. 245** is hereby repealed.

SECTION 3

This ordinance shall take effect and be in force from and after its passage, approval and publication in the Coffey County Reporter, the official city newspaper.

Passed by the City Council and approved by the Mayor this 4th day of June, 1984.

Shane Beard, Mayor

ATTEST: Lari McCullough, City Clerk

•ORDINANCE NO. 268

AN ORDINANCE ESTABLISHING AMENDING *SECTION ONE* OF **ORDINANCE NO. 227**; PROVIDING FOR THE EXTENSION OF **ORDINANCE NO. 227** FOR FIFTEEN (15) ADDITIONAL YEARS FROM JUNE 1, 1984; AND PROVIDING FOR INSTALLATION FOR SUBSCRIBERS TO SERVICE WITHIN CORPORATE LIMITS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That *Section One (1)* of **Ordinance No. 227** is hereby amended to read as follows:

“*Section 1.* There is hereby granted to Kyle Moore, Box 365 Cordell, Oklahoma and Albert M. Burrell Box 473, Burlington, Kansas, d/b/a LeRoy Community TV (hereafter called “grantee”) and their successors and assigns for the term of fifteen (15) additional years from June 1, 1984, the right to construct and operate a community antenna and closed circuit electronic system within the City of LeRoy, Kansas (hereinafter called “City”) to furnish and sell the service from such system to the inhabitants of the City and other public places within the city to construct and operate the system. In consideration to hookup any subscribers within the corporate limits of the city and make necessary service extensions to do so without any additional fee or charge other than the usual hookup fee where service extension was not required.”

SECTION 2

This ordinance shall take effect and be in force from and after its passage, approval and publication in the Coffey County Reporter, the official city newspaper.

Passed by the City Council and approved by the Mayor this 4th day of June, 1984.

Shane Beard, Mayor

ATTEST: Lari McCullough, City Clerk

•ORDINANCE NO. 269

AN ORDINANCE PROHIBITING TURNS ACROSS THE CENTER LINE OF A TWO-WAY STREET IN THE CITY OF LEROY, KANSAS, FOR PURPOSES OF PARKING ON SAID STREET OR PROCEEDING IN THE OPPOSITE DIRECTION ON SAID ROADWAY, EXCEPT AT INTERSECTIONS WHERE U-TURNS ARE NOT PROHIBITED, AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS;

SECTION 1

It shall be unlawful for the driver of any vehicle to turn such vehicle across the center line of any two-way through street within the city limits of the City of LeRoy, Kansas, for the purpose of parking on said street or proceeding in the opposite direction on said street or roadway, except at intersections where U-Turns are not prohibited.

SECTION 2

Every person convicted of a violation of this ordinance shall be punished upon a first conviction by a fine of not less than \$10.00, nor more than \$100.00 and on a second or subsequent conviction shall be punished by a fine of not less than \$25.00, nor more than \$500.00.

SECTION 3

This ordinance shall take effect and be in full force and effect from its publication in the Coffey County Reporter, the official city newspaper.

Passed and approved this 5th day of November, A.D. 1984.

Shane Beard, Mayor

ATTEST: Lari McCullough, City Clerk

•ORDINANCE NO. 270

AN ORDINANCE PROHIBITING MINORS FROM ENTERING INTO OR REMAINING IN ANY ESTABLISHMENT WHICH SELLS CEREAL MALT BEVERAGES OR ALCOHOLIC LIQUORS FOR CONSUMPTION ON THE PREMISES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That persons who are younger than the minimum age for possession or consumption of cereal malt beverages or alcoholic liquors, as defined by law of the state of Kansas, are hereby prohibited from entering into or remaining in any commercial establishment which sells or serves either cereal malt beverages or alcoholic liquors for consumption on the premises unless said persons are accompanied by a parent or legal guardian who is of legal drinking age.

SECTION 2

That it shall be the responsibility of those persons and establishment possessing cereal malt beverage licenses and alcoholic liquor licenses to enforce this ordinance by preventing entry of unauthorized persons into their establishments and failure to do so shall be a misdemeanor under the laws of the city of LeRoy and shall result in the suspension of the person's or establishment's license for a period of time not to exceed one (1) year, a fine of up to \$500.00, or both such suspension and fine.

SECTION 3

That **Ordinance No. 95**, Sections 7, 8, and 9 are hereby repealed.

SECTION 4

That this ordinance shall take effect and be in force from and after its publication in the Coffey County Reporter, the official city paper.

Passed by the City Council and approved by the Mayor this 4th day of February, 1985.

Wyatt Carlton, Mayor

ATTEST: Lari McCullough, City Clerk

•ORDINANCE NO. 271

AN ORDINANCE ANNEXING CERTAIN LAND TO THE CITY OF LEROY, COFFEY COUNTY, KANSAS, PURSUANT TO AND UNDER TH AUTHORITY OF KSA 12-519 ET SEQ. AND AMENDMENTS THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That the following described tracts of land, to-wit:

Tract "A": A tract commencing forty (40) rods north of the Southwest corner of the Northeast Quarter (NE ¼) of Section Thirty-four (34) of Township Twenty-two (22) South, Range Sixteen (16), East of the Sixth Principal Meridian thence running east Twenty (20) rods, then north Forty (40) rods, thence west Twenty (20) rods, thence south Forty (40) rods to the point of beginning, containing five (5) acres, more or less, and

Tract "B": The south ten (10) acres of the East half (E ½) of the Northeast Quarter (NE ¼) of Section Thirty-four (34), Township Twenty-two (22) South, Range Sixteen (16), East of the Sixth Principal Meridian,

Both tracts meeting one or more of the conditions for annexation prescribed by K.S.A. 12-520, are hereby annexed and are hereby made a part of the City of LeRoy, Coffey County, Kansas.

SECTION 2

This ordinance shall take effect and be in force from and after its publication in the Coffey County Reporter, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Coffey County, Kansas, this 8th day of September, 1986.

Wyatt Carlton, Mayor

ATTEST: Rhonda K. McCombs, City Clerk

•ORDINANCE NO. 272

AN ORDINANCE RENAMING THE FOLLOWING STREETS: SEVENTH STREET, EIGHTH STREET, NINTH STREET, TENTH STREET, BISMARK STREET, BROADWAY STREET, A STREET, AND DIVISIO STREET, ALL IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, the existing system of street numbers and names in the City of LeRoy has resulted in an ongoing state of confusion and administrative difficulty, and

WHEREAS, the City desires to improve the system of street numbers and names by lending further consistency and continuity to the system, now therefore

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1

That the streets originally named “Seventh Street”, “Eighth Street”, “Ninth Street” and “Tenth Street” are hereby renamed and designated as “Ninth Street”, “Tenth Street”, “Eleventh Street”, and “Twelfth Street”, respectively.

SECTION 2

That the street that was originally named, in successive segments, “Bismark Street”, “Broadway Street”, “A Street”, and “Division Street”, is hereby renamed and designated for its full length, as “A Street”.

SECTION 3

That all ordinances, resolutions, and other enactments which heretofore referred to or applied to the above streets as originally named shall hereafter be considered to apply to those streets as renamed and designated.

SECTION 4

This ordinance shall become effective upon its publication in the Coffey County Reporter, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 8th day of September, 1986.

Wyatt Carlton, Mayor

ATTEST: Rhonda K. McCombs, City Clerk

•ORDINANCE NO. 273

AN ORDINANCE ESTABLISHING AN EMPLOYEE BENEFITS CONTRIBUTION FUND IN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

SECTION 1

The City of LeRoy, Kansas does hereby establish an Employee Benefits Contribution Fund for the purpose of paying the employee benefits prescribed by *Section 2* of this Ordinance.

SECTION 2

The City is authorized to pay the following from the Employee Benefits Contribution Fund created by *Section 1* of this Ordinance.

- a. Social Security (FICA), the employers contribution and the employees contribution;

- b. Workmen's Compensation Insurance Premiums;
- c. Employment Security, and Unemployment Compensation Insurance Premiums; and
- d. Medical, health, and hospitalization insurance premiums.

SECTION 3

That **Ordinance No. 260** is hereby repealed.

SECTION 4

This Ordinance shall take effect upon its passage and publication in the Coffey County Reporter, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 23rd day of March 1987.

Wyatt Carlton, Mayor

ATTEST: Rhonda K. McCombs

•ORDINANCE NO. 274

AN ORDINANCE AUTHORIZING AND ESTABLISHING HOSPITALIZATION, HEALTH, AND ACCIDENT INSURANCE POLICIES FOR ALL FULL TIME EMPLOYEES OF THE CITY OF LEROY, KANSAS; PROVIDING FOR THE COSTS THEREOF AND FUNDS THEREFORE; CREATING AN INSURANCE FUND; PROVIDING FOR THE FINANCING OF THE PLAN AND PROVIDING FOR THE MANAGEMENT AND ADMINISTRATION OF THE PLAN.

WHEREAS, the Governing Body of the City of LeRoy, Kansas deems it necessary to provide hospitalization, health, and accident insurance policies for all full time employees of the City of LeRoy, Kansas.

NOW, THEREFORE, be it ordained by the Governing Body of the City of LeRoy, Kansas:

SECTION 1

Employee's hospitalization, health and accident insurance fund.

The Governing Body has heretofore by **Ordinance No. 273** established an "Employee Benefits Contribution Fund" for the purpose of paying the City's share of medical, health and hospitalization insurance. Employee's hospitalization, health and accident insurance premiums shall be paid from said "Employee Benefits Contribution Fund".

SECTION 2

Coverage of full time employees; family of employee covered; payroll deduction.

When the Governing Body provides hospitalization, health and accident insurance for the benefit of all full time employees of the City, such employee shall be covered by such insurance upon filing with the City Clerk, in writing, his or her election to have coverage under the said insurance. The City shall pay the premium for the cost of a single policy for each individual employee who elects to be covered up to a maximum of \$125 per month. The premium shall be paid out of the "Employee Benefits Contribution Fund". Any such employee who has filed with the City Clerk in writing his or her election to have other members of his or her family included in such insurance plan shall be considered as having such members as included therein insofar as such insurance plan permits and such written election shall constitute authorization to the city to deduct from such employee's compensation such amount at each compensation payment time as will, with the payment contributed by the city, be sufficient at premium payment time to pay the entire premium due on such group insurance. Such written election shall continue in effect until

the employee files a written statement with the city indicating his or her election to be excluded from such plan.

SECTION 3

City Clerk to certify an amount deducted.

The city clerk shall at the close of the calendar year certify in writing to each employee from those compensation deductions were made during the year the amount deducted during the year. Appropriate records showing such deductions shall be kept by the City Clerk.

SECTION 4

Appropriation to Fund.

There shall from time to time be appropriated to said fund by the Governing Body of the City of LeRoy such sums of money as shall in the opinion of the Governing Body, be necessary to meet the obligations of the City arising from contracts entered into by the City of LeRoy, as provided by *Section 5* of this Ordinance.

SECTION 5

Insurance Contracts.

The Governing Body of the City of LeRoy shall enter into such insurance contracts with an insurance company or companies which shall in the opinion of the Governing Body, be to the best interest of the City of LeRoy.

SECTION 6

Effective Date of Plan.

The Insurance provided under this plan shall become effective on the 23rd day of March, 1987.

SECTION 7

Expenditures from Fund.

All money shall be paid from such fund upon vouchers approved by the Governing Body of the City of LeRoy, Kansas in the same manners as other City expenditures are made.

SECTION 8

This Ordinance shall take effect and be in force from and after its passage, approval, and publication in the Coffey County Reporter, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 23rd day of March, 1987.

Wyatt Carlton, Mayor

ATTEST: Rhonda K. McCombs, City Clerk

•ORDINANCE NO. 275

AN ORDINANCE DEFINING THE CORPORATE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

The City of LeRoy is hereby declared to comprise and include the following, to-wit:

The original townsite of LeRoy according to the recorded plat thereof on file in the office of the Register of Deeds of Coffey County, Kansas, less all of Blocks 78, 79, 85, 86, 92, 93, and 94; and those parts of Blocks 64, 65, 71, 72, 73, 80, 81, 87, 88, and 95 lying south of the center line of the Neosho river; North LeRoy Addition; Robinson's Addition; Wilkinson's Addition; Scott's Addition; and East LeRoy Addition, according to the recorded plats thereof on file in the Office of the Register of Deeds of Coffey County, Kansas; a tract commencing Forty (40) rods North of the Southwest Corner of the Northeast quarter (NE ¼) of Section Thirty-four (34) of Township Twenty-two (22) South, Range Sixteen (16) East of the Sixth Principal Meridian, thence running East Twenty (20) rods, thence South Forty (40) rods, thence South Forty (40) rods to the point of beginning, containing Five (5) acres, more or less; and the South Ten (10) acres of the East Half of the Northeast Quarter (E ½ NE ¼) of Section Thirty-four (34), Township Twenty-two (22) South, Range Sixteen (16) East of the Sixth Principal Meridian.

This Ordinance shall take effect and be in force from and after its publication in the Coffey County Reporter, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Coffey County Kansas, this 6th day of July, 1987.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 276

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF **ORDINANCE NO. 233**, AND REPEALING **ORDINANCE NO. 267**.

Be it Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That *Section One (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“*Section 1.* The rates charged for water sold by the municipal water plant shall be as follows:

- a. A minimum charge of \$4.50 per month for which amount up to one thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of one thousand (1,000) gallons in any one (1) month the rate shall be:
 1. For the next four thousand (4,000) gallons, \$3.50 per one thousand (1,000) gallons;
 2. For all water furnished over five thousand (5,000) gallons, \$3.00 per one thousand (1,000) gallons.”

Section 2

That **Ordinance No. 267** is hereby repealed.

Section 3

This Ordinance shall take effect and be in force from and after its passage, approval, and publication in the Coffey County Reporter, the official city newspaper.

Passed by the City Council and approved by the Mayor this 8th day of September, 1987.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

●ORDINANCE NO. 277

AN ORDINANCE PERTAINING TO THE KEEPING OF ANIMALS WHICH ARE INHERENTLY DANGEROUS OR DESTRUCTIVE, VICIOUS DOGS, AND WILD ANIMALS, WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Animals: Keeping Prohibited. It shall be unlawful to keep, harbor, own, or in any way possess within the corporate limits of the City of LeRoy, Kansas:

- (1) Any warm blooded, carnivorous or omnivorous, wild or exotic animal, including but not limited to nonhuman primates, raccoons, skunks, foxes, and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes.
- (2) Any animal having poisonous bites.
- (3) Any vicious dog which is defined to mean any dog which by virtue of its breeding, training, characteristics, behavior or other factors, the owner or custodian thereof knows or has reason to know has a propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings.
- (b) Rebuttable Presumption. There shall be a rebuttable presumption that a pit bull dog is a vicious dog. "Pit bull dog" shall mean:
 - (1) the bull terrier breed of dog;
 - (2) the Staffordshire bull terrier breed of dog
 - (3) the American pit bull terrier breed of dog;
 - (4) the American Staffordshire terrier breed of dog; or
 - (5) dogs of mixed breed or of other breeds than above listed which breed or mixed breed is commonly known as pit bulls, pit bull dogs, or pit bull terriers.

Section 2

Keeping of Vicious dogs.

The provisions of *Section 1* of this ordinance are not applicable to owners, keepers, or harborers of vicious dogs duly licensed and registered with the City of LeRoy as of the 10th day of June, 1987, in compliance with **Ordinance No. 239**, or as of the effective date of this ordinance. The keeping of such dogs, however, shall be subject to the following standards:

- (1) Leash and Muzzle: No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a vicious dog to be kept on a chain, rope, or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all vicious dogs on a leash outside of the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
- (2) Confinement. All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel, or structure must have secure sides and a secure top attached to the sides. All structures used to confine vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house vicious dogs must comply with all zoning and building regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.
- (3) Confinement Indoors. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building of its own violation. In addition, no such animal may be kept in a house or structure when the windows are open

or when screens or screen doors are the only obstacle preventing the dog from exiting the structure.

- (4) Signs. All owners, keepers or harborers of vicious dogs within the city shall within ten (10) days of the effective date of this ordinance display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog". In addition, a similar sign is required to be posted on the kennel or pen of such animal.
- (5) Insurance. All owners, keepers, or harborers of vicious dogs must within ten (10) days of the effective date of this ordinance provide proof to the LeRoy City Clerk of public liability insurance in a single incident amount of \$50,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the LeRoy City Clerk.
- (6) Identification Photographs. All owners, keepers or harborers of dogs must within ten (10) days of the effective date of this ordinance provide to the City Clerk two color photographs of the registered animal clearly showing the color and approximate size of the animal.
- (7) Reporting Requirements. All owners, keepers or harborers of vicious dogs must within ten (10) days of incident, report the following information in writing to the LeRoy City Clerk as required hereinafter:
 - (a) the removal from the city or death of a vicious dog;
 - (b) the birth of offspring of a vicious dog;
 - (c) the new address of a vicious dog owner should the owner move within the corporate city limits.
- (8) Sale or Transfer of Ownership Prohibited. Sale – No person shall sell, barter or in any other way dispose of a vicious dog registered within the city to any person within the city unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such dog; provided that the registered owner of a vicious dog may sell or otherwise dispose of a registered dog or the offspring of such dog to persons who do not reside within the City.
- (9) Animals Born of Registered dogs. All offspring born of vicious dogs registered within the City must be removed from the city within six (6) weeks of the birth of such animal.
- (10) Irrebuttable Presumptions. There shall be an irrebuttable presumption that any dog registered within the city as a pit bull dog or any of those breeds prohibited by this ordinance is in fact a dog subject to the requirements of this ordinance.
- (11) Failure to comply. It shall be unlawful for the owner, keeper or harborer of a vicious dog registered within the City of LeRoy to fail to comply with the requirements and conditions set forth in this ordinance. Any dog found to be the subject of a violation of this ordinance shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal resulting in the immediate removal of the animal from the City.
- (12) Violations and Penalties. Any person violating or permitting the violation of any provision of this ordinance shall upon conviction in Municipal Court be fined a sum not less than \$200.00 and not more than \$1,000.00. In addition to the fine imposed the court may sentence the defendant to imprisonment in the county jail for a period not to exceed thirty (30) days. In addition, the court shall order the registration of the subject vicious dog revoked and the dog removed from the City. Should the defendant refuse to remove the dog from the City, the municipal court judge shall find the defendant owner in contempt and order the immediate confiscation and impoundment of the animal. Each day that a violation of this ordinance continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this ordinance.
- (13) Severability. If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision shall not affect the validity of the remaining portions of this ordinance.

Section 3

This ordinance shall take effect and be in full force from and after its publication in the official city newspaper.

PASSED by the City Council this 7th day of December, 1987.

APPROVED AND SIGNED by the Mayor this 7th day of December, 1987.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 278

AN ORDINANCE AMENDING *SECTION 1* OF **ORDINANCE NO. 144** OF THE CITY OF LEROY, KANSAS PERTAINING TO THE LICENSE FEE OF PERSONS, FIRMS, AND CORPORATIONS ENGAGED IN THE SELLING OF CEREAL MALT BEVERAGES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That *Section 1* of **Ordinance No. 144** of the City of LeRoy, Kansas, be and hereby is amended to read as follows:

The license fee of persons, firms and corporations engaged in the retail sale of cereal malt beverages within the city limits of LeRoy, Kansas, are hereby prescribed as follows:

- (a) For each place of business selling only at retail cereal malt beverages in original and unbroken containers, and not for consumption on the premises, \$50.00 per calendar year.
- (b) For each other place of business selling cereal malt beverages at retail, \$50.00 per calendar year.

Provided, that when any license shall be issued on or after August 1 in any year, the fee required for such calendar year shall be the sum of \$50.00 for the remainder of such calendar year regardless of the type of license applied for and issued.

Section 2

This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Council and approved by the Mayor this 1st day of February, 1988.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 279

AN ORDINANCE REQUIRING THE PURCHASE OF A KANSAS RETAIL STAMP.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

- (a) That each cereal malt beverage license issued pursuant to **Ordinance No. 144** of the City of LeRoy, Kansas shall have affixed to it a Kansas Department of Revenue Stamp and no retailer's license shall be issued or renewed unless and until such stamp has first been affixed thereto.
- (b) Each applicant for a cereal malt beverage license or renewal of such license, shall submit at the time of making application or renewal for said license, in addition to any license fee, a fee of twenty-five (\$25.00) for the revenue stamp provided for under subsection (a).
- (c) All fees collected by the City Clerk pursuant to the provisions of this section shall be remitted by the Clerk, along with a copy of the completed application of the licensee to

the Kansas Department of Revenue, Division of Alcoholic Beverage Control at such times and in the manner as required by the director of Alcoholic Beverage Control of the Department of Revenue.

Section 2

This ordinance shall take effect and be in full force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 1st day of February, 1988.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 280

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF \$86,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 1988 OF LEROY, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS WHICH ARE, OR WILL BECOME AVAILABLE, TO REFUND CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS; PRESCRIBING THE FORM AND DETAILS OF SAID REFUNDING BONDS;

WHEREAS, The City of LeRoy, Kansas, (the "City"), also hereinafter referred to as (the "Issuer"), has heretofore duly authorized, issued and delivered One Hundred Seventy Thousand Dollars (\$170,000) principal amount of General Obligation Sewer Bonds, Series A, 1982, dated May 10, 1982; and

WHEREAS, as of June 29, 1988, there remains outstanding of the Series A-1982 bonds the principal amount of \$155,000 being bond number 1 bearing interest payable annually on May 10 each year and maturing on May 10, 2012.

WHEREAS, the City has determined and hereby determines that it is in the best interest of the City and its inhabitants and taxpayers thereof that the outstanding bond as described above the aggregate principal amount of \$155,000 (the "Outstanding Bonds") be refunded and that general obligation refunding bonds be issued in the principal amount of \$86,000 for such purpose; and

WHEREAS, such refunding would help the City achieve interest cost savings on its bonded indebtedness, provide a more orderly plan of financing for the City and result in a general restructuring of the debt service obligation of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS, COFFEY COUNTY, KANSAS:

Section 1

Authorization of Bonds. That for the purpose of providing funds to refund and pay the Outstanding Bond, there shall be and hereby are issued General Obligation Refunding Bonds, Series 1988-A of LeRoy, Kansas, in the aggregate principal amount of \$86,000 (the "Bonds") as provided by K.S.A. 10-427 et seq. and Article 1 of Chapter 10, K.S.A., all as amended.

Section 2

Description of Bonds. That the Bonds shall consist of certificated and/or uncertificated fully registered bonds without coupons, in the denomination of \$5,000 or integral multiples thereof except for one bond in the amount of \$1,000.00 not exceeding the principal amount of Bonds maturing on any maturity date of the Bonds, said Bonds being dated June 15, 1988, bearing interest and maturing serially as follows, to-wit:

MATURITY	INTEREST RATE	AMOUNT
1989	7.5%	\$ 1,000.00
1990	7.5	5,000.00
1991	7.5	10,000.00
1992	7.5	10,000.00

1993	7.5	10,000.00
1994	7.5	10,000.00
1995	7.5	10,000.00
1996	7.5	10,000.00
1997	7.5	10,000.00
1998	7.5	10,000.00

Interest on Bonds shall be payable in lawful money of the United States of America beginning December 1, 1988, and semiannually thereafter on the first days of June and December of each year until the principal sum shall have been paid by check or draft of the Paying Agent by mail to the registered owners at their addresses as they appear on the books maintained by the Bond Registrar as of the preceding May 15 and November 15 (the "Record Dates"). The principal of the Bonds shall be payable at the office of the Treasurer of the State of Kansas in Topeka, Kansas (the "Paying Agent," "Bond Registrar" and "Transfer Agent").

Section 3

Method of Execution. That the Bonds and each of them shall be signed by the facsimile signature of the Mayor of the City, attested by the facsimile signature of the City Clerk and shall have the seal of the City printed thereon.

The Mayor of the City and the City Clerk are hereby authorized and directed to execute a Certificate of Manual Signature in accordance with K.S.A. 75-4001 to 4007, inclusive, and to cause the same to be filed with the Secretary of State of the State of Kansas.

Section 4

Optional Redemption. That the Bonds shall become due without the option of prior payment.

Section 5

Defeasance. Said principal, interest and redemption premium, if any, shall be deemed to have been paid and discharged within the meaning of this Ordinance when there shall have been deposited with an escrow trustee at or prior to the maturity or redemption date of said Bonds, in trust for and irrevocably appropriated thereto, sufficient moneys or investments which, together with the interest thereon, will be sufficient for the payment of the principal of, redemption premium, if any, and interest accrued to the date of maturity.

Section 6

Registration, Transfer and Exchange of Bonds. That the City covenants that it will, as long as any of the Bonds herein authorized remain outstanding, cause to be kept at the office of the Bond Registrar books for the registration, transfer and exchange of Bonds as herein provided.

Upon presentation of the necessary documents as hereinafter described, the Bond Registrar shall transfer or exchange any certificated or uncertificated Bond(s) for new certificated or uncertificated Bond(s) in an authorized denomination of the same maturity and for the same aggregate principal amount as the Bond(s) which was presented for transfer or exchange.

All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Bond Registrar, duly executed by the registered owner thereof or by the registered owner's duly authorized agent. In addition, all certificated Bonds presented for transfer or exchange shall be surrendered to the Bond Registrar for cancellation.

Prior to delivery of the new certificated or uncertificated Bond(s) to the transferee, the Bond Registrar shall register the same in the registration books kept by the Bond Registrar for such purpose and shall authenticate each certificated Bond.

The City shall pay out of the proceeds of the Bonds the fees of the Bond Registrar for registration and transfer of the Bonds and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, are the responsibility of the bond owners.

The City, the Bond Registrar and the Paying Agent may deem and treat the person in whose name any Bond shall be registered as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on said Bond and for all other purposes, and all such payment so made to any such registered owner or upon such registered owner's order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the City nor the Bond Registrar nor the Paying Agent shall be affected by any notice to the contrary, but such registration may be changed as herein provided.

Section 7

Recitals and Agreement with Issuer. That the Bonds shall contain recitals and be in the form and of the size as provided by the statutes of the State of Kansas. The Bonds shall in addition to all other requirements be subject to the terms and conditions of the agreement entitled "Agreement Between Issuer and Agent" by and between the City and the State Treasurer of Kansas attached hereto as Exhibit A and incorporated herein by reference.

Section 8

Form of Certificated Bonds. That the Bonds shall be in substantially the following form and shall contain the information as may be required by the Attorney General pursuant to the Kansas Bond Registration Law K.S.A. 10-620 to 10-632, inclusive:

UNITED STATES OF AMERICA
STATE OF KANSAS
COUNTY OF COFFEY
CITY OF LEROY
GENERAL OBLIGATION REFUNDING BOND
SERIES 1988-A

No. R- _____ \$ _____
Rate of _____ Maturity _____ Dated _____ CUSIP _____
Interest: _____ Date: _____ Date: June 15, 1988

Registered Owner:
PRINCIPAL AMOUNT _____ DOLLARS

The City of LeRoy, County of Coffey, State of Kansas (the "City"), for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above, or registered assigns as hereinafter provided, as of the Record Dates as hereinafter provided, on the maturity date identified above, the principal amount identified above, and in like manner to pay interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid prior to the registration date set forth below at the rate of interest per annum set forth above semiannually on June 1 and December 1 of each year (the "Interest Payment Dates") commencing December 1, 1988, until said principal amount is paid.

The principal of and premium, if any, on this Bond shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Bond Registrar"), upon presentation of this Bond for payment and cancellation. The interest on this Bond shall be payable in lawful money of the United State of America by check or draft of the Paying Agent by mailing to the registered owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 15th day of May or November next preceding the applicable interest payment date (the "Record Dates"). The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the City of LeRoy, in the State of Kansas, by its governing body has caused this Bond to be executed by its Mayor and attested by its City Clerk by their facsimile signatures and a facsimile of its corporate seal to be imprinted hereon, all as of the 15th day of June, 1988.

(FACSIMILE SEAL) ATTEST: (facsimile) _____
Mayor of the City of LeRoy, Coffey County,
Kansas
(facsimile) _____
City Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the City of LeRoy, Kansas General Obligation Refunding Bonds, Series 1988-A, described in the within mentioned Ordinance.

Registration Date: _____

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
As Bond Registrar and Paying Agent

By _____

I.D.#:

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized series of Bonds of the City aggregating the principal amount of \$86,000.00 (the "Bonds") issued for the purposes set forth in Ordinance No. ___ of the City (the "Ordinance"). This Bond and the series of Bonds of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the state of Kansas, including K.S.A. 10-101 to 10-125, inclusive, as amended, K.S.A. 10-427 et seq., and all amendments thereof, acts supplemental thereto, the Ordinance, and all other provisions of the laws of the State of Kansas applicable thereto.

The Bonds are issued in fully registered form in the denomination of \$5,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms set forth in the authorizing Ordinance.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes.

This Bond is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar, but only in the manner, subject to the limitations and upon payment of the charges provided in the Ordinance, and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds or from other funds all costs incurred in connection with the issuance, transfer, exchange, registration or payment of the Bonds except (a) the reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration or payment of the Bonds. Upon such transfer a replacement Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefore.

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

(Name and Address) _____
(Social Security or Taxpayer Identifying No.) _____

the Bond to which this assignment is affixed in the outstanding principal amount of \$ _____ standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned does (do) hereby irrevocably constitute and appoint _____ as attorney to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____ Name _____
Social Security or Taxpayer Identifying No. _____
Signature (Sign Here Exactly as Name (s) Appear on Face of
Certificate) _____

Signature guaranty:
By: _____

CERTIFICATE OF CITY CLERK

I, the undersigned, City Clerk of LeRoy, Kansas, do hereby certify that this Bond has been duly registered in my office according to law as of June 15, 1988.

WITNESS my hand and official seal.
City Clerk _____ (facsimile) _____

(FACSIMILE SEAL)

OFFICE OF THE TREASURER, STATE OF KANSAS

I, JOAN FINNEY, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and that this Bond was registered in my office according to law on _____.

WITNESS my hand and official seal.
(FACSIMILE SEAL) JOAN FINNEY
TREASURER OF THE STATE OF KANSAS

By _____
Assistant State Treasurer

LEGAL OPINION

I, the undersigned, City Clerk of LeRoy, Kansas, hereby certify that the following is a true and correct copy of the complete, final legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, on the within Bond and the series of which said Bond is a part, except that it omits the date of such opinion; that said legal opinion was legally executed and was dated and issued as of the date of delivery of and payment of such Bond and is on file in my office.

(facsimile)
City Clerk

(LEGAL OPINION)

Section 9

Surrender and Cancellation of Refunding Bonds. Whenever any outstanding certificated Refunding Bond shall be delivered to the Bond Registrar for cancellation pursuant to this Ordinance, upon payment of the principal amount thereof and interest thereon or for replacement pursuant to this Ordinance, such Refunding Bond shall be cancelled and destroyed by the Bond Registrar, and a Certificate of Destruction describing the Refunding Bond so destroyed evidencing such destruction shall be furnished by the Bond Registrar to the City.

Section 10

Mutilated, Lost, Stolen or Destroyed Refunding Bonds. In the event any certificated Refunding Bond is mutilated, lost, stolen or destroyed, the City may execute and the Bond Registrar may authenticate a new Refunding Bond of like date, maturity, denomination and interest rate as that mutilated, lost, stolen or destroyed; provided, that in the case of any mutilated certificated Refunding Bond, such mutilated Refunding Bond shall first be surrendered to the City or the Bond Registrar, and, in the case of any lost, stolen or destroyed Refunding Bond there shall be first furnished to the Bond Registrar and the City evidence of such loss, theft or destruction and an indemnity satisfactory to them. In the event any such Refunding Bond shall have matured, instead of issuing a duplicate Refunding Bond, the City and Bond Registrar may pay the same without surrender thereof. The City and Bond Registrar may charge to the registered owner of such Refunding Bond their reasonable fees and expenses in connection with replacing such certificated Refunding Bond or Bonds mutilated, stolen, lost or destroyed.

Section 11

Authorization of Execution. That the Mayor of the City and the City Clerk are hereby authorized and directed to prepare and execute in the manner hereinbefore specified the Bonds herein authorized, and to cause the Bonds to be registered as provided by law; and when duly executed and registered, to deliver the Bonds to the purchaser thereof, on payment of the purchase price thereof.

Section 12

Arbitrage. That the City covenants and agrees that no part of the proceeds of the Bonds or any of the moneys in the Escrow Fund shall be used at any time, directly or indirectly, in a manner which, if such use had been reasonably anticipated on the date of issuance of the Bonds, would have caused any of the Bonds to be, or become, “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations of the Treasury Department thereunder proposed or in effect at the time of such use applicable to obligations issued on the date of issuance of the Bonds.

Section 13

Severability. That if any portion or provision of this Ordinance or the Bonds shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provisions shall not affect any of the remaining provisions of this Ordinance or the Bonds but this Ordinance and said Bond shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 14

Approval of Previous Action, Authorization and Execution. All previous action heretofore taken by the officers or representatives of the Issuer relating to the issuance of the Bonds contemplated by this Ordinance is hereby approved in all respects. The Mayor of the City and the City Clerk and any other proper official of the Issuer be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transaction contemplated by this Ordinance.

Section 15

Effective Date. That this Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

PASSED by the Governing Body of the City of LeRoy, Kansas, this 13th day of June, 1988.

Wyatt Carlton, Mayor of the City of LeRoy, Coffey County, Kansas
ATTEST: viola Luney, City Clerk

•ORDINANCE NO. 281

AN ORDINANCE AMENDING AND REPEALING CERTAIN *SECTIONS* OF **ORDINANCE NO. 280** OF THE CITY OF LEROY, KANSAS,

WHEREAS, the City of LeRoy, Kansas, (the “City”) adopted and published its **Ordinance No. 280**, passed and approved by the Governing Body of the City on June 13, 1988 (the “Ordinance”); and

WHEREAS, the City desires to amend and repeal certain *sections* of the Ordinance, more specifically *Sections 1, 2 and 8* thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That *Sections 1, 2 and 8* of **Ordinance No. 280** of the City of LeRoy, Kansas, are herewith repealed and amended to read as follows:

Section 1. Authorization of Bonds. That for the purpose of providing funds to refund and pay the Outstanding Bond, there shall be and hereby are issued General Obligation Refunding Bonds, Series 1988-A of LeRoy, Kansas, in the aggregate principal amount of \$105,000 (the

“Bonds”) as provided by K.S.A. 10-427 et seq. and Article 1 of Chapter 10, K.S.A., all as amended.

Section 2. Description of Bonds. That the Bonds shall consist of certificated and/or uncertificated fully registered bonds without coupons, in the denomination of \$1,000 or integral multiples thereof not exceeding the principal amount of Bonds maturing on any maturity date of the Bonds, said Bonds being

MATURITY	INTEREST RATE	AMOUNT
1989	7.5%	\$ 7,000
1990	7.5	7,000
1991	7.5	7,000
1992	7.5	7,000
1993	7.5	7,000
1994	7.5	7,000
1995	7.5	7,000
1996	7.5	7,000
1997	7.5	7,000
1998	7.5	7,000
1999	7.5	7,000
2000	7.5	7,000
2001	7.5	7,000
2002	7.5	7,000
2003	7.5	7,000

Interest on the Bonds shall be payable in lawful money of the United States of America beginning December 1, 1988, and semiannually thereafter on the first days of June and December of each year until the principal sum shall have been paid by check or draft of the Paying Agent by mail to the registered owners at their addresses as they appear on the books maintained by the Bond Registrar as of the preceding May 15 and November 15 (the “Record Dates”). The principal of the Bonds shall be payable at the office of the Treasurer of the State of Kansas in Topeka, Kansas (the “Paying Agent”, “Bond Registrar” and “Transfer Agent”).

Section 8. Form of Certificated Bonds. That the Bonds shall be in substantially the following form and shall contain the information as may be required by the Attorney General pursuant to the Kansas Bond Registration Law K.S.A. 10-620 to 10-632, inclusive:

UNITED STATE OF AMERICA
STATE OF KANSAS
COUNTY OF COFFEY
CITY OF LEROY
GENERAL OBLIGATION REFUNDING BOND
SERIES 1988-A

No. R- _____ \$ _____

Rate of Interest: _____ Maturity Date: _____ Dated Date: June 15, 1988 CUSIP _____

PRINCIPAL AMOUNT _____ DOLLARS

The City of LeRoy, County of Coffey, State of Kansas (the “City”), for value received acknowledges itself to be indebted to and promises to pay, but solely from the sources hereinafter pledged, to the registered owner identified above, or registered assigns as hereinafter provided, as of the Record Dates as hereinafter provided, on the maturity date identified above, the principal amount identified above, and in like manner to pay interest on such principal amount from the date of this Bond or from the most recent interest payment date to which interest has been paid prior to the registration date set forth below at the rate of interest per

annum set forth above semiannually on June 1 and December 1 of each year (the "Interest Payment Dates") commencing December 1, 1988, until said principal amount is paid.

The principal of and premium, if any, on this Bond shall be payable in lawful money of the United States of America at the principal office of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Bond Registrar"), upon presentation of this Bond for payment and cancellation. The interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Paying Agent by mailing to the registered owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 15th day of May or November next preceding the applicable interest payment date (the "Record Dates"). The full faith, credit and resources of the City are hereby pledged for the payment of the principal of and interest on this Bond and the issue of which it is a part as the same respectively become due.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

It is hereby certified and declared that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication and Registration hereon shall have been lawfully executed by the Bond Registrar.

IN WITNESS WHEREOF, the City of LeRoy, in the State of Kansas, by its governing body has caused this Bond to be executed by its Mayor and attested by its City Clerk by their facsimile signatures and a facsimile of its corporate seal to be imprinted hereon, all as of the 15th day of June, 1988.

(facsimile)
Mayor of the City of LeRoy,
Coffey County, Kansas

ATTEST: _____ (facsimile)
City Clerk

(FACSIMILE SEAL)

XX

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This Bond is one of the City of LeRoy, Kansas General Obligation Refunding Bonds, Series 1988-A, described in the within mentioned Ordinance.

Registration Date: _____

OFFICE OF THE STATE TREASURER
Topeka, Kansas,
As Bond Registrar and Paying Agent

I.D.#: BY: _____

XX

FURTHER TERMS AND PROVISIONS

This Bond is one of a duly authorized series of Bonds of the City aggregating the principal amount of \$105,000 (the "Bond") issued for the purposes set forth in Ordinance No. _____ of the City (the "Ordinance"). This Bond and the series of Bonds of which it is a part are issued by the authority of and in full compliance with the provisions, restrictions and limitations of the Constitution and laws of the State of Kansas, including K.S.A. 10-101 to 10-125, inclusive, as amended, K.S.A. 10-427 et seq., and all amendments thereof, acts supplemental thereto, the Ordinance, and all other provisions of the laws of the State of Kansas applicable thereto.

The Bonds are issued in fully registered form in the denomination of \$1,000 each or authorized integral multiples thereof. This Bond may be exchanged at the principal office of the Bond Registrar for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations upon the terms set forth in the authorizing Ordinance.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes.

This Bond is transferable by the registered owner hereof in person or by his attorney duly authorized in writing at the principal office of the Bond Registrar, but only in the manners subject to the limitations and upon payment of the charges provided in the Ordinance, and upon surrender and cancellation of this Bond. The City shall pay out of the proceeds of the Bonds or from other funds all costs incurred in connection with the issuance, transfer, exchange, registration or payment of the Bonds except (a) the reasonable fees and expenses in connection with the replacement of a Bond or Bonds mutilated, stolen, lost or destroyed or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration or payment of the Bonds. Upon such transfer a replacement Bond or Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefore.

BOND ASSIGNMENT

FOR VALUE RECEIVED, the undersigned does (do) hereby sell, assign and transfer to

(Name and Address) _____
(Social Security or Taxpayer Identifying No.) _____

the Bond to which this assignment is affixed in the outstanding principal amount of \$ _____ standing in the name of the undersigned on the books of the Treasurer of the State of Kansas (the "Bond Registrar"). The undersigned does (do) hereby irrevocably constitute and appoint _____ as attorney to transfer said Bond on the books of said Bond Registrar with full power of substitution in the premises.

Dated _____

Name _____
Social Security or Taxpayer
Identifying No. _____

Signature (Sign Here Exactly as Name(s) Appear On
Face of Certificate) _____

Signature guaranty:
BY: _____

XX

I, the undersigned, City Clerk of LeRoy, Kansas, do hereby certify that this Bond has been duly registered in my office according to law as of June 15, 1988.

WITNESS my hand and official seal.

_____(facsimile)_____
City Clerk

(FACSIMILE SEAL)

XX

OFFICE OF THE TREASURER, STATE OF KANSAS

I, JOAN FINNEY, Treasurer of the State of Kansas, do hereby certify that a transcript of the proceedings leading up to the issuance of this Bond has been filed in my office and that this Bond was registered in my office according to law on _____.

WITNESS my hand and official seal.

(FACSIMILE SEAL)

JOAN FINNEY
TREASURER OF THE STATE OF KANSAS

By _____
Assistant State Treasurer

XX

LEGAL OPINION

I, the undersigned, City Clerk of LeRoy, Kansas, hereby certify that the following is a true and correct copy of the complete, final legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, on the within Bond and the series of which said Bond is a part, except that it omits the date of such opinion; that said legal opinion was legally executed and was dated and issued as of the date of delivery of and payment of such Bond and is on file in my office.

_____(facsimile)_____
City Clerk

(LEGAL OPINION)

.....

PASSED by the Governing Body of the City of LeRoy, Kansas, this 20th day of June, 1988.

Wyatt Carlton, Mayor of the City of LeRoy, Coffey County, Kansas
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 282

AN ORDINANCE AMENDING **ORDINANCE NO. 254** AND **ORDINANCE NO. 256** OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN THE SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY’S WASTEWATER TREATMENT WORKS, BY AMENDMENT OF *ARTICLE THREE* OF **ORDINANCE NO. 254**; BY AMENDMENT OF *ARTICLE FOUR* OF **ORDINANCE NO. 254**; AND BY AMENDING **ORDINANCE NO. 256**.

BE IT ORDAINED by the governing body of the City of LeRoy, Kansas, that *Article Three* of **Ordinance No. 254**, *Article Four* of **Ordinance No. 254**, and **Ordinance No. 256** of said City be amended to read as shown below, otherwise to remain in full force and effect:

1. *Article Three* of **Ordinance No. 254** is hereby amended to read:

“*Section 4*: That portion of the total user charge collected which is designated for debt service shall be transferred from the sewer utility fund to the bond and interest fund at the rate of \$1,250.00 per month.”

2. *Article Four*, Section One, Class One, of **Ordinance No. 254** is hereby amended to read:

“Class 1: Residential Users; Single Family Contributor, Inside City Limits.
\$3.00/month for operation and maintenance including replacement plus \$5.00/month for debt service.”

3. Paragraph Number One of **Ordinance No. 256** is hereby amended to read:

“Class 1A: Residential Users; Single Family Contributors; Outside City Limits.
\$3.00/month for operation and maintenance, including replacement plus \$7.00/month for debt service.”

4. *Article Four*, Section One, Class II of **Ordinance No. 254** is hereby amended to read:

“Class II: Light Commercial/Institutional Users: Non-residential users which contribute less than 10,000 gallons per month of less than or equal to normal domestic strength wastewater. \$3.00/month for operation and maintenance, including replacement plus \$5.00/month for debt service.”

5. *Article Four*, Section One, Class III of **Ordinance No. 254** is hereby amended to read:

“Heavy Commercial users: Non-residential users which contribute 10,000 gallons per month or more, of less than or equal to normal domestic strength wastewater, \$3.00/month for operation and maintenance, including replacement for first 4,000 gallons water metered, then \$1.30 for each 1,000 gallons over 4,000 gallons plus \$5.00/month for debt service.”

6. Paragraph Number Two of **Ordinance No. 256** is hereby amended to read:

“Class IV: Heavy Institutional Users: (Schools) School Sites: Minimum charge \$4.00 per school, provided however, said schools shall be charged monthly for sewer service, to be computed by taking the percentage of water used by the said schools as the same bears to the total amount of water used by the entire City of LeRoy, Kansas, times 1/12th of the total annual budget of the said sewer system times 1.6. The annual budget of said sewer service shall mean the necessary expense of the operation of such system including repairs, maintenance, extensions and enlargement of the system including new construction and debt service as provided by K.S.A. 12-860 and amendments thereto.”

7. Except as modified above, **Ordinance No. 254** and **Ordinance No. 256** shall remain in full force and effect.

8. This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

Passed by the governing body of the City of LeRoy, Kansas, this 1st day of August, 1988.

•ORDINANCE NO. 283

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1988.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1988, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy” as Adopted by **Ordinance No. 283**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 6th day of September, 1988.

Wyatt Carlton, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 284

AN ORDINANCE REQUIRING A LICENSE TO OPERATE A DOG KENNEL, DEFINING A DOG KENNEL, PROVIDING FOR A LICENSE FEE, PROVIDING FOR REGULATION FOR OPERATING A DOG KENNEL, PROVIDING FOR THE REVOCATION OF SUCH LICENSES, AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

LICENSE REQUIRED. No person or household shall own or harbor more than two (2) dogs of more than six (6) months of age or older, or engage in the commercial business of breeding, buying, selling, trading, training or boarding dogs, without having obtained a kennel license from the City Governing Body of the City of LeRoy. Provided however, applications shall not be made to the City until the applicant shall have obtained the licenses or permits, if any, required by the applicable Kansas State law, and Animal Welfare Act, and rules and regulations of the United States Department of Agriculture regarding the operation and licensing of such kennels.

Section 2

APPLICATION FOR LICENSE. All applications for a new license or renewal thereof shall be made on forms provided by the City. The applicant shall attach to and incorporate into the application a detailed plan or blueprint of the proposed or existing kennel facility (building) containing a site plan. The building and site plan shall describe in detail the dog kennel and shall provide all pertinent information concerning the type and height of the fence and location of the

surrounding structures and information relative the property lines and the proposed or existing buildings. A current blueprint or site plan must be kept on file and any modification of the original blueprint or site plans must be approved by the council.

Section 3

APPROVAL: DENIAL. Upon receipt of the application for said license and the attached site plan, the City Governing Body shall have a reasonable time, not to exceed sixty (60) days, to review the application and investigate the circumstances surrounding the same, and the City Governing Body may, as hereinafter provided, at its discretion, approve or deny the applicant's license to operate the dog kennel. Provided however, prior to the approval and issuance of a kennel license under this ordinance, the city marshal shall make an inspection of said kennel facility for the purpose of determining whether or not the kennel has been erected in accordance with the application previously provided. If the application is approved the license will be granted by the Clerk upon receipt of the license fees.

Section 4

FACTORS TO BE CONSIDERED. In determining whether a license shall be granted, or the renewal hereof allowed, the Governing Body shall consider the following factors along with any other relevant information pertinent to the operation of the proposed dog kennel in order that the operation of the kennel may not be offensive to the health, safety and general welfare of the general public:

- a. The NUMBER of dogs in the kennel and the BREED(S) or TYPE(S) of dogs:
- b. LOCATION of the proposed facility (building). In this regard consideration should be given to the distance of the kennel from existing property lines, structures or dwellings.
- c. SUITABILITY of the proposed kennel facility (building). The Governing Body shall consider the size and type and material used for construction of the kennel building itself as well as amount and methods used for insulating and soundproofing said building. The building and site plan shall describe in detail the dog kennel and shall provide all pertinent information concerning the type and height of the fence and location of the surrounding structures and information relative to the property lines and the proposed or existing buildings.
- d. Plan for dealing with ODOR and NOISE problems.
- e. Plan for providing for SEWAGE DISPOSAL.
- f. The IMPACT of the kennel on the residents of the vicinity. Residents in the vicinity of the kennel shall be provided an opportunity to be heard in support or opposition to the proposed kennel(s).

Section 5

TERM OF KENNEL LICENSE. The license must be renewed annually and the term for each license will expire on the 30th day of September of each year.

Section 6

FEES. The annual fee for the license to operate a dog kennel shall be as follows:

\$2.00 per dog with a minimum fee of \$50.00

Provided, however, the number of dogs is to be established at the time of the initial or annual inspection of the city marshal.

Section 7

REGULATIONS. All kennels shall be cleaned and disinfected on a regular schedule and shall be kept in a sanitary condition in compliance with the rules and regulations of the United States Department of Agriculture, the Animal Welfare Act, and the laws of the State of Kansas. The City Marshal shall have the right to inspect the premises at any reasonable time for the purpose of determining whether or not the kennel is being operated so as not to be offensive to the health, safety or general welfare of the general public or the residents of the vicinity in which the dog kennel is located. The application for a kennel shall constitute consent to such entry and inspection.

If the City Marshal shall at the time of the granting the kennel license or at the time of the annual renewal, or upon subsequent inspections, finds that the kennel does not comply with any of the provisions of this ordinance, or the rules and regulations herein referred to, he may then file a complaint or notify the city governing body of the alleged violation and set the same for hearing before the city governing body. A hearing before the Governing Body will also be held upon the filing of a verified complaint by a resident of the city alleging a violation of any federal, state, or city law relative to the operation of a kennel or alleging that the defendant is maintaining the kennel facility in a manner detrimental to the health, safety, and welfare of any person residing in the vicinity.

Section 8

SUSPENSION or REVOCATION. The governing body may suspend or revoke a kennel license if, after a public hearing, it finds any of the following:

- a. The kennel is maintained in violation of the applicable federal, state, or city laws.
- b. The kennel is maintained so as to be a public nuisance.
- c. The kennel is maintained so as to be detrimental to the health, safety or peace of mind of persons residing in ;the immediate vicinity.
- d. The kennel is not erected or operated in accordance with the information contained within the application and the current blueprint or site plan on file.
- e. That the license fees are not paid.

Provided however, the governing body in lieu of the suspension or revocation of the kennel license provides the license holder a reasonable opportunity to correct the alleged violations giving rise to the filing of the complaint. Provided further, the license holder shall be provided with written notice at least five (5) days prior to the date and time of the hearing before the Governing Body.

Section 9

ADDITIONAL PENALTIES. Any person, firm or corporation violating any of the provisions of this ordinance, may upon conviction thereof, be fined in a sum not to exceed \$500.00 in addition to the revocation of the license as provided herein.

Section 10

SEVERABILITY. The invalidity or unenforceability of any one or more phrases, sentences, clauses or sections contained in the Ordinance shall not affect the validity or enforceability of the remaining portions of this Ordinance or any part hereof.

Section 11

REPEAL. All other ordinances in conflict hereof are hereby repealed.

Section 12

EFFECTIVE DATE. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication once in the official city newspaper.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS this 3rd day of October, 1988.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

●ORDINANCE NO. 285

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1988; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance.

There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1988, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 377”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

General Penalties.

Every person convicted of a violation of any of the provisions of this ordinance, shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not more than Two Hundred Dollars (\$200.00), or by imprisonment for not more than twenty (20) days, or by both such fine and imprisonment, upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to the violation of its provisions.

Section 3

All other ordinances of the City of LeRoy, Coffey County, Kansas, in conflict herewith are hereby repealed.

Section 4

Effective Date.

This ordinance shall take effect and be in force from and after its publication in This Week. Passed by the Governing Body of the City of LeRoy, Kansas, this 3rd day of October, 1988. Approved by the Mayor this 3rd day of October, 1988.

Wyatt Carlton, Mayor

●**ORDINANCE NO. 286**

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF **ORDINANCE NO. 233**, AND REPEALING **ORDINANCE NO. 276**.

Be it Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That *Section One (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“Section 1. The rates charged for water sold by the municipal water plant shall be as follows;

- a. A minimum charge of \$6.00 per month for which amount up to one thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of one thousand (1,000) gallons in any one month the rate shall be \$5.00 per one thousand (1,000) gallons.”

Section 2

That **Ordinance No. 276** is hereby repealed.

Section 3

This Ordinance shall take effect and be in force from and after its passage, approval, and publication in THIS WEEK, the Official city newspaper.

Passed by the City Council and approved by the Mayor this 5th day of December, 1988.

Wyatt Carlton, Mayor

ATTEST: Viola Luney, City Clerk

●**ORDINANCE NO. 287**

AN ORDINANCE ADOPTING A FAIR HOUSING POLICTY REGULATING THE SALE AND RENTING OF RESIDENTIAL PROPERTY IN THE CITY OF LEROY.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1.

POLICY

It is the policy of the City of LeRoy to provide, within constitutional limitations and the laws of the State of Kansas, fair housing opportunity throughout the City of LeRoy.

SECTION 2

DEFINITIONS

- (a) “Fair Housing Opportunity”, in this context means the absence of discriminatory housing activity and unlawful practice as delineated in *Sections 3, 4, 5 and 6* of this Ordinance.
- (b) “Dwelling”, means any building, structure, or portion thereof, which is occupied as, or designed or intended for any occupancy as, a residence by one or more families, and shall by implication include any vacant land offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.
- (c) “Rent”, includes any lease, sublease, the “letting of property”, and any other such activity which grants for a consideration the right to occupy premises owned by another.

SECTION 3

DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING

Except as exempted elsewhere in this Ordinance, it shall be unlawful:

- (a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin.
- (b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin.
- (c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, which indicates any preference, limitation or discrimination based on race, color, religion, or national origin in the sale or rental of a dwelling.
- (d) To represent to any person that any dwelling is not available for inspection, sale, or rental, when, in fact, said dwelling is available, because of race, color, religion, or national origin of the person involved.
- (e) For profit, to induce or attempt to induce any person to sell or rent any dwelling through use of representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color religion, or national origin.

SECTION 4

DISCRIMINATION IN THE FINANCING OF HOUSING

It shall be unlawful for any lending association, insurance company, or other corporation, or association, whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to any person for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against said person in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance because of the race, color, religion, or national origin of said person, or persons associated with him or her.

SECTION 5

INTERFERENCE, COERCION OR INTIMIDATION

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by other sections of this Ordinance.

SECTION 6

EXEMPTIONS

- (a) Nothing in this Ordinance shall prohibit a generally recognized religious organization, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a generally recognized religious organization, from limiting the sale, rental, or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in religion is restricted on the basis of race, color, or national origin. Nor shall anything in this Ordinance prohibit a private club, not in fact open to the public, which is incidental to its primary purpose, from providing lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members, or from giving preference to its members, provided membership in such club is not restricted on account of race, religion, or national origin.
- (b) Single-family houses sold or rented by an owner shall be exempt from the conditions of this Ordinance, provided that the owner does not own more than three such single-family houses at any one time, and provided that said owner does not own any interest in the sale

or rental of any additional houses. Provided further, that in the case of the sale of any such house by an owner nor residing in the house, or who was not the most recent resident of said house, the exemption shall apply only to one such sale within any twenty-four (24) month period. Provided further, that said sale or rental is made without the use in any manner of the facilities of any real estate broker, agent, or salesman or any person in the business of selling or renting dwellings.

- (c) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of the living quarters as his or her residence.

SECTION 8

ADMINISTRATION

The authority and responsibility for administering this Ordinance shall be the City Council of the City of LeRoy, or their officially appointed delegate who may be an employee of the City or a board of such employees. The Council shall by rule prescribe such rights of appeal from decisions of the delegated employees to other employees or to the elected officials of the City, as shall be appropriate and in accordance with the law. The City Council shall provide such educational and conciliatory activities as will further the purposes of this Ordinance, including conferences of persons in the housing industry, with the intent of working out programs of voluntary compliance and of enforcement.

SECTION 9

ENFORCEMENT

- (a) Any person who claims to have been injured by a discriminatory housing practice, or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereinafter "person aggrieved"), may file a complaint with the City Clerk. Complaints shall be in writing and shall contain such information and be in such form as the City Council requires. Upon receipt of such a complaint, the City Clerk shall furnish a copy of the same to the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice. Within thirty (30) days after receiving a complaint, or within thirty (30) days after the expiration of any period of reference under subsection (c), the City Council shall investigate the complaint and give notice in writing to the person aggrieved whether they intend to resolve it. If the City Council intends to resolve the complaint(s), they shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavor may be made public without the written consent of the persons concerned. Any employee of the City Council who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one year. Complaints may also be filed with State of Kansas Civil Rights Commission and the United States of America Civil Rights Commission.
- (b) A complaint under subsection (a) shall be filed within one hundred eighty (180) days after the alleged discriminatory housing practice occurred. The complaint shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him and with the leave of the Council, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.
- (c) If, within thirty (30) days after a complaint is filed with the City Clerk, the State of Kansas Civil Rights Commission or United States of America Civil Rights Commission, the City Council has been unable to obtain voluntary compliance with this Ordinance, the person aggrieved may, within thirty (30) days thereafter, file a complaint with the Secretary of the Department of Housing and Urban Development. The City Council will assist in this filing.

- (d) If the City Council has been unable to obtain voluntary compliance within thirty (30) days of the complaint, the person aggrieved may, within thirty (30) days thereafter, commence a civil action in any appropriate court, against the respondent named in the complaint, to enforce the rights granted or protected by this Ordinance, insofar as such rights related to the subject of the complaint. If the court finds that a discriminatory housing practice has occurred, or is about to occur, the court may enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.
- (e) In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.
- (f) Whenever an action filed by an individual shall come to trial, the City Council shall immediately terminate all efforts to obtain voluntary compliance.
- (g) Any person who has intimidated any other person from the exercise or enjoyment of his rights under *Section 6*, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00), or imprisoned not more than one year, or both.

Passed and Approved by the Council and signed by the Mayor this 6th day of February, 1989.

Wyatt Carlton, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 288

AN ORDINANCE APPROVING COST ESTIMATES OF THE PROPOSED IMPROVEMENTS TO THE MUNICIPALLY OWNED WATER SYSTEM OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, BY IMPROVING THE WATER INTAKE SUPPLY LINE AND THE WATER INTAKE PLANT AND DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION OF THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS, TO MAKE SUCH IMPROVEMENTS AND TO ISSUE AND SELL REVENUE BONDS OF SAID CITY TO PAY PART OF THE COST THEREOF.

WHEREAS, the City of LeRoy, Coffey County, Kansas (the "City") is a municipality as defined by K.S.A. 10-101 and 10-1201 et seq. and all amendments thereto; and

WHEREAS, the City is authorized by the laws of the State of Kansas to issue and sell Revenue Bonds of the City for the improvement of its water system pursuant to K.S.A. 10-1201 et seq. and all amendments thereto; and

WHEREAS, it is deemed by the Governing Body of the City to be necessary and advisable that the City improve its water system by improving the water intake supply line and water treatment plant and doing all things necessary and incidental thereto (the "Project") and that the preliminary plans, specifications and estimates have been duly prepared and filed in the office of the City Clerk of said City, which estimates show a total Project cost to be approximately Five Hundred Ninety Thousand Dollars (\$590,000.00); and

WHEREAS, it is found by the Governing Body that the Project will not cause a duplication of existing utility service furnished by a private utility.

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

Section 1

That the estimates of costs of the Project, which estimates are now on file in the office of the City Clerk of said City, be and the same are hereby approved.

Section 2

That notice be given by the Governing Body of the City of its intention to construct the Project in accordance with the plans, specifications and estimates of cost and to sell revenue bonds of the City in an amount not exceeding \$290,000 to pay part of the cost thereof. Such

notice shall be signed by the Mayor and attested by the City Clerk and shall be published in the official City newspaper. Such notice shall describe the nature of the proposed Project and shall state the amount of revenue bonds proposed to be issued for the payment of the cost of the Project and otherwise, the notice shall be in the form as provided by law.

Section 3

That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor this 3rd day of April, 1989.

Wyatt Carlton
Mayor of the City of LeRoy
Coffey County, Kansas

Attest: Viola Luney, City Clerk

● **NOTICE OF INTENTION**

NOTICE OF INTENTION TO MAKE IMPROVEMENTS TO THE MUNICIPALLY OWNED WATER SYSTEM OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, BY IMPROVING THE WATER INTAKE SUPPLY LINE AND THE WATER TREATMENT PLANT OF THE CITY, AND DOING ALL OTHER THINGS NECESSARY AND INCIDENTAL THERETO, AND TO ISSUE AND SELL REVENUE BONDS OF THE CITY OF LEROY, KANSAS, FOR THE PURPOSE OF PAYING PART OF THE COST THEREOF.

Notice is hereby given that as provided by Ordinance No. 288 of the City of LeRoy, Coffey County, Kansas (the "City") that the Governing Body of the City intends to make improvement to the City-owned water system by improving the water intake supply line and the water treatment plant of the City, and doing all other things necessary and incidental thereto.

Notice is further given that the total cost of such improvements is approximately Five Hundred Ninety Thousand Dollars (\$590,000.00).

Notice is further given that as provided by Ordinance No. 288 the Governing Body of the City intends to issue and sell Water System Revenue Bonds of the City pursuant to K.S.A. 10-1201 et seq., and all amendments thereto, in a principal amount not exceeding Two Hundred Ninety Thousand Dollars (\$290,000.00) and to so improve said water system.

Unless written protests against such proposed improvements signed by not less than twenty percent (20%) of the qualified electors of the City are filed with the City Clerk within fifteen (15) days after the publication of this Notice, the Governing Body will proceed in accordance with the intention as set forth above to effect such improvements and will issue and sell its Water System Revenue Bonds as above stated.

Done by order and direction of the Governing Body of the City of LeRoy, Coffey County, Kansas, this 3rd day of April 1989.

Wyatt Carlton
Mayor of the City of LeRoy
Coffey County, Kansas

ATTEST:

● **ORDINANCE NO. 289**

WHEREAS, the City of LeRoy, Coffey County, Kansas, (the "City") has by appropriate proceedings heretofore had, authorized the construction of certain water system

improvements and all things necessary thereto in the City of LeRoy, Kansas, pursuant to **Ordinance No. 288** of the City; and

WHEREAS, the cost of said improvements are authorized to be paid for in whole or in part by the issuance of Temporary Notes in anticipation of Federal aid in accordance with K.S.A. 12-1662 et seq., as supplemented and amended; and

WHEREAS, the City has no funds to finance such improvements until the Federal aid is received therefore; and

WHEREAS, the Board of Tax Appeals of the State of Kansas, pursuant to an Order, Docket No. 89-3251-NFW, has authorized the City to issue its Temporary Notes pursuant to K.S.A. 12-1662 et seq., as supplemented and amended; and

WHEREAS, under K.S.A. 12-1662 et seq., as supplemented and amended, proper and full authority is conferred upon the City to issue its Temporary Notes for the purpose of financing said improvements until the receipt of the Federal Aid.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, that for the purpose of providing funds to pay part of the cost of making the above-described improvements until Federal aid can be received by the City therefore, the Governing Body of the City be, and they are hereby, authorized to issue its Temporary Notes Nos. 1 through 9, inclusive, Series 1989-A (In Anticipation of Federal Aid) in the aggregate principal amount of Two Hundred Ninety Thousand Dollars (\$290,000), bearing interest at the rate of six and seven tenths percent (6.7%) per annum, being dated July 1, 1989, and maturing on or before June 30, 1990, or not later than the receipt of the Federal aid by the City to pay part of the cost of said improvements, with Notes Nos. 1 and 2 being in the denomination of \$50,000 each, Notes Nos. 3 through 8, inclusive, being in the denomination of \$25,000 each and Note No. 9 being in the denomination of \$40,000; said Temporary Notes being redeemable and cancelable at the time said Federal aid is received by the City in lieu thereof. Said Temporary Notes shall not exceed the total amount of \$290,000 as authorized by the Board of Tax Appeals of the State of Kansas.

BE IT FURTHER ORDAINED that said Temporary Notes shall be in the form as prescribed by law.

BE IT FURTHER ORDAINED that said Temporary Notes shall be signed by the Mayor and attested by the City Clerk, under the corporate seal of the City, and shall be registered in the office of the City and in the office of the State Treasurer of the State of Kansas, Topeka, Kansas, and said Temporary Notes and the interest thereon shall be paid for in whole or in part by the receipt of Federal aid as provided by law.

BE IT FURTHER ORDAINED that the Notes are hereby designated as a "qualified tax-exempt obligation" for the purposes of Section 265 of the Internal Revenue Code of 1986.

BE IT FURTHER ORDAINED that this Ordinance shall take effect and be in force from and after its passage and approval.

IT IS SO ORDAINED

PASSED AND APPROVED this 7th day of July, 1989.

CITY OF LEROY
COFFEY COUNTY, KANSAS
Doyle Williams, Mayor

ATTEST:
Viola Luney, City Clerk

•ORDINANCE NO. 290

AN ORDINANCE ESTABLISHING AN EQUIPMENT RESERVE FUND IN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

The City of LeRoy, Kansas, does hereby establish a municipal equipment reserve fund to finance the acquisition of equipment; pursuant to (1988 supp.) KSA 12-1, 117.

SECTION 2

This ordinance shall take effect upon its passage and publication in the official city newspaper.

Passed by the governing body and approved by the mayor of the City of LeRoy, Kansas, this 24th day of July, 1989.

CITY OF LEROY
COFFEY COUNTY, KANSAS
Doyle Williams, Mayor

ATTEST:
Viola Luney, City Clerk

•ORDINANCE NO. 291

AN ORDINANCE ANNEXING CERTAIN LAND TO THE CITY OF LEROY, COFFEY COUNTY, KANSAS, PURSUANT TO AND UNDER THE AUTHORITY OF K.S.A. 12-519 ET SEQ. AMENDMENTS THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

SECTION 1

That the following described tract of land, to-wit:

Beginning at a point at the intersection of the East right-of-way line of Ennis Street and the South right-of-way line of K-57 Highway which point is 79.74 (Seventy-nine and Seventy-four One-Hundredths) feet South, and 12.05 (Twelve and Five One-Hundredths) feet East of the Northwest Corner of Section 2 (Two), Township 23 (Twenty-three) South, Range 16 (Sixteen) East of the 6th (Sixth) Principal Meridian, Coffey County, Kansas; thence East along said South right-of-way line of K-57 Highway, 863.77 (Eight Hundred Sixty-three and Seventy-seven One-Hundredths) feet; thence South and parallel to the East right-of-way line of Ennis Street, 514.60 (Five Hundred Fourteen and six tenths) feet; thence West Northwesterly 865.68 (Eight Hundred Sixty-five and Sixty-eight One-Hundredths) feet to said East right-of-way line of Ennis street; thence North along said right-of-way line 455.35 (Four hundred Fifty-five and Thirty-five One-Hundredths) feet to the point of beginning. Containing 9.58 acres, more or less; and Meeting one or more of the conditions for annexation prescribed by K.S.A. 12-520, is hereby annexed and made a part of the City of LeRoy, Coffey County, Kansas.

SECTION 2

This ordinance shall take effect and be in force from and after its publication in the official city newspaper, the This Week.

Passed by the governing body and approved by the Mayor of the City of LeRoy, Coffey County, Kansas, this 11th day of September, 1989.

Doyle Williams, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 292

AN ORDINANCE AMENDING SECTION 2 OF **ORDINANCE #219** OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That *Section 2* of **Ordinance 219** of the City of LeRoy, Kansas is hereby amended to read as follows:

“Section 2: Every building hereafter erected or enlarged within the fire limits shall be enclosed on all sides with walls constructed of stone, brick, tile, terra cotta, concrete, cement block, or non-combustible, fireproof sheetrock or drywall of at least ½” thickness, or any other non-combustible, fireproof material approved by the governing body of the City of LeRoy, Kansas, except as otherwise provided by this ordinance.”

Section 2

This ordinance shall take effect and be in force upon its publication in the official city newspaper.

Passed by the council and approved by the acting mayor this 4th day of October, 1989.

Ron Ohmie, Acting Mayor
City of LeRoy, Kansas

ATTEST:
Viola Luney, City Clerk

•ORDINANCE NO. 293

AN ORDINANCE REQUIRING BACKFLOW PREVENTERS TO PREVENT CONTAMINATION OF THE POTABLE WATER OF THE CITY OF LEROY, KANSAS AND TO PROHIBIT IMPROPER CROSS CONNECTIONS BETWEEN THE PUBLIC WATER SUPPLY OF LEROY, KANSAS AND OTHER WATER SOURCES.

BE IT ORCAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS.

SECTION 1 General information

1. Purpose.

The purpose of this ordinance is:

- (a) To protect the public potable water supply of the City of LeRoy, Kansas from pollution or contamination due to cross connection,
- (b) To prohibit and eliminate all cross connections within the public potable water supply system and,
- (c) To provide for the maintenance of a continuing effective cross connection control program and thus protect the public health.

2. Responsibility.

The Water Superintendent shall be responsible for effectively conducting the cross connection control program of the City of LeRoy, Kansas public potable water supply. If in the judgment of said Water Superintendent an approved backflow prevention device is required the Water Superintendent or his agent will give notice in writing to the customer to install the proper device. The customer shall immediately install the proper device at the customers expense. Failure to comply shall be grounds for discontinuing water service to said customer until the device is properly installed.

SECTION 2 Requirements

1. General. A public potable water supply system shall be designed, installed and maintained in such a manner as to prevent contamination from non potable sources through cross connections or any piping connection to the system.
2. Cross Connections Prohibited. Cross connections are prohibited except when and where as approved by Water Superintendent suitable backflow preventers are properly installed, tested and maintained to insure proper operation on a continuing basis.
3. Interconnections. Interconnection between two or more public water supplies shall be permitted only with the approval of the Kansas Department of Health and Environment. (K.S.A. 65-163 [a])
4. Individual Water Supplies. Connections between a private water supply and the public potable water are prohibited. (K.S.A. 65-163 [a])
5. Connections to Boilers. Potable water connections to boiler feed water systems in which boiler water conditioning chemicals are or can be introduced shall be made through an air gap or through a reduced pressure zone principle backflow preventer located in the potable water line before the point where such chemicals may be introduced.
6. Prohibited Connections. Connection to the public potable water supply system for the following is prohibited unless properly protected by the appropriate backflow prevention device.
 - (a) Bidets
 - (b) Operating, dissecting, embalming, and mortuary tables or similar equipment-in such installations the hose used for water supply shall terminate at least 12 inches away from every point of the table or attachments.
 - (c) Pumps for non potable substances. Priming only through an air gap.
 - (d) Building drains, sewers, or vent systems
 - (e) Commercial buildings or industrial plants manufacturing or otherwise using polluting or contaminating substances.
 - (f) Any fixtures of Similar hazard.
7. Protective Devices Required. Approved devices to protect against backflow or backsiphonage shall be installed at all fixtures and equipment where backflow and/or backsiphonage may occur and where there is a hazard to the potable water supply in case polluted water or other contaminating materials may be pulled into the potable water supply piping following a reduction in pressure in the city piping.

SECTION 3 Installation.

Approved devices shall be installed at all fixtures and equipment where backflow or backsiphonage may occur and where a minimum air gap between the potable water outlet and the fixture or equipment flood-level rim cannot be maintained. Backflow and backsiphonage devices of all types shall be in an accessible location. Installation in pits or any other location not properly drained shall be prohibited, except that dual check valves may be installed in the meter box.

SECTION 4 Maintenance and Repair

It shall be the responsibility of building and premise owners to maintain all backflow preventers and vacuum breakers within the building or on the premises in good working order and to make sure no piping or other arrangements have been installed for the purpose of bypassing the backflow devices. Testing and repair of these devices should be made by qualified technicians. (Qualified technicians are those technicians who have completed a Kansas Department of Health and environment approved training course and have passed a written examination such as the American Backflow Prevention Association device testers examination.) The Water Superintendent shall certify the device testers after ascertaining the technician meets the above qualifications. The Water Superintendent will also assure the proper installation of all backflow preventers and will set appropriate testing and overhaul schedules for such devices. Testing intervals shall not exceed one (1) year and overhaul intervals shall not exceed five (5) years.

- (a) Certified Tester/Repair Technicians. All certified tester/repair technicians shall be recertified at no less than three year intervals. Persons certified as tester/repair technicians at the time of the adoption of this ordinance shall continue to be certified for a period of not more than three (3) years as determined by the Water Superintendent.

SECTION 5 Penalties

Notification. The Water Superintendent shall notify the owner, or authorized agent of the owner, of a building or premises in which there is found a violation of this ordinance, of such violation. The Water Superintendent shall set a reasonable time for the owner to have the violation corrected. If the owner fails to correct the violation within the specified time the City of LeRoy, Kansas shall cease delivery of water to the building or premises until the violation shall be satisfactorily corrected.

SECTION 6 Effective Date.

This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas this 6th day of November, 1989.

Doyle Williams, Mayor

ATTEST: Viola Luney, City Clerk

●ORDINANCE NO. 294

AN ORDINANCE CREATING A CITY PLANNING COMMISSION FOR THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

CREATION. There shall be created a city planning commission for the City of LeRoy, Kansas.

Section 2

MEMBERSHIP. The city planning commission shall consist of 7 electors of which two (2) members shall reside outside of but within three (3) miles of the corporate limits of LeRoy, Kansas. The remaining members shall be residents of LeRoy, Kansas. All members shall be appointed by the mayor with the consent of the city council.

Section 3

TERMS. The members of the city planning commission first appointed shall serve for terms of one year, two years, and three years divided equally or as nearly equal as possible between these terms. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the un-expired term only. Members of the commission shall serve without compensation for their service.

Section 4

MEETINGS. The members of the city planning commission shall meet at least once a month at such time and place as they may fix by resolution. They shall select one of their number as chairman and one as vice-chairman who shall serve one year and until their successor has been selected. Special meetings may be called at any time by the chairman or in the chairman's absence by the vice-chairman. A majority of the commission shall constitute a quorum for the

transaction of business. The commission shall cause a proper record to be kept of its proceedings.

Section 5

INCORPORATING BY REFERENCE K.S.A. 12-701 TO K.S.A. 12-706a, BOTH INCLUSIVE, CITY PLANNING AND SUBDIVISION REGULATIONS. There is hereby incorporated by reference, for the purpose of city planning and subdivision regulations, K.S.A. 12-701 to K.S.A. 12-706a, both inclusive.

Section 6

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body of the City of LeRoy, Kansas, this 7th day of May, 1990.

Approved by the Mayor this 7th day of May, 1990.

Doyle Williams, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 295

AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF WATER SYSTEM REVENUE BONDS, SERIES 1990, OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, IN THE PRINCIPAL SUM OF \$195,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CERTAIN WATER SYSTEM IMPROVEMENTS AND DOING ALL THINGS NECESSARY AND INCIDENTAL THERETO, PRESCRIBING THE FORM AND DETAILS OF SAID REVENUE BONDS, PROVIDING FOR THE COLLECTION, SEGREGATION AND APPLICATION OF REVENUES OF THE SYSTEM FOR THE PURPOSES AUTHORIZED BY LAW, INCLUDING PAYING THE COST OF OPERATING, MAINTENANCE AND IMPROVEMENT OF SAID SYSTEM, AND PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS, UNDER THE AUTHORITY OF K.S.A. 10-1201 ET SEQ., AS AMENDED.

WHEREAS, the governing body of the City of LeRoy (the "City"), Coffey County, Kansas, has pursuant to K.S.A. 10-12-1 et seq. (the "Act") passed and approved its Resolution No. 11-89 and **Ordinance No. 288** on May 1, 1989, and April 3, 1989, respectively, which Resolution No. 11-89 and **Ordinance No. 288** authorized the construction and installation of a water supply system consisting of water mains, meters, valves and fire hydrants, together with all things necessary and incidental thereto (the "Project"); and

WHEREAS, the City did pursuant to its **Ordinance No. 289** adopted and approved July 7, 1989, authorize and order pursuant to K.S.A. 12-1662 et seq., as amended, the issuance of temporary notes of the City in the principal amount of \$290,000, said notes being dated July 1, 1989, and designated Series 1989-A, (the "Notes") to finance part of the costs incurred by the City in connection with the Project pending its completion and permanent financing; and

WHEREAS, the City has substantially completed the Project at a total cost of \$748,603.75;

WHEREAS, it is necessary at this time for the City to proceed to issue its Water System Revenue Bonds, Series 1990, in the principal amount of \$195,000 for the purpose of both redeeming and paying a portion of the Notes and otherwise permanently financing a portion of the cost of the Project to be financed with the proceeds of such bonds with the balance of the cost of the Project payable from other legally available and unencumbered funds of the City; and

WHEREAS, it is the City's intent to obtain assistance from the United States of America acting through the Farmers Home Administration (the "Government"), acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. Section 1921 et seq.) in the planning, financing and supervision of the Project and in the purchasing of such revenue bond lawfully issued, in the event that no other acceptable purchaser for such bond is found necessary by the City; and

WHEREAS, on the 15th day of May, 1974, the City, pursuant to the Act, passed and approved **Ordinance No. 231** (the “1974 Ordinance”) which 1974 Ordinance authorized the issuance, sale and delivery of the City’s Waterworks System Revenue Bonds, Series 1974, in the aggregate principal amount of \$160,000 (the “1974 Bonds”); and

WHEREAS, the 1974 Ordinance authorized the City to issue additional revenue bonds of the City payable solely from the revenues derived by the City from its water system, provided such additional revenue bonds are junior and subordinate to the 1974 Bonds, unless the net operating income of the System (as defined by the 1974 Ordinance) equals 125% of the average yearly payments of principal and interest on all revenue bonds of the System outstanding (the “Parity Test”); and

WHEREAS, when the Bonds authorized herein are accounted for, the net operating income of the System does not meet the Parity Test.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1. Authorization of Project and Redemption of Notes.

That the City proceed to provide for the payment of the Notes on June 30, 1990. Any actions heretofore taken by or on behalf of the City in connection with both the authorization of the Project and the payment of the Notes is, by the terms of this Ordinance, hereby ratified and affirmed as though authorized herein.

Section 2. authorization of and Security for the Bond.

That for the purpose of providing funds in the principal amount of \$195,000 to pay a portion of the costs of the Project as aforesaid, there shall be issued, and hereby is issued, a Water System Revenue Bond, Series 1990, of the City of LeRoy, Coffey County, Kansas, in the aggregate principal amount of \$195,000 (the “Bond”). The principal of and interest on the Bond shall be payable solely from the revenues derived by the City from the rates, fees or charges collected by the City from the operation of the Water Supply System of the City including the improvements to such system constituting the Project (collectively, the “System”), including all improvements, extensions and enlargements thereto hereafter constructed or acquired by the City and not from any other fund or source. The Bond shall constitute a lien upon the revenues produced from the System of the City, which lien shall be junior and subordinate to the lien granted pursuant to the 1974 Ordinance to the 1974 Bondholders.

Section 3. Description of the Bond.

That the Bond shall be a single certificated Registered Bond without coupons in the denomination of \$195,000 or the aggregate declining unpaid principal balance payable to the registered holder thereof and registered as to principal and interest in the name of such registered holder and be dated June 29, 1990, bearing interest at the rate of six percent (6%) per annum payable semiannually on June 29 and December 29 (the “Interest Payment Dates”) of each year commencing December 29, 1990, until the principal of the Bond has been paid, with installments of principal payable as follows:

YEAR (June 29)	PRINCIPAL INSTALLMENTS	YEAR (June 29)	PRINCIPAL INSTALLMENTS
1991	\$ 1,300	2011	\$ 4,000
1992	1,300	2012	4,300
1993	1,400	2013	4,500
1994	1,500	2014	4,800
1995	1,600	2015	5,100
1996	1,700	2016	5,400
1997	1,800	2017	5,700
1998	1,900	2018	6,100

1999	2,000	2019	6,400
2000	2,100	2020	6,800
2001	2,300	2021	7,200
2002	2,400	2022	7,700
2003	2,500	2023	8,100
2004	2,700	2024	8,600
2005	2,800	2025	9,100
2006	3,000	2026	9,700
2007	3,200	2027	10,200
2008	3,400	2028	10,900
2009	3,600	2029	11,500
2010	3,800	2030	12,600

The City reserves the right and option to call and redeem, in whole or in part, the Bond and the installments payable thereunder at any time at par and with accrued interest, without premium. The Bond and the installments payable thereunder, or part thereof, so called shall cease to bear interest after the date fixed for the redemption thereof.

Payments of principal and interest, whether upon redemption or otherwise, made in respect of the Bond, shall be made to the registered owner of the Bond appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar by the close of business of the 15th day preceding the applicable Interest Payment Date (the "Record Dates"). Such payments by check or draft of the Paying Agent shall fully discharge the obligation of said City in respect of the Bond, to the extent of the payment made. The final installment payable toward the principal balance of the Bond shall be payable at the office of the Treasurer of the State of Kansas in the City of Topeka, Kansas (the "Paying Agent", "Bond Registrar" and "Transfer Agent").

Section 4. Refunding.

That when the Bond and interest thereon shall have been paid and discharged, then the requirements contained in this Ordinance and the pledge of revenues made hereunder and all other rights granted hereby shall terminate. Subject to the provisions of Sections 13 (k) and 15 of this Ordinance, the Bond and interest shall be deemed to have been paid and discharged within the meaning of this Ordinance if there shall have been a refunding of the Bond in accordance with K.S.A. 10-116a and any amendments thereto.

Section 5. Method of Execution of the Bond.

That the Bond shall be signed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Clerk of the City, and seal of the City printed or affixed thereto.

Section 6. Form of Bond.

That the Bond shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF KANSAS
CITY OF LEROY, COFFEY COUNTY, KANSAS
WATER SYSTEM REVENUE BOND, SERIES 1990

No. R-_____ \$_____

Rate of	Final	Dated
Interest: 6.00%	Maturity	Date: June 29, 1990
	Date:	

Registered Owner: UNITED STATES OF AMERICA
ACTING THROUGH THE FARMERS HOME ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE
C/O STATE OFFICE
444 S.E. QUINCY STEET
TOPEKA, KANSAS 66683

PRINCIPAL AMOUNT: One Hundred Ninety-five Thousand Dollars
(\$195,000)

The City of LeRoy (the "City") in the County of Coffey, State of Kansas, for value received, hereby acknowledges itself hereinafter pledged, to the Registered Owner identified above, or registered assigns as hereinafter provided, as of the Record Dates as hereinafter provided, on the Maturity Date identified above, the Principal Amount identified above, and in like manner to pay interest on such Principal Amount from the Date of this Bond or from the most recent interest payment date to which interest has been paid prior to the Registration Date set forth below at the rate of interest per annum set forth above on June 29 and December 19 of each year (the "Interest Payment Dates") commencing December 29, 1990, until said principal amount is paid.

The principal of and the interest on this Bond shall be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas, (the "Paying Agent" and Bond Registrar") by mailing to the registered owner thereof at the address appearing on the registration books of the City maintained by the Bond Registrar or at such other address as is furnished in writing by such registered owner to the Bond Registrar at the close of business on the 15th day preceding the applicable Interest Payment Date (the "Record Date"). The principal of and interest on this Bond shall be payable in accordance with the Schedule printed on the reverse of this Bond.

Subject to the prior and superior lien granted to the owners of the City's Waterworks System Revenue Bonds, Series 1974, pursuant to **Ordinance No. 231** passed and approved by the governing body of the City on May 15, 1974, the principal of and all interest on this Bond are hereby made a lien on and are secured by a pledge of the revenues derived from the operation of the Water Supply System of the City, excepting reasonable operation and maintenance expense and are to be paid solely and only from a separate and special fund, known and identified as the Water Fund, into which there are to be paid from revenues derived from the rates, fees and charges for the use thereof and for all services rendered by said Water System collected by the City extended in accordance with the Ordinance of the City duly adopted _____, 1990, (the "Ordinance") under which the Bonds are issued. This Bond does not constitute a general obligation of the City, is not payable in any manner from funds raised by taxation, nor does it constitute an indebtedness of the City within the meaning of any constitutional or statutory provision, limitation or restriction.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE HEREOF AND SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOSE FULLY SET FORTH AT THIS PLACE.

It is hereby declared and certified that all acts, conditions, and things required to be done and to exist precedent to and in the issuance of this Bond have been properly done and performed and do exist in due and regular form and manner as required by the Constitution and Laws of the State of Kansas, and that the total indebtedness of said City, including this series of bonds, does not exceed any constitutional or statutory limitation.

1993	1,400	2013	4,500
1994	1,500	2014	4,800
1995	1,600	2015	5,100
1996	1,700	2016	5,400
1997	1,800	2017	5,700
1998	1,900	2018	6,100
1999	2,000	2019	6,400
2000	2,100	2020	6,800
2001	2,300	2021	7,200
2002	2,400	2022	7,700
2003	2,500	2023	8,100
2004	2,700	2024	8,600
2005	2,800	2025	9,100
2006	3,000	2026	9,700
2007	3,200	2027	10,200
2008	3,400	2028	10,900
2009	3,600	2029	11,500
2010	3,800	2030	12,600

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Section 7. Execution and Delivery of the Bond.

That the Mayor and City Clerk of the City are hereby authorized and directed to prepare and execute the Bond in the manner hereinbefore specified and to cause the Bond to be registered as provided by law and when duly executed and registered to deliver the Bond to purchaser thereof upon payment of the purchase price.

Section 8. Bond Recitals; Agreement Between Issuer and Agent.

That the Bonds shall contain recitals and be in the form and of the size as provided by the statutes of the State of Kansas. The Bonds shall in addition to all other requirements be subject to the terms and conditions of the agreement entitled “Agreement Between Issuer and Agent” by and between the City and the State Treasurer of Kansas attached hereto as Exhibit A and incorporated herein by reference.

Section 9. Disposition of Bond Proceeds.

That the Bond is to be sold and the proceeds therefrom are to be used only to pay the cost of the Project previously authorized by the City. Any accrued interest received upon the sale of the Bond shall be deposited directly to the “Series 1990 Principal and Interest Account”, hereinafter established for the Bond.

Section 10. Funds and Accounts.

That the City hereby covenants and agrees that so long as the Bond and the installments payable thereunder remain outstanding and unpaid all of the revenues derived by the City from the operation of the System, including all revenues from all improvements, extensions and enlargements of the System hereinafter constructed or acquired by the City, shall be paid to the Treasurer of the City and deposited in the City’s “Water Fund”, hereby authorized and ordered to be created and established in the treasury of the City, and said Fund shall only be used to pay the costs of operation and maintenance of the System and to pay the principal of and interest on the Bond and any prior Revenue Bonds outstanding any unpaid, as provided by law.

There are hereby created and ordered to be established in the treasurer of the City three separate accounts to be known respectively as the (a) “Principal and Interest Account for Water

System Revenue Bond, Series 1990”, hereinafter called “Series 1990 Principal and Interest Account”, (b) “Reserve Account for Water System Revenue Bond, Series 1990”, hereinafter called “Series 1990 Bond Reserve Account” and (c) “Rebate Account for Water System Revenue Bond, Series 1990”, hereinafter called “Series 1990 Rebate Account”.

The accounts referred to in the preceding paragraph shall be maintained and administered by the City as herein provided as long as the Bond and the installments payable thereunder remain outstanding.

Section 11. Application of Moneys in Funds and Accounts.

That the City shall pay from the Water Fund the reasonable and proper expenses of operating and maintaining the System and keeping the same in good repair and working order, including without limiting the generality of the foregoing, salaries, wages, cost of materials, supplies and insurance. After paying and providing for the payment of the reasonable and proper expenses of operating and maintaining the System, the City further covenants and agrees that it will allocate, pay and credit the moneys and revenue at the time in the Water Fund as follows in such amounts so at all times the City will have sufficient money to meet and pay the requirements of the Series 1990 Principal and Interest Account and the Series 1990 Bond Reserve Account.

- (a) There shall first be paid and credited to the Series 1990 Principal and Interest Account, to the extent necessary to meet at the maturity thereof the interest on and the principal of the Bond the following amounts:
 - (1) Beginning on or before July 1, 1990, and continuing on the first day of each month thereafter an amount not less than one-fifth (1/5) of the amount that will be required to pay the interest that will become due on the Bond on December 29, 1990; and beginning on January 1, 1991, and continuing on the first day of each month thereafter an amount not less than one-sixth (1/6) of the interest that will become due on the Bond on the next succeeding interest date.
 - (2) Beginning on July 1, 1990, and continuing on the first day of each month thereafter an amount not less than one-twelfth (1/12) the principal of the Bond that will become due on June 29, 1991, and continuing on the first day of each month thereafter an amount not less than one-twelfth (1/12) of the principal amount of the Bond that will become due on the next succeeding Bond maturity date.

All amounts paid and credited to the Series 1990 Principal and Interest Account shall be used and expended by the City for the sole purpose of paying the interest on and principal of the Bond as and when the same become due.

- (b) There shall next be paid and credited to the Series 1990 Bond Reserve Account the sum of \$110 per month commencing on July 1, 1990, and continuing until such time as said Series 1990 Bond Reserve Account has attained the sum of \$13,200. Moneys held in the Series 1990 Bond Reserve Account shall be used solely to prevent any default in the payment of the principal of or interest on the Bond if at any time the moneys in the Series 1990 Principal and Interest Account are insufficient to pay the principal of and/or interest on the Bond. No part of the Series 1990 Bond Reserve Account shall ever be used or expended by the City to call and redeem in part said Bond and the installments payable thereunder for payment prior to their ultimate maturity provided, however, the City may use the moneys in the Series 1990 Bond Reserve Account for the purpose of prepaying the remaining balance of the Bond. So long as the moneys and investments in the Series 1990 Bond Reserve Account shall aggregate not less than \$13,200 no further payments into said account shall be required, but if at any time the City shall be compelled to use and expend any part of said Series 1990 Bond Reserve Account for the purpose of paying the interest on or principal of the Bond and such use shall reduce the amount in said account below the sum of \$13,200, then the City, after making all payments and credits at the time required to be made by it under the provisions of this Ordinance, will make monthly payments or credits of \$110 a month to the Series 1990 Bond Reserve Account until it shall have accumulated in said account the sum of \$13,200.

- (c) Moneys shall be deposited in the Series 1990 Rebate Account to the extent any amounts are required to be rebated to the United States government under Section 148 of the Internal Revenue Code of 1986, as amended, and any regulations promulgated thereunder.
- (d) After making all payments and credits from the Water Fund at the time required to be made under provisions of paragraphs (a) and (b) of this Section, all remaining moneys in the Water Fund (except those subject to rebate as deposited or to be deposited in the Series 1990 Rebate Account) which shall not be required for the operation and maintenance of the System for the ensuing sixty (60) day period may be used, with the prior written consent of the Government, by the City for any one or more of the following purposes as determined by the Governing Body of the City:
 - (1) Cost of operation and maintenance of the System;
 - (2) Preventing default in and anticipating or increasing payments into other accounts referred to in this Section;
 - (3) Replacing, enlarging, extending or improving the System of the City; or
 - (4) Calling and redeeming prior to maturity, in whole or in part, said Bond and the installments payable thereunder.

Section 12. Investment.

That moneys held in the Series 1990 Principal and Interest Account may be invested by the City as permitted by law in direct obligations of, or obligations the principal of or interest on are guaranteed by, the United States, or in other obligations in which public funds are permitted to be invested under Kansas law, becoming due not later than the next principal or interest payment date. Moneys held in the Series 1990 Bond Reserve Account may be invested by the City if permitted by law in direct obligations of, or obligations the principal of or interest on which are guaranteed by, the United States, or any other obligation in which public funds are permitted to be invested under the Kansas law. Notwithstanding such authority, no investment shall be made for a period extending longer than to the date when the moneys invested may reasonably be needed for the purposes for which each respective account was created. Cash money in each fund or account shall be deposited in a bank or banks located in the State of Kansas as permitted by Kansas law which are members of the Federal Deposit Insurance Corporation, and all such bank deposits shall be adequately secured by the banks holding such deposits. All interest on any investment held in any fund or account shall accrue to and become a part of such fund or account. In determining the amount held in any account the obligations shall be valued at the principal amount or the market value thereof, whichever is lower. The excess of the amount either required by the provisions of this Ordinance or permitted by regulation or law to be deposited in any account shall be paid or credited by the City to the Water Fund.

Section 13. Particular Covenants of the City.

That the City covenants with each of the purchasers and owners of the Bond that so long as the Bond and the installments payable thereunder remain outstanding and unpaid:

- (a) The City will faithfully perform at all times any and all covenants, agreements, undertakings and provisions contained in the Ordinance, Bond and applicable local, state and federal regulations.
- (b) The City will operate and maintain the System in an efficient manner and at reasonable cost and will keep the same in good repair and working order.
- (c) The City will fix, establish, maintain and collect such rates, fees or charges for service furnished by and through the System including all extensions, improvements and enlargements thereto thereafter constructed or acquired by the City, which rates, fees or charges shall be sufficient to pay the cost of operation, maintenance and improvement of the System and to pay the principal of and interest on the Bond and all other System revenue bonds of the City hereafter issued and standing on a parity with the Bond as and when the same become due, and to create and maintain reasonable reserves as hereinbefore specified. The City further covenants and agrees that it will at all times maintain and collect rates, fees or charges for the use of or services rendered by the

System which will be sufficient to enable the City to have in each fiscal year a net operating income (gross income less only operation, maintenance and repair expenses but before depreciation charges or any other charges or payments) from the System as an amount which will be not less than 110% of the amount required to be paid by the City in the next succeeding fiscal year on account of both principal of and interest on all System revenue bonds of the City at that time outstanding. As soon as possible and not more than ninety (90) days after the end of each fiscal year, the annual audit and report made for such year by the City's auditors pursuant to provisions of this Ordinance shall be presented to and considered by the City's governing body and if it shall appear that an increase in existing rates, fees or charges for the services of the System is necessary in order to satisfy the obligations of the City under provisions of this Ordinance, the governing body shall promptly make such increase and shall cause the same to be effective within ninety (90) days thereafter. If prior to the end of this fiscal year, the monthly operating statements of the System shall indicate that an increase in the existing rates, fees or charges is necessary to satisfy the obligations of the City under provisions of this Ordinance, the governing body shall promptly make such increase and shall cause the same to be effective within ninety (90) days thereafter.

- (d) Except for the agreement between the City and American Metal Products, Inc., none of the facilities or services afforded by the System will be furnished to any user without a reasonable charge being made therefore.
- (e) The City will not mortgage, pledge or otherwise encumber the System or any part thereof, or any extension, improvement or betterment thereof nor will it sell, lease or otherwise dispose of the System or any material part thereof. The City may however dispose of any property which has become obsolete an non-productive or otherwise unusable to the advantage of the City. Any cash proceeds derived from the City's sale of such property shall be used by the City to improve, extend or enlarge the system. Provided, however, so long as the Government is the owner or insurer of the Bond, the City will not dispose of such property unless the Government has, in writing, consented thereto and the City will use the proceeds as agreed in writing with the Government.
- (f) The City will carry and maintain a reasonable amount of all risk insurance upon the properties forming part of the System insofar as they are of an insurable nature, the amount of such insurance being the amount as would normally be insured by a private corporation engaged in a similar type of business or as may be specified by the Government. In the event of loss or damage, the City, with all reasonable dispatch, will use the proceeds of such insurance to reconstruct and replace the property damaged or destroyed or, if such reconstruction or replacement be un-necessary, then either to improve, extend or enlarge the System or to redeem or purchase in the open market the outstanding Bond. The City in operating the System will carry and maintain public liability and workmen's compensation insurance in such amounts as would normally be maintained by a private corporation engaged in a similar type of business or as may be specified by the Government and the proceeds derived from any of such policies shall be used in paying the claims on the account of which such proceeds were received. All employees of the City handling funds of the City shall be bonded at all times in an amount equal to the total funds in their possession or custody at any one time or so long as the Bond is held or insured by the Government, the amount required by the Government. The cost of all insurance referred to in this paragraph shall be paid as an operating cost out of the revenues of the System.
- (g) The City will install and maintain proper books, records and accounts separate from all other records and accounts of the City in which complete and correct entries will be made of all dealings and transactions of or in relation to the properties, business and affairs of the System. Such accounts shall show the amount of revenue received from the System, the application of such revenue and all financial transactions in connection therewith. Said books shall be kept by the City according to the standard accounting practices as applicable to the operation of the System by municipalities.
- (h) Annually within ninety (90) days after the end of each fiscal year the City will cause an audit to be made by a competent firm of independent auditors of the operation of the System. Said audit shall include:

- (1) a classified statement of the gross revenues received, of expenditures for operation and maintenance, of expenditures for all other purposes, and the amount of any capital expenditures made from such revenues made during the fiscal year;
 - (2) a balance sheet as of the end of each fiscal year, with an amount on hand at the end of such year in each of the accounts created or referred to in this Ordinance;
 - (3) a statement showing profit or loss for such fiscal year;
 - (4) a statement of the Bond, and the installments payable thereunder, redeemed, purchased or paid during the preceding fiscal year, and a statement of all interest paid during such year on the Bonds;
 - (5) a statement of the number of customers served by the System at the beginning and also at the end of such fiscal year;
 - (6) a statement showing the amount and the type of insurance carried by the City on the property constituting the System and showing the names of the insurers, expiration dates of the policies and the premium thereon;
 - (7) the opinion of the auditors as to whether or not the City is meeting the requirements of paragraph (c) of this Section by maintaining and collecting adequate rates, fees and charges for System services furnished by the City; and
 - (8) such remarks and recommendations regarding the City's method of operation of the System and its accounting practice as such auditors may deem appropriate. Such audit shall be completed as soon as practicable and not more than ninety (90) days after the end of each fiscal year and a copy thereof filed with the office of the Clerk of the City where it shall be open to public inspection. A complete copy of the annual audit or report shall be furnished by the City without cost within thirty (30) days of its receipt to the Government so long as the Government is the owner or insurer of the Bonds.
- (i) The City will provide the Government at all reasonable time access to all books and records relating to the system and access to the property and facilities of the System so that the Government may ascertain that the City is complying with the provisions of this Ordinance and other instruments incident to the issuance or insuring of the Bond.
 - (j) The City will serve any applicant within the service area of the system desires the services of the System and who can feasibility and legally be served. The City will obtain the concurrence of the Government prior to refusing services to such applicant.
 - (k) The City will refinance the unpaid balance, in whole or in part, of the outstanding principal amount of the Bond upon the request of the Government if, at any time, it should appear to the Government that the City is able and authorized by law to refinance the Bond by obtaining a loan for such purposes from responsible, cooperative or private sources at reasonable rates and terms (7 U.S.C. Section 1983(c)).
 - (l) The City will comply with all applicable federal, state and local laws, regulations and ordinances relating to the operation of the System and the provisions of this Ordinance.
 - (m) So long as the Government is the owner of the Bond, the City shall also be subject to the terms and provisions of the Loan Resolution, Form FmHA 1942-47, a copy of which is attached hereto and incorporated herein.

Section 14. Additional Bonds.

That the City hereby covenants and agrees that so long as the Bond and the installments payable thereunder remain outstanding and unpaid, it will not issue any additional System revenue bonds payable from the revenues of the System which are superior in lien, security or otherwise to the Bond. The City hereby covenants and agrees that so long as the Bond and the installments payable thereunder remain outstanding and unpaid it will not issue any additional bonds or other obligations payable out of the revenues of the System which stand on a parity or equality with the Bond unless each of the following conditions are met:

- (a) The City (i) shall obtain the consent of the Government as hereinafter required in this Section and (ii) shall not be in default in making any of the payments at the time required to be made by it into the respective funds or accounts created or referred to in this Ordinance, or in the performance of any covenant contained herein.

(b) The annual net income derived by the City from the operation of the System, such net income being defined as gross income less only reasonable expenses for operation, maintenance and repair of the System but before any other payments or charges for the fiscal year next preceding the issuance of additional bonds, shall have been equal to 120% of the average amount required to be paid out of said income in any succeeding fiscal year on account of both principal and interest becoming due with respect to the Bond, including the additional revenue bonds proposed to be issued, provided, however, that if the City shall have made any increase in its charges for the use of the System and such increase in its charges shall not have been in effect during all of the fiscal year next preceding the issuance of additional bonds then the City may retain an independent public accountant to make a detailed investigation and report as to the amount of annual net income as hereinbefore defined that would have been received during the preceding fiscal year from the operation of the System if said rates had been in effect during all of said fiscal year, and said amount as defined and certified by said accountant shall govern in determining right of the City to issue additional parity bonds under provisions aforesaid.

Additional System revenue bonds of the City issued under the conditions hereinbefore in this Section set forth shall stand on a parity with the Bond and shall enjoy complete equality of lien on and claim against the revenues of the System with said Bond, and with the exception of remaining to be subject to the requirements of 7 U.S.C. 1983 (c) so long as the Government is owner or insurer of the Bond, the City may make equal provision for paying said additional bonds and the interest thereon out of the Water Fund and may likewise provide for the creation of a reasonable principal and interest account and a reasonable bond reserve account for the payment of such additional bonds and the interest thereon out of moneys in said Water Fund.

Except as hereinafter provided in this section, nothing contained in this Section shall prohibit or restrict the right of the City to issue additional Water Supply System revenue bonds or other revenue obligations for the purpose of reconstruction, altering, repairing, improving, or extending and enlarging the System and to provide that the principal of any interest on said revenue bonds or obligations shall be payable out of the revenues of the System, provided that at the time of the issuance of such additional revenue bonds or obligations the City shall not be in default of performance of any covenant or agreement contained in this Ordinance and provided further that such additional revenue bonds or obligations shall be junior and subordinate to the Bond, so that if any time the City shall be in default in paying either interest on or principal of the Bond or if the City shall be in default in making any payments required to be made by it under the provisions of this Ordinance, the City shall make no payments of either principal or interest on said junior or subordinate revenue bonds or obligations until said default or defaults be cured and no default shall exist on the part of the City under the covenants, agreements and conditions contained in this Ordinance. So long as the Bond is owned or insured by the Government no additional revenue bonds payable from revenues derived from the operation of the City's water supply system shall be issued by the City without the prior written consent of the Government.

Section 15. Defeasance Prohibited Without Consent from the Government.

As long as any part of the Bond is owned or insured by the Government, the City will not issue any additional revenue bonds or other obligations for the purpose of providing funds to refund all or part of the Bond unless either (i) all of the remaining balance of the Bond is paid, retired and cancelled concurrently with the issuance of such refunding revenue bonds, or other obligations or at the first interest and principal payment date for the Bond occurring after the issuance of the refunding revenue bond or other obligation, or (ii) consent to the issuance of such refunding revenue bond or other obligation is given by the Government.

Section 16. Arbitrage.

That the City covenants and agrees that no part of the proceeds from the Bond or other proceeds shall be used, at any time, directly or indirectly in a manner which if such use had been reasonably anticipated on the date of the issuance of the Bond would have caused the Bond to be

or become an "Arbitrage Bond" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and the Regulations of the Treasury Department thereunder proposed or in effect at the time of such use applicable to obligations issued on the date of issuance of the Bond.

Section 17. Amendments.

The provisions of this Ordinance may be modified or altered by the City in any respect without the consent of the bondholder for the purpose of correcting any errors or mistakes or otherwise, except that no modification or alteration shall be permitted which would reduce the security of the bondholder. It shall not be necessary to note on the Bond any reference to such amendment or modification.

Section 18. Remedies.

That the provisions of this Ordinance including covenants and agreements hereinbefore contained shall constitute a contract between the City and the owners of the Bond and the owner of the Bond at the time outstanding shall have the right:

- (a) by mandamus or other suit, action or proceeding at law or in equity to enforce his or their rights against the City and its officers, agents and employees, and to require and compel the City and its officers, agents and employees to perform all duties and obligations required by the provisions of this Ordinance or by the Constitution and Laws of the State of Kansas;
- (b) by suit, action or other proceeding in equity or in law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and
- (c) by suit, action or proceeding in equity or in law to enjoin any act or things which may be unlawful or in violation of the rights of the owners of the Bond.

Nothing contained in this Ordinance however shall be construed as imposing on the City any duty or obligation to levy any taxes either to meet any obligations incurred herein or to pay the principal of or interest on the Bond.

Section 19. Severability.

That if any provision of this Ordinance or the Bond shall, for any reason, be held, or be in fact, inoperative or unenforceable in any particular case, such circumstance shall not render the provision inoperative or unenforceable in any other case or circumstance or render any other provision herein contained inoperative or unenforceable. The invalidity of any one or more phrases, sentences, clauses, paragraphs or sections of this Ordinance, or in the Bond shall not affect the remaining portions of this Ordinance or the Bond, or any part thereof.

Section 20. Effective Date.

That this Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City and published in the official paper of the City.

ADOPTED AND APPROVED by the governing body of the City of LeRoy, Coffey County, Kansas, this 11th day of June, 1990.

THE CITY OF LEROY
COFFEY COUNTY, KANSAS
Doyle Williams, Mayor

ATTEST:
Viola Luney, City Clerk

•ORDINANCE NO. 296

AN ORDINANCE DECLARING CERTAIN MATTERS AS MOTOR VEHICLE NUISANCES WITHIN THE CITY OF LEROY, KANSAS; PROVIDING FOR THE

REMOVAL OR ABATEMENT OF MOTOR VEHICLE NUISANCES; AUTHORIZING THE ASSESSMENT OF COST AND PROVIDING FOR PENALTIES;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

FINDINGS OF GOVERNING BODY. The governing body finds that junked, wrecked, dismantled, inoperative or abandoned vehicles affect the health, safety and general welfare of citizens of the city because they:

- (a) Serve as a breeding ground for flies, mosquitoes, rats and other insects and rodents;
- (b) Are a danger to persons, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks or other supports;
- (c) Are a ready source of fire and explosion;
- (d) Encourage pilfering and theft;
- (e) Constitute a blighting influence upon the area in which they are located;
- (f) Constitute a fire hazard because they frequently block access for fire equipment to adjacent buildings and structures.

Section 2

DEFINITIONS. As used in this ordinance, unless the context clearly indicates otherwise:

- (a) Inoperable means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned or unable to perform the function or purpose for which it was originally constructed;
- (b) Vehicle means, without limitation, any automobile, truck, tractor or motorcycle which as originally built contained an engine, regardless of whether it contains an engine at any other time, and farm machinery or equipment.

Section 3

NUISANCES UNLAWFUL; DEFINED; EXCEPTIONS. It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

- (a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable:
 - (1) Absence of a current registration plate upon the vehicle;
 - (2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports;
 - (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.
- (b) The provisions of this section shall not apply to: (1) any motor vehicle which is enclosed in a garage or other building; (2) to the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less; or (3) to any person conducting a business enterprise in compliance with existing zoning regulations or who places such vehicles behind screening of sufficient size, strength and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

Section 4

COMPLAINTS; INQUIRY AND INSPECTION. The public officer shall make inquiry and inspection of premises upon receiving a complaint or complaints in writing signed by two or more persons stating that a nuisance exists and describing the same and where located or is informed that a nuisance may exist by the board of health, chief of police or the fire chief. The public officer may make such inquiry and inspection when he or she observes conditions which

appear to constitute a nuisance. Upon making any inquiry and inspection the public officer shall make a written report of findings.

Section 5

RIGHT OF ENTRY. It shall be a violation of this ordinance to deny the public officer the right of access and entry upon private property at any time reasonable time for the purpose of making inquiry and inspection to determine if a nuisance exists.

Section 6

NOTICE. Any person, corporation, partnership or association found by the public officer to be in violation of *Section 3* shall be served a notice of such violation. The notice shall be served by restricted mail, postage prepaid, return receipt requested; provided, that if the owner or his or her agent in charge of the property is a resident of Coffey County, Kansas, the notice shall be personally served by the public officer or a law enforcement officer.

Section 7

NOTICE; CONTENTS. The notice shall state the condition(s) which is (are) in violation of *Section 3*. The notice shall also inform the person, corporation, partnership or association that:

- (a) He, she or they shall have 10 days from the date of serving the notice to abate the condition(s) in violation of *Section 3*; or
- (b) He, she or they have 10 days from the date of serving the notice to request a hearing before the governing body of the matter as provided by *Section 10*;
- (c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by *Section 8* and/or abatement of condition(s) by the city as provided by *Section 9*.

Section 8

FAILURE TO COMPLY; PENALTY. Should the person, corporation, partnership, or association fail to comply with the notice to abate the nuisance or request a hearing, the public officer may file a complaint in the municipal court of the city against such person, corporation, partnership or association and upon conviction of any violation of provisions of *Section 3*, be fined in an amount not to exceed \$100.00 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

Section 9

ABATEMENT. In addition to, or as an alternative to prosecution as provided in *Section 8*, the public officer may seek to remedy violation of this ordinance in the following manner. If a person to whom a notice has been sent pursuant to *Section 6* has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified in *Section 7*, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution.

The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located as provided in *Section 11*. A copy of the resolution shall be served upon the person in violation in one of the following ways:

- (a) Personal service upon the person in violation;
- (b) Service by restricted mail, postage prepaid, return receipt requested; or
- (c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official

city newspaper and by posting a copy of the resolution on the premises where such condition exists.

Section 10

HEARING. If a hearing is requested within the 10 day period as provided in *Section 7*, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer before the governing body. The hearing shall be held by the governing body as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the governing body shall record its determination of the matter by means of adopting a resolution and serving the resolution upon the person in the matter provided in *Section 9*.

Section 11

COSTS ASSESSED. If the city abates the nuisance pursuant to *Section 9*, the cost of abatement shall be charged against the lot or parcel of ground on which the nuisance was located. The city clerk shall, at the time of certifying other taxes to the county clerk, certify the costs as provided in this section. The county clerk shall extend the same on the tax roll and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid.

Section 12

This Ordinance shall be in full force and effect from and after the adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing Body, this 6th day of August, 1990.

Doyle Williams, Mayor

ATTEST; Viola Luney, City Clerk

•ORDINANCE NO. 297

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 1990; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1990, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by **Ordinance No. 377**", and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with the enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance, shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not more than twenty (20) days, or by both such fine and imprisonment, upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to the violation of its provisions.

Section 3

All other ordinances of the City of LeRoy, Coffey County, Kansas, in conflict herewith are hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 6th day of August, 1990.

Approved by the Mayor this 6th day of August, 1990.

Doyle Williams, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 298

AN ORDINANCE REPEALING **ORDINANCE NO. 292** OF THE CITY OF LEROY, KANSAS AND AMENDING *SECTION TWO* AND *SECTION THREE* OF **ORDINANCE NO. 219** OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That **Ordinance No. 292** of the City of LeRoy, Kansas is hereby repealed.

Section 2

That *Section Two* of **Ordinance No. 219** of the City of LeRoy, Kansas is hereby amended to read as follows:

“Section Two: Every building hereafter erected or enlarged within the fire limits shall be enclosed on all sides with walls constructed of stone, brick, tile, terra cotta, or any other non-combustible, fireproof material designed and installed in such a manner as to contain a fire located within for a minimum period of two (2) hours, except as otherwise proved by this ordinance.”

Section 3

That *Section Two* of **Ordinance No. 219** is hereby repealed.

Section 4

That *Section Three* of **Ordinance No. [219](#)** of the City of LeRoy is hereby amended to read as follows:

“Section Three: Small frame outhouses not exceeding 150 square feet in area and eight feet in height and temporary one-story frame buildings for use of builders may be built within the fire limits, provided, however, that such buildings shall not be located within 20 feet of any other building. One-story buildings having metal walls on metal supports, and not exceeding 7,500 sq. ft. in area may be built within the fire limits, provided, however, that such buildings shall not be located within 10 feet of any other building or adjoining property line.”

Section 5

That *Section Three* of **Ordinance No. [219](#)** is hereby repealed.

Section 6

This ordinance shall take effect and be in force upon its publication in the official city newspaper.

Passed by the council and approved by the mayor this 3rd day of December, 1990.

Doyle Williams, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 299

AN ORDINANCE DEFINING THE CORPORATE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

The City of LeRoy is hereby declared to comprise and include the following, to-wit:

The original townsite of LeRoy according to the recorded plat thereof on file in the office of the Register of Deed of Coffey County, Kansas, less all of Blocks 78, 79, 85, 86, 92, 93, and 94; and less those parts of Blocks 64, 65, 71, 72, 73, 80, 81, 87, 88, and 95 lying South of the center line of the Neosho River;

North LeRoy Addition; Robinson’s Addition; Wilkinson’s Addition; Scott’s Addition; and East LeRoy Addition according to the recorded plats thereof on file in the office of the Register of Deeds of Coffey County, Kansas;

A tract commencing Forty (40) rods North of the Southwest corner of the Northeast Quarter (NE ¼) of Section thirty-four (34) of Township Twenty-two (22) South, Range Sixteen (16) East of the Sixth Principal Meridian, thence East Twenty (20) rods; thence North Forty (40) rods; thence West Twenty (20) rods; thence South Forty (40) rods to the point of beginning, containing five (5) acres, more or less;

The South ten (10) acres of the East half (E ½) of the Northeast Quarter (NE ¼) of Section Thirty-four (34), Township Twenty-two (22) South, Range Sixteen (16), East of the Sixth Principal Meridian; and

Beginning at a point at the intersection of the East right-of-way line of Ennis Street and the South right-of-way line of K-57 highway which point is 79.74 feet south and 12.05 feet east of the Northwest corner of Section Two (2), Township Twenty-three (23) South, Range Sixteen (16) East of the Sixth Principal Meridian, Coffey County, Kansas; thence East, along said south right-of-way line of K-57 highway, 863.77 feet; thence South and parallel to the East right-of-way line of Ennis Street, 514.60 feet; thence West Northwesterly 865.68 feet to said East right-of-way line of Ennis Street; thence North along said right-of-way line 455.35 feet to the point of beginning, containing 9.58 acres, more or less.

Section 2

That this ordinance shall take effect and be in force from and after its publication in THIS WEEK, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Coffey County, Kansas this 5th day of August, 1991.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 300

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1991.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1991, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 300**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 283 is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the mayor this 4th day of September, 1991.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 301

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1991; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1991, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be

marked or stamped "Official Copy as Adopted by **Ordinance No. 301**", and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance, shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not more than twenty (20) days, or by both such fine and imprisonment, upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to the violation of its provisions.

Section 3

Ordinance No. 285 is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 7th day of October, 1991.

Approved by the Mayor this 7th day of October, 1991.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 302

AN ORDINANCE PROVIDING FOR THE RE-ESTABLISHMENT OF THE LEROY CITY PLANNING COMMISSION; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENTS OF ITS MEMBERS; DESCRIBING ITS POWERS AND DUTIES; DESIGNATING IT AS THE BOARD OF ZONING APPEALS AND PROVIDING FOR THE EXPENSES OF ITS OPERATION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Commission Re-establishment. There is hereby re-established the LeRoy City Planning Commission which is composed of seven members of which five members shall be residents of the City and two members shall reside outside the City, but within the City's extraterritorial zoning jurisdiction. The Planning Commission was originally created by **Ordinance No. 294** which was passed and approved on May 7, 1990.

Section 2

Membership, Terms, Interest and Compensation. The members of the Planning Commission shall be appointed by the Mayor with the consent of the City Council at the first regular meeting of the Council in May of each year and take office at the next regular meeting of the Commission. The members of the Commission first appointed shall serve respectively for terms of one year, two years and three years, divided equally or as nearly equal as possible between

those terms. Thereafter, all members shall be appointed for terms of three years each. The appointments shall be so made that the terms of office of the members residing outside of the corporate limits of the City do not expire within the same year. By the re-establishment of the Commission, all current members continue to serve their present terms of office. In case of death, incapacity, resignation or disqualification of any member, appointment to such a vacancy on the Commission shall be made for the un-expired term of the member leaving the membership. Should any member have a conflict of interest, either directly or indirectly, in any matter coming before the Commission, he or she shall be disqualified to discuss or vote on the matter. The Governing Body may adopt rules and regulations providing for removal of members of the Commission. Members of the Commission shall serve without compensation, but may be reimbursed for expenses actually incurred in the performance of their duties as deemed desirable by the Governing Body.

Section 3

Meetings, Officers and Records. The members of the Planning Commission shall meet at such time and place as may be fixed in the Commission's bylaws. The Commission shall elect one member as chairperson and one member as vice-chairperson who shall serve one year and until their successors have been elected. A secretary shall also be elected who may or may not be a member of the Commission. Special meetings may be called at any time by the chairperson or in the chairperson's absence by the vice-chairperson. The Commission shall adopt bylaws for the transaction of business and hearing procedures. All actions by the Commission shall be taken by a majority vote of the entire membership of the Commission; except that, a majority of the members present and voting at the hearing shall be required to recommend approval or denial of an amendment to the zoning regulations, a rezoning amendment or a special use permit. A proper record of all the proceedings of the Commission shall be kept. The Commission, from time to time, may establish subcommittees, advisory committees or technical committees to advise or assist in the activities of the Commission.

Section 4

Powers and Duties. The Governing Body and Planning Commission shall have all the rights, powers and duties as authorized in Kansas Statutes Annotated 12-741 et seq., and amendments thereto, which are hereby incorporated by reference as part of this Ordinance and shall be given full force and effect as if the same had been fully set forth. The Commission is hereby authorized to make or cause to be made, adopted and maintained a comprehensive plan for the City and any unincorporated territory lying outside of the City but within Coffey County in which the City is located, which in the opinion of the Commission forms the total community of which the City is a part. The Commission shall also cause to be prepared, adopted and maintained zoning and subdivision regulations on all land within the jurisdiction designated by the Governing Body. The comprehensive plan and zoning and subdivision regulations are subject to final approval of the Governing Body by ordinance. Periodically, the Governing Body may request the Commission to undertake other assignments related to planning and land use regulations.

Section 5

Board of Zoning Appeals. The Planning Commission is hereby designated to also serve as the City's Board of Zoning Appeals with all the powers and duties as provided for in K.S.A. 12-759. The Board shall adopt rules in the form of bylaws for its operation which shall include hearing procedures. Such bylaws shall be subject to the approval of the Governing Body. Public Records shall be kept of all official actions of the Board which shall be maintained separately from those of the Commission. The Board shall keep minutes of its proceedings showing evidence presented, finds of fact, decisions and the vote upon each question or appeal. A majority of the members of the Board present and voting at the hearing shall be required to decide any appeal. Subject to subsequent approval of the Governing Body, the Board shall establish a scale of reasonable fees to be paid in advance by the appealing party.

Section 6

Budget. The Governing Body shall approve a budget for the Planning Commission and make such allowances to the Commission as it deems proper, including funds for the employment of such employees or consultants as the Governing Body may authorize and provide, and shall add the same to the general budget. Prior to the time that moneys are available under the budget, the Governing Body may appropriate moneys for such purposes from the general fund. The Governing Body may enter into such contracts as it deems necessary and may receive and expend funds and moneys from the state or federal government or from any other source for such purposes.

Section 7

Invalidity of A Part. Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of any other sections of said Ordinance.

Section 8

Repeal. **Ordinance No. 294** is hereby repealed and all other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 9

Effective Date. This Ordinance shall take effect on January 1, 1992, after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL this 3rd day of December, 1991.

APPROVED BY THE MAYOR this 3rd day of December, 1991.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

APPROVED AS TO FORM: Bryan K. Joy, City Attorney

•ORDINANCE NO. 303

AN ORDINANCE RELATING TO STRUCTURES DAMAGED BY FIRE OR EXPLOSION; CREATING A LIEN UPON INSURANCE PROCEEDS WITH RELATION TO SAID STRUCTURE; PROVIDING FOR THE DISBURSEMENT OF SAID INSURANCE PROCEEDS; CREATING A FIRE INSURANCE PROCEEDS FUND; PROVIDING A LIEN FOR CERTAIN TAXES DUE ON STRUCTURES DAMAGED BY FIRE OR EXPLOSION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

SCOPE AND APPLICATION. The city is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., whereby no insurance company shall pay claim of a named insured for loss or damage to any building or other structure located within the city, arising out of any fire or explosion, where the amount recoverable for the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy covering such building or other insured structure, unless there is compliance with the procedures set out in this ordinance.

Section 2

LIEN CREATED. The governing body of the city hereby creates a lien in favor of the city on the proceeds of any insurance policy based upon a covered claim payment made for damage of loss to a building or other structure located within the city, caused by or arising out of any fire or explosion, where the amount recoverable for all the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy, or any other charge imposed upon real property by or on behalf of the city which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained un-discharged for at least one year prior to the filing of a proof of loss.

Section 3

SAME; ENCUMBRANCES. Prior to final settlement on any claim covered by *Section 2*, the insurer or insurers shall contact the county treasurer, Coffey County, Kansas, to determine whether any such encumbrances are presently in existence. If the same are found to exist, the insurer or insurers shall execute and transmit in an amount equal to that owing under the encumbrances a draft payable to the county treasurer, Coffey County, Kansas.

Section 4

SAME; PRO RATA BASIS. Such transfer of proceeds shall be on a pro rata basis by all insurance companies insuring the building or other structure.

Section 5

PROCEDURE. (a) When final settlement on a covered claim has been agreed to or arrived at between the named insured or insured and the company or companies, and the final settlement exceeds 75 percent of the face value of the policy covering any building or other insured structure, and when all amounts due the holder of a first real estate mortgage against the building or other structure, pursuant to the terms of the policy and endorsements thereto, shall have been paid, the insurance company or companies shall execute a draft payable to the city treasurer in an amount equal to the sum of \$5,000 or 10 percent of the covered claim payment, whichever is less, unless the chief building inspector of the city has issued a certificate to the insurance company or companies that the insured has removed the damaged building or other structure, as well as all associated debris, or repaired, rebuilt, or otherwise made the premises safe and secure

(b) Such transfer of funds shall be on a pro rata basis by all companies insuring the building or other structure. Policy proceeds remaining after the transfer to the city shall be disbursed in accordance with the policy terms.

(d) Upon the transfer of the funds as required by subsection (a) of this section, the insurance company shall provide the city with the name and address of the name insured or insureds, the total amount of the final settlement agreed to or arrived at between the insurance company or companies and the insured or insureds, whereupon the chief building inspector shall contact the named insured or insureds by registered mail, notifying them that said insurance proceeds have been received by the city and apprise them of the procedures to be followed under this ordinance.

Section 6

FUND CREATED; DEPOSIT OF MONEYS. The city treasurer is hereby authorized and shall create a fund to be known as the "Fire Insurance Proceed Fund". All moneys received by the city treasurer as provided for by this ordinance shall be placed in said fund and deposited in an interest-bearing account.

Section 7

BUILDING INSPECTOR; INVESTIGATION, REMOVAL OF STRUCTURE.

- (a) Upon receipt of money as provided for by this ordinance, the city treasurer shall immediately notify the chief building inspector of said receipt, and transmit all documentation received from the insurance company or companies to the chief building inspector.
- (b) Within 20 days of the receipt of said moneys, the chief building inspector shall determine, after prior investigation, whether the city treasurer shall instigate proceedings under the provisions of K.S.A. 12-1750 et seq., as amended.
- (c) Prior to the expiration of the 20 days established by subsection (b) of this section, the chief building inspector shall notify the city treasurer whether he or she intends to initiate proceedings under K.S.A. 12-1750 et seq., as amended.
- (d) If the chief building inspector has determined that proceedings under K.S.A. 12-1750 et seq., as amended, shall be initiated, he or she will do so immediately but no later than 30 days after receipt of the moneys by the city treasurer.
- (e) Upon notification to the city treasurer by the chief building inspector that no proceedings shall be initiated under K.S.A. 12-1750 et seq., as amended, the city treasurer shall return all such moneys received, plus accrued interest, to the insured or insureds as identified in the communication from the insurance company or companies. Such return shall be accomplished within 30 days of the receipt of the moneys from the insurance company or companies.

Section 8

REMOVAL OF STRUCTURE; EXCESS MONEYS. If the chief building inspector has proceeded under the provisions of K.S.A. 12-1750 et seq., as amended, all moneys in excess of that which is ultimately necessary to comply with the provisions for the removal of the building or structure, less salvage value, if any, shall be paid to the insured.

Section 9

SAME; DISPOSITION OF FUNDS. If the chief building or other structure damaged by fire or explosion, determines that it is necessary to act under K.S.A. 12-1756, any proceeds received by the city treasurer under the authority of *section 5* (a) relating to that building or other structure shall be used to reimburse the city for any expenses incurred by the city in proceeding under K.S.A. 12-1756. Upon re-imbursement from the insurance proceeds, the chief building inspector shall immediately effect the release of the lien resulting therefrom. Should the expenses incurred by the city exceed the insurance proceeds paid over to the city treasurer under *section 5* (a) the chief building inspector shall publish a new lien as authorized by K.S.A. 12-1756, in an amount equal to such excess expenses incurred.

Section 10

EFFECT UPON INSURANCE POLICIES. This ordinance shall not make the city a party to any insurance contract, nor is the insurer liable to any party for any amount in excess expenses incurred.

Section 11

INSURERS; LIABILITY. Insurers complying with this ordinance or attempting in good faith to comply with this ordinance shall be immune from civil and criminal liability and such action shall not be deemed in violation of K.S.A. 40-2404 and any amendments thereto, including withholding payment of any insurance proceeds pursuant to this ordinance, or releasing or disclosing any information pursuant to this ordinance.

Passed by the governing body of the City of LeRoy, Kansas, this 2nd day of September, 1992.

Bill Freeman, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 304

AN ORDINANCE AMENDING *SECTION 1 AND 2* OF **ORDINANCE #47** OF THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

That *Section 1* of **ordinance 47** of the City of LeRoy, Kansas is hereby amended to read as follows:

“Section 1. It shall be unlawful for any person under the age of sixteen years to be upon public streets and grounds of the City of LeRoy after the hours of 12:00 midnight, unless such minor shall be accompanied by a parent, guardian or spouse.”

Section 2

That *Section 2* of **ordinance 47** of the City of LeRoy, Kansas is hereby amended to read as follows:

“Section 2: Any person violating the provisions of this ordinance, shall upon conviction, be fined a sum not less than ten (\$10.00) dollars, nor more than twenty-five (\$25.00).”

Section 3

This ordinance shall take effect and be in force from and after its passage and approved by the mayor and is publication in the official city newspaper.

Passed by the council and approved by the mayor this 2nd day of September, 1992.

Bill Freeman, Mayor
City of LeRoy, Kansas

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 305

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1992; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1991, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. No less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 305**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance, shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not more than twenty (20) days, or by both such fine and imprisonment, upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to the violation of its provisions.

Section 3

Ordinance No. [301](#) is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 5th day of October, 1992.

Approved by the Mayor this 5th day of October, 1992.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

[•ORDINANCE NO. 306](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1992.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1992, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 306**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. [300](#) is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 5th day of October, 1992.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 307

AN ORDINANCE RENAMING THE FOLLOWING STREETS: FRAWLEY STREET, ROSS STREET, SEYMOUR STREET, SPRINGFIELD STREET, AND ENNIS STREET, ALL IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, the existing system of street numbers and names in the City of LeRoy has resulted in an ongoing state of confusion and administrative difficulty, and

WHEREAS, the City desires to improve the system of street numbers and names by lending further consistency and continuity to the system, now therefore

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1

That the streets originally named “Frawley Street”, “Ross Street”, “Seymour Street”, “Springfield Street”, and “Ennis Street”, are hereby renamed and designated as “B Street”, “C Street”, “D Street”, “E Street”, and “F Street”, respectively.

SECTION 2

That all ordinances, resolutions, and other enactments which heretofore referred to or applied to the above streets as originally named shall hereafter be considered to apply to those streets as renamed and designated.

SECTION 3

This ordinance shall become effective upon its publication in the Coffey County This Week, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, this 3rd day of May, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 308

AN ORDINANCE AMENDING ARTICLE 1, *SECTIONS 1-104, 1-105, 1-106 AND 1-109* OF **ORDINANCE NO. 239** PROVIDING FOR DOG CONTROL REGULATIONS PERTAINING TO THE KEEPING OF DOGS IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS:

Section 1

That *Section 1-104* of **Ordinance No. 239** be amended to read as follows: The license fee shall be five dollars (\$5.00) for each male or spayed female dog or cat and seven dollars (\$7.00) for each unsprayed female dog or cat.

Section 2

That *Section 1-105* of **Ordinance No. 239** be amended to read as follows: All licenses shall be valid and cover the period from June 10th to June 9th of the following year or part thereof each year. Such license shall be due and payable on or before the 10th day of June of each year. In the event that a license for a dog or cat is not purchased on or before the 10th day of June of each year, the license fee shall be two times the regular license fee. In the event that a license for a dog or cat is not purchased on or before the 20th day of June of each year, the license fee shall be four times the regular license fee.

Section 3

That *Section 1-106* of **Ordinance No. [239](#)** be amended to read as follows: License tags shall be issued in the form of a durable tag numbered and lettered LeRoy and the year, which shall be fastened to the dog's collar or harness and worn at all times. License tags shall not be transferable. Should a dog tag be lost or destroyed the owner shall forthwith apply to the City Clerk for a new license tag and shall pay unto the City Clerk the sum of one dollar (\$1.00) for each such duplicate. No refunds shall be made on any dog or cat license fee because of the death of the dog or cat or the removal of the dog or cat from the city before the expiration of the license. It shall be the duty of the City Clerk to issue a receipt which shall show the name of the person paying the license fee a description and sex of the dog and number of the tag issued. Any moneys received under this ordinance shall be paid to the City Treasurer to the credit of the general fund of the city.

Section 4

That *Section 1-109* of **Ordinance No. [239](#)** be amended to read as follows:

- (a) Dogs and cats shall be released from the Dog Pound upon payment of the license fee, if necessary, and the applicable dog pound fees. The dog pound fees shall be determined by the Humane Officer impounding and three dollars (\$3.00) per day for feeding and care of the dog or cat, and
- (b) The sum of ten dollars (\$10.00) as redeeming fee for each time a dog is redeemed, and
- (c) Before any dog or cat shall be released from the pound a person will need to obtain a redemption slip from the City Clerk showing that all fees and costs have been paid.

Section 5

That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6

That this ordinance shall be in full force and take effect from and after its publication in the official city newspaper.

Passed by the Governing Body and approved by the Mayor this 2nd day of August, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 309

AN ORDINANCE OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, ESTABLISHING A USER CHARGE SYSTEM IN SAID CITY OF LEROY TO PROVIDE FUNDS NEEDED TO PAY FOR ALL EXPENSES ASSOCIATED WITH THE CITY'S WASTEWATER TREATMENT WORKS AND REPEALING **ORDINANCE NO. [254](#), [256](#) AND [282](#).**

WHEREAS, the City of LeRoy, Kansas, has constructed wastewater treatment works; and
WHEREAS, the City must pay all expenses associated with said treatment works and charge the users of said treatment works accordingly;

NOW THEREFORE, BE IT ORDAINED BY THE Board of Councilmen, of the City of LeRoy, Kansas, that the following user charge system be established:

ARTICLE 1

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience to the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived

will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

ARTICLE 2

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1

“BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20oC, expressed in milligrams per liter (mg/l).

Section 2

“Normal Domestic Wastewater” shall mean wastewater that has a BOD concentration of not more than 200 mg/l and a suspended solids concentration of not more than 200 mg/l.

Section 3

“Operation and Maintenance” shall mean all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

Section 4

“Replacement” shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term “operation and maintenance” includes replacements.

Section 5

“Residential Contributor” shall mean any contributor to the City’s treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

Section 6

“School Contributor” shall mean any contributor to the City’s treatment works which is defined as a school by the Statutes of the State of Kansas.

Section 7

“Shall” is mandatory; “May” is permissive.

Section 8

“SS” (denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 9

“Treatment Works” shall mean any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These

include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste and sanitary sewer systems.

Section 10

“Useful Life” shall mean the estimated period during which a treatment works will be operated.

Section 11

“User Charge” shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation maintenance, and replacement of the wastewater treatment works.

Section 12

“Water Meter” shall mean a water volume measuring and recording device, furnished and/or installed by the City of LeRoy or furnished and/or installed by a user and approved by the City of LeRoy.

ARTICLE 3

Section 1

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works shall be established by this ordinance.

Section 2

That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Article IV, shall be deposited in a separate non lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

- a. An account designated for the specific purpose of defraying operating and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).
- b. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made at least annually, from the operation, maintenance and replacement revenue in the amount of \$980.00 annually.

Section 3

Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for those accounts. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of

the user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

ARTICLE 4

Section 1

The following classes of users and charges to those users are hereby established:

Class I: Residential Users; Single Family Contributors; Inside City Limits. \$3.00 per month for operation and maintenance including replacement plus \$5.00 per month for debt service plus \$.50 per thousand gallons of water used over one thousand gallons of water.

Class IA: Residential Users; Single Family Contributors; Outside City Limits. \$3.00 per month for operation and maintenance including replacement plus \$7.00 per month for debt service plus \$.50 per thousand gallons of water used over one thousand gallons of water.

Class II: Light Commercial/Institutional Users: Non-residential users which contribute less than 10,000 gallons per month of less than or equal to normal domestic strength wastewater. \$3.00 per month for operation and maintenance, including replacement plus \$5.00 per month for debt service.

Class III: Heavy Commercial Users: Non-residential users which contribute 10,000 gallons per month or more, of less than or equal to normal domestic strength wastewater. \$3.00 per month for operation and maintenance, including replacement for the first 4,000 gallons of water metered, then \$1.30 for each 1,000 gallons of water metered over 4,000 gallons plus \$5.00 per month for debt Service.

Class IV: Heavy Institutional users: (Schools) School Sites: Minimum charge \$4.00 per school, provided however, said schools shall be charged monthly for sewer service, to be computed by taking the percentage of water used by the said schools as the same bears to the total amount of water used by the entire City of LeRoy, Kansas times 1/12th of the total annual budget of said sewer system times 1.6. The annual budget of said sewer system shall mean the necessary maintenance, extensions and enlargement of the system including new construction and debt serve as provided by K.S.A. 12-860 and amendments thereto.

ARTICLE 5

Section 1

All users shall be billed monthly. Billings for any particular month shall be made within thirty days after the end of that month. Payments are due when the billings are made. Any payment not received within fourteen days after the billing is made shall be delinquent.

Section 2

A late payment penalty of 10 percent of the user charge bill will be added to each delinquent bill for each thirty days of delinquency. When any bill is sixty days in default, rendition of water and/or sewer service to such premises shall be discontinued until such bill is paid following due notice and opportunity for hearing.

ARTICLE 6

Section 1

The City will review the user charge system at least annually, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the cost of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2

The City will notify each user at least annually, in conjunction with a regular bill of the rate being charged for operation, maintenance including replacement of the treatment works.

ARTICLE 7

Ordinance No. [254](#), [256](#) and [282](#) are hereby repealed.

ARTICLE 8

This ordinance shall be in full force and effect from and after its passage and approval, and publication in the official city newspaper.

Passed by the City Council of the City of LeRoy, Kansas this 2nd day of August, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 310

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1993.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1993, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 306**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. [300](#) is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 2nd day of August, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 311

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITIONS 1993; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1993, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. No less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 311**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

General Penalties. Every person convicted of a violation of any of the provisions of this ordinance, shall for first conviction thereof, be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, for a second such conviction within one (1) year thereafter, such person shall be punished by a fine of not more than twenty (20) days, or by both such fine and imprisonment, upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment, provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by *Section 1* shall prevail as to the violation of its provisions.

Section 3

Ordinance No. [301](#) is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 2nd day of August, 1993.

Approved by the Mayor this 2nd day of August, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 312

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1993; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1993, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 312**”, and to which shall be

attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 4

Ordinance No. [301](#) and Ordinance No. [311](#) is hereby repealed.

Section 5

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 7th day of September, 1993.
Approved by the Mayor this 7th day of September, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

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ANIMAL SHELTER AGREEMENT

Now, on this 7th day of September, 1993, this agreement is entered into by and between the City of Burlington, Kansas hereinafter referred to as "Burlington", and the City of LeRoy, Kansas, hereinafter referred to as "LeRoy" Witnesseth:

WHEREAS, Burlington maintains an animal pound for the collection and disposal of animals, all as more particularly set forth in **Ordinance No. [175](#)** and,

WHEREAS, LeRoy from time to time within its jurisdiction has certain problems with dogs and cats and,

WHEREAS, the parties desire to arrange for LeRoy to use the facilities owned by Burlington.

NOW, THEREFORE, it is hereby agreed by the parties as follows:

1. Burlington agrees to act as animal shelter and disposal agent for small domestic animals picked up and impounded by LeRoy law enforcement officials under the following provisions:
 - (a) Any dog, cat or other small domestic animal brought to Burlington and delivered to the City animal shelter by a LeRoy law enforcement officer will be accepted

and lodged in the shelter at any hour of the day or night by the on-duty Burlington P.D. officer, as space is available in said animal shelter. Burlington is not obligated to accept animals in excess of established housing availability.

- (b) It is understood that the animal is to be delivered to the shelter. The Burlington officer will, upon notification, meet the LeRoy officer at the shelter but will not be expected to go to other points in or near the city to accept delivery of any animal.
- (c) Every animal so impounded is to be accompanied by a completed LeRoy impoundment form which documents all pertinent information concerning the animal and its impoundment. This form is to be turned over the Burlington officer at the time of the impoundment.
- (d) It is understood that this agreement applies only to animals delivered to the shelter by LeRoy law enforcement officer, and not those brought in by private individuals.
- (e) It is also understood that once Burlington accepts custody of any animal so impounded, it will be held for a minimum of three (3) days. If unclaimed by its rightful owner within three (3) days, the animal shall be disposed of as provided by City Ordinance 175 and K.S.A. 47-1710.
- (f) It is recognized that Burlington policies provide that:
 - (1) BPD officers are not authorized to release any animal from the shelter at any time without authorization from the animal control officer or the Chief of Police.
 - (2) Releases of animals are normally accomplished by contracting the animal control officer or the Chief of Police during weekday business hours.
 - (3) All pickup and delivery of animals will be through the Burlington “dog warden” with the proper recorded information conveyed with such animal.

- 2. LeRoy shall assume all costs for the housing of animals accepted at the animal shelter including, but not limited to, boarding, food, veterinary and euthanasia expenses.

IT IS UNDERSTOOD AND AGREED, BY AND BETWEEN THE PARTIES HERETO that this Agreement shall continue to be in full force and effect and renewable annually unless either party shall give written notice to the other of its intent to terminate this Agreement and upon such written notice and expiration of said thirty (30) day period, this Agreement shall terminate and be of no further force or effect whatsoever.

CITY OF BURLINGTON, KANSAS
By: Gene L. Merry, Mayor

Attest:
Daniel Allen, City Clerk

CITY OF LEROY, KANSAS
By: Bill Freeman, Mayor

Attest:
Viola Luney, City Clerk

•ORDINANCE NO. 313

AN ORDINANCE authorizing and embodying an Agreement between the City of LeRoy, Kansas, and Kansas Gas and Electric Company, a Kansas corporation, its successors and assigns, for electric service and equipment to light the streets, alleys and public places of the City for a term of years, providing the compensation to be paid by the City therefore and the terms and conditions of such contract, and providing for its acceptance.

Section 1

That the City of LeRoy, Kansas, is hereby authorized to and does contract with Kansas Gas and Electric Company, a Kansas corporation, its successors and assigns, for the furnishing by said Company of electric service and equipment to light the streets, alleys, and public places of the City, in accordance with the terms and provisions hereinafter set out, which contract is as follows:

“STREET LIGHTING AGREEMENT”

“THIS AGREEMENT made and entered into this 1st day of November, 1993, by and between the City of LeRoy, Kansas, hereinafter referred to as “City” and Kansas Gas and Electric Company, a Kansas corporation, its successors and assigns, hereinafter referred to as “Company”,

“WITNESSETH:

“WHEREAS, the City desires to continue the benefits of a modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same, and supply the necessary electric energy therefore, all in accordance with the terms and provisions hereinafter set out, and it is hereby agreed as follows:

“1. Company will provide, construct and install in place, ready for operation, certain street lighting equipment, consisting of lamp posts or other supports, brackets, lamps and globes, wiring and supports for wiring, conduits and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places, all as shown on a street lighting Location Map now on file in the City Clerk’s office, bearing the signed approval of the Mayor, dated November 1, 1993, which map, with its designations and descriptive, or explanatory data, is hereby approved, namely:

THIRTY-THREE (33) – 10,000 LUMEN MERCURY VAPOR STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

SEVENTY-TWO (72) – 7,000 LUMEN MERCURY VAPOR STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

FIVE (5) – 5,800 LUMEN HIGH PRESSURE SODIUM STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

“All of the above lights are to be served and supplied by overhead conductors, except none.

“Company is to retain ownership of all the foregoing equipment, with right to remove the same upon termination of this Agreement.

“2. Company will also at its sole cost and expense operate and maintain the above-described equipment, including the maintenance and repair of standards, poles, overhead conductor and fixtures, inspection, cleaning of glassware and replacement of lamps during the life of this Agreement. Company will also provide, and City will sue and purchase from Company all electric energy necessary for the illumination of said lights.

“3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company the sum of the aggregate of the rate per unit for such service embodied in the Company’s street lighting service rate schedule, copy of which is on file with the City Clerk,

in the amount of Eleven Thousand Three Hundred Fifty-Eight and 57/100 Dollars (\$11,358.57) annually, plus tax adjustment and any other appropriate adjustments ordered by the State Corporation Commission, or other regulatory tribunal having jurisdiction, such rates and the resultant aggregate annual payment being, however, subject to change or modification, pursuant to order of the State Corporation Commission, or other regulatory tribunal having jurisdiction, subject to the right of either party to review such action in the courts. Each annual payment shall be made in twelve (12) equal monthly installments, payable within fifteen (15) days after receipt of bills from the Company, and to be mailed to Company, Wichita, Kansas.

“4. Upon order or resolution of the Governing Body of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company’s street lighting service rate schedule applicable to said City.

“5. In case of default on the part of the City in making payments within two (2) months and fifteen (15) days after receipt of bill therefore, and upon written notice from Company to that effect, addressed to the Governing Body and delivered to the City Clerk, if such default is not remedied in full within thirty (30) days after delivery of such notice to the City Clerk, Company shall have the right, in addition to and without waiving any other remedies, to shut off the electric service to any or all parts of the system until such default is remedied, this Agreement nevertheless, at Company’s option, continuing in full force and effect.

“6. Company agrees to change the location of any street light upon written request of City, provided City shall pay the actual cost of such moving.

“7. Company agrees to protect and save harmless City from any and all loss, damage, or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruptions of service due to breakdown of its generating, transmission or distribution system, or due to shutdowns necessary to make repairs, or to avoid risk of danger to persons or property, or for other interruptions caused by accidents, strikes, fuel shortage or other causes beyond its control.

“8. The Company may supply at its option any type of lamp which the electrical industry may later develop in place of lamps in use under this contract, provided that it is proven to the reasonable satisfaction of the Governing Body that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

“9. This Agreement shall be in force and effect for a period of ten (10) years from the date hereof. All other street lighting service agreements, or parts thereof, if any, in conflict with the terms of this Agreement, shall be and the same are hereby repealed.

“IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date above set forth.

CITY OF LEROY, KANSAS

ATTEST:
Viola Luney, City Clerk

By: Bill Freeman, Mayor

(SEAL)

KANSAS GAS AND ELECTRIC COMPANY, A KANSAS CORPORATION

ATTEST:

By: _____ President

(SEAL)

Section 2

Upon the passage and approval of this Ordinance and its publication once in the This Week, which publication is hereby directed, two counterparts of the "Street Lighting Agreement" embodied herein shall be prepared and signed in the name of the City by the Mayor, and attested by the City Clerk, with the seal of the City affixed, and when signed on behalf of Kansas Gas and Electric Company, a Kansas corporation, by an authorized Officer of the Company, attested by the Secretary or an Assistant Secretary, with the seal of the Company affixed, said Agreement embodied herein shall become effective and constitute a valid and binding contract between the parties thereto, and the signing of such contract and delivery to the City Clerk of one such signed counterpart by Kansas Gas and Electric Company, a Kansas corporation, shall be deemed an acceptance by it of this Ordinance. The other counterpart shall be delivered to the Company.

Passed and approved this 1st day of November, 1993.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

● STREET LIGHTING AGREEMENT

THIS AGREEMENT, made and entered into this 14th day of December, 1993, by and between the City of LeRoy, Kansas, hereinafter referred to as "City" and Kansas Gas and Electric Company, a Kansas corporation, its successors and assigns, hereinafter referred to as "Company",

WITNESSETH:

WHEREAS, the City desires to continue the benefits of a modernized street lighting system without incurring the cost and expense of purchase or construction and installation of the necessary equipment and facilities therefore, and Company is willing at its own cost and expense to provide, own, maintain and operate the same, and supply the necessary electric energy therefore, all in accordance with the terms and provisions hereinafter set out, and it is hereby agreed as follows:

1. Company will provide, construct and install in place, ready for operation, certain street lighting equipment, consisting of lamp posts or other supports, brackets, lamps and globes, wiring and supports for wiring, conduits and other appliances and equipment necessary to provide and illuminate street lights of the following described types, the same to be located on certain streets and other public places, all as shown on a street lighting Location Map now on file in the City Clerk's office, bearing the signed approval of the Mayor, Bill Freeman, dated November 1, 1993, which map, with its designations and descriptive, or explanatory data, is hereby approved, namely:

THIRTY-THREE (33) – 10,000 LUMEN MERCURY VAPOR STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

SEVENTY-TWO (72) – 7,000 LUMEN MERCURY VAPOR STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

FIVE (5) – 5,800 LUMEN HIGH PRESSURE SODIUM STREETLIGHTS ON STANDARD WOOD POLES SERVED OVERHEAD

All of the above lights are to be served and supplied by overhead conductors, except none.

Company is to retain ownership of all the foregoing equipment, with right to remove the same upon termination of this Agreement.

2. Company will also at its sole cost and expense operate and maintain the above-described equipment, including the maintenance and repair of standards, poles, overhead conductor and fixtures, inspection, cleaning of glassware and replacement of lamps during the life of this Agreement. Company will also provide, and City will use and purchase from Company all electric energy necessary for the illumination of said lights.
3. In consideration of all the foregoing to be provided and supplied by the Company, City shall pay to Company embodied in the Company's street lighting service rate schedule, copy of which is on file with the City Clerk, in the amount of Eleven Thousand Three Hundred Fifty-Eight and 57/100 Dollars (\$11,358.57) annually, plus tax adjustment and any other appropriate adjustments ordered by the State Corporation Commission, or other regulatory tribunal having jurisdiction, such rates and the resultant aggregate annual payment being, however, subject to change or modification, pursuant to order of the State Corporation Commission, or other regulatory tribunal having jurisdiction, subject to the right of either party to review such action in the courts. Each annual payment shall be made in twelve (12) equal monthly installments, payable within fifteen (15) days after receipt of bills from the Company, and to be mailed to Company, Wichita, Kansas.
4. Upon order or resolution of the Governing Board of the City, Company will from time to time provide and supply additional lights to the system and the City shall pay for such additional service at the rates then currently in effect according to the Company's street lighting service rate schedule applicable to said City.
5. In case of default on the part of the City in making payments within two (2) months and fifteen (15) days after receipt of bill therefore, and upon written notice from Company to that effect, addressed to the Governing Board and delivered to the City Clerk, if such default is not remedied in full within thirty (30) days after delivery of such notice to the City Clerk, Company shall have the right, in addition to and without waiving any other remedies, to shut off the electric service to any or all parts of the system until such default is remedied, this Agreement nevertheless, at Company's option, continuing in full force and effect.
6. Company agrees to change the location of any street light upon written request of City, provided City shall pay the actual cost of such moving.
7. Company agrees to protect and save harmless City from any and all loss, damage, or expense to persons, or property, which may arise from the negligent use, installation or construction by Company of equipment owned by it and used to supply service under this contract, provided, however, Company shall not be held responsible for temporary interruptions of service due to breakdowns of its generating, transmission or distribution system, or due to shutdowns necessary to make repairs, or to avoid risk of danger to persons or property, or for other interruptions caused by accidents, strikes, fuel shortage or other causes beyond its control.
8. The Company may supply at its option any type of lamp which the electrical industry may later develop in place of lamps in use under this contract, provided that it is proven to the reasonable satisfaction of the Governing Board that the lamps so substituted give illumination equal to or greater than those in use at the time the Company indicates its desire to make such substitution.

9. This Agreement shall be in force and effect for a period of ten (10) years from the date hereof. All other street lighting service agreements, or parts thereof, if any, in conflict with the terms of this Agreement, shall be and the same are hereby repealed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date above set forth.

CITY OF LEROY, KANSAS

ATTEST:

By Bill Freeman, Mayor

Viola Luney, City Clerk
(SEAL)

KANSAS GAS AND ELECTRIC COMPANY, A KANSAS CORPORATION

ATTEST:

By Kent R. Brown, President

Joe R. Gibbens, Assistant Secretary
(SEAL)

CERTIFICATE OF PASSAGE

STATE OF KANSAS)
COUNTY OF COFFEY) SS:
CITY OF LEROY)

I, the undersigned, the duly appointed, qualified and acting City Clerk of the City of LeRoy, Kansas, hereby certify that the foregoing is a true and correct copy of **Ordinance No. 313** of said City, passed and approved on the 1st day of November, 1993, as the same appears of record among the ordinances of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 1st day of November, 1993.

Viola Luney,
Clerk of the City of LeRoy, Kansas

(SEAL)

•ORDINANCE NO. 314

AN ORDINANCE, granting to Kansas Gas and Electric Company, a Kansas Corporation and wholly owned subsidiary of Western Resources, Inc., a Kansas corporation, its successors and assigns, and electric franchise, prescribing the terms thereof and relating thereto, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

BE IT ORDAINED BY THE GOVERNING BODY OF: LEROY, KANSAS

SECTION 1

That in consideration of the benefits to be derived by the City of LeRoy, KS., and its inhabitants, there is hereby granted to Kansas Gas and Electric Company, a Kansas Corporation and wholly owned subsidiary of Western Resources, Inc., a Kansas corporation, hereinafter

sometimes designated as “Company”, said Company being a corporation operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas, into and through which it has built transmission lines, the right, privilege, and authority for a period of twenty (20) years from the effective date of this ordinance, to occupy and use the several streets, avenues, alleys, bridges, parks, parkings, and public places of said City, for the placing and maintaining of equipment and property necessary to carry on the business of selling and distributing electricity for all purposes to the City of LeRoy, Ks. and its inhabitants, and through said City and beyond the limits thereof; to obtain said electricity from any source available; and to do all things necessary or proper to carry on said business in the City of LeRoy, KS.

SECTION 2

As further consideration for the granting of this franchise, and in lieu of any city occupation, license, or revenue taxes, the Company shall pay to the City during the term of this franchise two percent (2%) of its gross revenue from the sale of electric energy within the corporate limits of said City, such payment to be made monthly for the preceding monthly period.

SECTION 3

That Company, its successors and assigns, in the construction, maintenance, and operation of its electric transmission, distribution and street lighting system, shall use all reasonable and proper precaution to avoid damage or injury to persons and property, and shall hold and save harmless the City of LeRoy, KS., from any and all damage, injury and expense caused by the negligence of said Company, its successors and assigns, or its or their agents or servants.

SECTION 4

That within twenty (20) days from and after the passage and approval of this ordinance, Company shall file the same with the State Corporation Commission for the Commission’s approval.

SECTION 5

After the approval of this ordinance by the State Corporation Commission, Company shall file with the City Clerk of the City of LeRoy, KS. its unconditional written acceptance of this ordinance. Said ordinance shall become effective and be in force and shall be and become a binding contract between the parties hereto, their successors and assigns, from and after the expiration of 60 days from its final passage, approval and publication as required by law, and acceptance by said company.

SECTION 6

That this ordinance, when accepted as above provided, shall constitute the entire agreement between the City and Company relating to this franchise and the same shall supersede and cancel any prior understandings, agreements, or representations regarding the subject matter hereof, or involved in negotiations pertaining thereto, whether oral or written.

SECTION 7

This franchise is granted pursuant to the provisions of K.S.A. 12-2001.

SECTION 8

That any and all ordinances or parts of ordinances in conflict with the terms hereof are hereby repealed.

Should the State Corporation Commission take any action with respect to this franchise ordinance, which would or may preclude Kansas Gas and Electric Company, a Kansas Corporation and wholly owned subsidiary of Western Resources, Inc., a Kansas corporation, from recovering from its customers any cost provided for hereunder, the parties hereto shall renegotiate this ordinance in accordance with the State Corporation Commission's ruling.

PASSED AND APPROVED this 29th day of December, 1993.

Bill Freeman, Mayor

Attest: Viola Luney, City Clerk

•ORDINANCE NO. 315

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1994.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities", edition of 1994, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by **Ordinance No. 315**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 310 is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 6th day of September, 1994.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 316

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 1994; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1994, prepared and published in book for by the league of Kansas Municipalities,

Topeka, Kansas. No less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by **Ordinance No. 316**", and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 3

Ordinance No. 311 and **Ordinance No. 312** is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 6th day of September, 1994.
Approved by the Mayor this 6th day of September, 1994.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 317

An ordinance authorizing the declaration of a water watch, warning or emergency; establishing procedures and voluntary and mandatory conservation measures; authorizing the issuance of administrative regulations; and prescribing certain penalties.

Be it Ordained by the Governing Body of the City of LeRoy.

Section 1

Purpose. The purpose of this ordinance is to provide for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the city in the event such a watch, warning or emergency is declared.

Section 2

Definitions:

- (a) "Water", as the term is used in this ordinance, shall mean water available to the City of LeRoy for treatment by virtue of its water rights or any treated water introduced by the City into its water distribution system, including water offered for sale at any coin-operated site.
- (b) "Customer", as the term is used in this ordinance, shall mean the customer of record using water for any purpose from the City's water distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.
- (c) "Waste of water", as the term is used in this ordinance, includes, but is not limited to: (1) permitting water to escape down a gutter, ditch, or other surface drain; or (2) failure to repair a controllable leak of water due to defective plumbing.
- (d) The following classes of uses of water are established:

Class 1:

Water used for outdoor watering, either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, boats, trailers, or the exterior of any building or structure.

Class 2:

Water used for any commercial or industrial, including agricultural, purposes: except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.

Class 3:

Domestic usage, other than that which would be included in either classes 1 or 2.

Class 4:

Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

Section 3

Declaration of Water Watch. Whenever the governing body of the City finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official city newspaper.

Section 4

Declaration of Water Warning. Whenever the governing body of the City finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will recommend restrictions on nonessential uses during the period of the warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the beginning and ending of the water warning shall be effective upon their publication in the official city newspaper.

Section 5

Declaration of Water Emergency. Whenever the governing body of the City finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists and that it will impose mandatory restrictions on water use during the period of the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official city newspaper.

Section 6

Voluntary Conservation Measures. Upon the declaration of a water watch or water warning as provided in *Sections 3 and 4*, the mayor (or the city manager) is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential water uses including, but not limited to, limitations on the following uses:

- (a) Sprinkling of water on lawns, shrubs or trees (including golf courses).
- (b) Washing of automobiles.
- (c) Use of water in swimming pools, fountains and evaporative air conditioning systems.
- (d) Waste of water.

Section 7

Mandatory Conservation Measures. Upon the declaration of a water supply emergency as provided in *Section 5*, the mayor (or the city manager) is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following:

- (a) Suspension of new connections to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the City prior to the effective date of the declaration of the emergency;
- (b) Restrictions on the uses of water in one or more classes of water use, wholly or in part;
- (c) Restrictions on the sales of water at coin-operated facilities or sites;
- (d) The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions;
- (e) Complete or partial bans on the waste of water; and
- (f) Any combination of the foregoing measures.

Section 8

Emergency Water Rates. Upon the declaration of a water supply emergency as provided in *Section 5*, the governing body of the City shall have the power to adopt emergency water rates by ordinance designed to conserve water supplies. Such emergency rates may provide for, but are not limited to: (a) higher charges for increasing usage per unit of use (increasing block rates); (b) uniform charges for water usage per unit of use (uniform unit rate); or (c) extra charges in excess of a specified level of water use (excess demand surcharge).

Section 9

Regulation. During the effective period of any water supply emergency as provided for in *Section 5*, the mayor (or city manager or water superintendent) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this ordinance, any water supply emergency resolution, or emergency water rate ordinance. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

Section 10

Violations, Disconnections and Penalties.

- (a) If the mayor, city manager, water superintendent, or other city official or officials charged with implementation and enforcement of this ordinance or a water supply emergency

resolution learn of any violation of any water use restrictions imposed pursuant to Sections 7 or 9 of this ordinance, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record and any other person known to the City who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the City determines is reasonable under the circumstances. If the order is not complied with, the City may terminate water service to the customer subject to the following procedures:

- (1) The City shall give the customer notice by mail or actual notice that water service will be discontinued within a specified time due to the violation and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the City governing body or a city official designated as a hearing officer by the governing body.
 - (2) If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before termination is ordered; and
 - (3) The governing body or hearing officer shall make findings of fact and order whether service should continue or be terminated.
- (b) A fee of \$50 shall be paid for the reconnection of any water service terminated pursuant to subsection (a). In the event of subsequent violations, the reconnection fee shall be \$200 for the second reconnection and \$300 for any additional reconnections.
- (c) Violations of this ordinance shall be a municipal offense and may be prosecuted in Municipal Court. Any person so charged and found guilty in Municipal Court of violating the provisions of this ordinance shall be guilty of a municipal offense. Each day's violation shall constitute a separate offense. The penalty for an initial violation shall be a mandatory fine of \$100. In addition, such customer may be required by the Court to serve a definite term of confinement in the city or county jail which shall be fixed by the Court and which shall not exceed 30 days. The penalty for a second or subsequent conviction shall be a mandatory fine of \$200. In addition, such customer shall serve a definite term of confinement in the city or county jail which shall be fixed by the Court and which shall not exceed 30 days.

Section 11

Emergency Termination. Nothing in this ordinance shall limit the ability of any properly authorized city official from terminating the supply of water to any or all customers upon the determination of such city official that emergency termination of water service is required to protect the health and safety of the public.

Section 12

Severability. If any provision of this ordinance is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby.

Section 13

This ordinance shall become effective upon its publication in the official city newspaper.
Passed by the governing body this 5th day of June, 1995.

Bill Freeman, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 318

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE

“STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES: EDITION 1995; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1995, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 318**,” and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 3

Ordinance No. 316 is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 2nd day of October, 1995.

Approved by the Mayor this 2nd day of October, 1995.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 319

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1995.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1995, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 319**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 315 is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 2nd day of October, 1995.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 320

AN ORDINANCE GRANTING UNITED TELEPHONE COMPANY OF IOWA D/B/A UNITED TELEPHONE COMPANY OF EASTERN KANSAS A FRANCHISE TO USE THE STREETS, AVENUES, BOULEVARDS, ALLEYS, AND OTHER PUBLIC PLACES IN THE CITY OF LEROY, COUNTY OF COFFEY, STATE OF KANSAS, TO CONTINUE TO CONDUCT THE BUSINESS OF CONSTRUCTING, INSTALLING, MAINTAINING, MANAGING, AND OPERATING A TELEPHONE SYSTEM WITH ALL NECESSARY POLES, WIRES, CABLES, FIXTURES, CONDUIT AND APPARATUS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COUNTY OF COFFEY, KANSAS, AS FOLLOWS:

United Telephone Company of Iola d/b/a United Telephone Company of Eastern Kansas, Grantee, a corporation organized under the laws of the State of Delaware, with a license to do business in the State of Kansas, and its successors and assigns, are hereby granted the right, in operating a telephone system, to construct, install, maintain, and repair all the necessary poles, wires, cables, pole and wire fixtures, telephone plant, and telephone apparatus of whatsoever nature for the purpose of conducting such business; to erect, maintain, and repair such telephone poles and string the same with wire and cable along, upon, across or below the streets, avenues, boulevards, alleys, and other public places of the City of LeRoy, Grantor; and to construct, lay, maintain, and repair such cable as Grantee, its successors and assigns, may require, under those streets, avenues, boulevards, alleys, and other public places for the purpose of such business under the following terms and restrictions:

1. This grant shall be effective in accordance with Section 12, below and shall continue for a term of five (5) years from its effective date, and for successive terms of like duration unless written notice is given by either the Grantor or the Grantee to the other 120 days or

- more prior to the expiration of the initial term or any successive term of its intention to terminate the same at the expiration of the ten current term.
2. Grantee, its successors and assigns, shall conduct telephone business in such a manner as shall be to the benefit of the City and its inhabitants, rendering good telephone service at reasonable rates as authorized by the Kansas Corporation Commission or any other state or local governmental agency charged by law with the power to regulate telephone public utilities.
 3. All poles and overhead wires or cables erected in accordance with this ordinance shall be placed, whether on streets, avenues, boulevards, alleys, or other public places, so as not to interfere with ordinary travel on such streets, avenues, boulevards, alleys, or other public places. All poles erected under this ordinance shall be located so as not to injure any drains, sewers, catch basins, or other like public improvements and, if such be injured, Grantee shall repair any damages caused to the satisfaction of the Mayor of the City and, in default thereof, the City may repair such damage and charge the cost to Grantee.
 4. The poles of Grantee, its successors and assigns, shall be placed and erected in such a manner so as not to interfere unreasonably with the orderly conduct of the business and rights of any other public service corporation having a right or franchise to operate its business in the City.
 5. Grantee shall remove, raise, or adjust its aerial plant, after forty-eight (48) hours notice by properly authorized city official, for the purpose of permitting the moving of houses or other structures along the streets of the City. The person or persons for whose benefit such telephone plant is removed, raised, or adjusted, however, shall first secure proper permission from the City for the movement and agree to pay Grantee for its related costs and damages. If desired, an advance deposit from the mover may be required by the Grantee.
 6. Permission is hereby granted to Grantee to trim trees upon and overhanging streets, alleys, sidewalks, and public places of the City so as to prevent the branches of such trees from coming into contact with Grantee's wires and cables. All such trimming will be done under the supervision and direction of any City official to whom such duties have been or may be delegated.
 7. In consideration for rights and privileges herein granted, Grantee shall pay to the City, \$100.00. Such payment shall be made on or before the 1st day of March of each year during the term of this ordinance. The City agrees to accept those sums as full and fair compensation, which sums shall be in lieu of any general or special license tax, occupation tax, or any other such tax for the term of this ordinance.
 8. Nothing herein shall affect any prior or existing rights of Grantee to maintain a telephone company within the City.
 9. The franchise and all rights hereunder may be assigned by the Grantee, as well as all succeeding Grantees, at their option, and the successors and/or assigns shall succeed to all the rights, duties, and liabilities of the Grantee hereunder.
 10. All ordinances and agreements or parts or ordinances and agreements in conflict with this ordinance are hereby repealed.
 11. This ordinance shall be effective at the expiration of 65 days from the date of its final passage.
 12. If this ordinance expires either prior to the effective date of a passed subsequent ordinance granting Grantee a franchise, or while the City and Grantee are engaged in good faith negotiations intended to result in the passage of such a subsequent ordinance, the terms of this ordinance shall apply until the effective date of the subsequent ordinance.
 13. If any portion of this ordinance for any reason is held to be invalid, such portion shall be considered severed from the remainder of this ordinance and the remainder shall be unaffected and continue in full force and effect.

Read three times and finally passed by the Governing Body of LeRoy, Kansas, this 1st day of April, 1996.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

●ORDINANCE NO. 321

AN ORDINANCE OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS PROVIDING FOR THE UNION PACIFIC RAILROAD COMPANY TO PERMENANTLY CLOSE AND BARRICADE CERTAIN PUBLIC AT-GRADE RAILROAD CROSSINGS IN THE CITY OF LEROY, KANSAS.

WHEREAS, for the public safety and welfare of the citizens and residents of LeRoy, Kansas, the governing body of the City of LeRoy, Kansas and the Union Pacific Railroad Company have agreed to the permanent closure and barricading of the following at-grade railroad crossings located within the city limits of the city of LeRoy, Kansas:

- 1) the California Street crossing;
- 2) the 2nd Street crossing;
- 3) the 5th Street crossing; and
- 4) the 12th Street crossing; and

WHEREAS, the Union Pacific Railroad Company has agreed to provide for the closure and barricading of said crossings at no cost to the City of LeRoy, Kansas; has agreed to upgrade and improve four of the remaining open crossings at no cost to the City of LeRoy, Kansas; and has agreed to pay to the City of LeRoy, Kansas the additional amount of \$30,000.00 for the closure and barricading of said crossings;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS that pursuant to the agreement between the City of LeRoy, Kansas and the Union Pacific Railroad Company, the Union Pacific Railroad Company, the Union Pacific Railroad Company be allowed to close and barricade the following at-grade crossings located within the city limits of the City of LeRoy, Kansas:

- 1) the California Street crossing;
- 2) the 2nd Street crossing
- 3) the 5th Street crossing; and
- 4) the 12th Street crossing.

This ordinance shall be in full force and effect from and after its passage and approval and publication in the official city newspaper.

Passed by the City Council of the City of LeRoy, Kansas this 3rd day of June, 1996.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

●ORDINANCE NO. 322

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1996; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1996, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 322**”, and to which shall be

attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 3

Ordinance No. [318](#) is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 7th day of October, 1996.
Approved by the Mayor this 7th day of October, 1996.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 323

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1996.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1996, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 323**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. [319](#) is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 7th day of October, 1996.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 324

AN ORDINANCE RELATING TO THE CUTTING OF WEEDS AND VEGETATION, PROVIDING FOR NOTICE AND PROVIDING FOR CUTTING BY THE CITY OF LEROY, AND PROVIDING FOR CHARGES THEREFOR; AND REPEALING **ORDINANCE NO. 43 & 60** OF THE CITY OF LEROY, KANSAS IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Weeds to Be Removed. It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any premises to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, rights-of-way and all other areas, public or private. All weeds are hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

Section 2

Definitions. (a) Calendar Year as used herein, means that period of time beginning January 1st and ending December 31st of the same year. (b) Weeds as used herein, means any of the following: (1) Brush and woody vines shall be classified as weeds; (2) Weeds and indigenous grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property; (3) Weeds which bear or may bear seeds of a downy or wingy nature. (4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare; (5) Weeds and indigenous grasses on or about residential property which, because of its height has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed 12 inches in height.

Section 3

Public Officer; Notice to Remove. The CITY OF LEROY shall designate a public officer to be charged with the administration and enforcement of this ordinance. The public officer or an authorized assistant shall notify in writing the owner, occupant or agent in charge of any premises in the city upon which weeds exist in violation of this ordinance, by mail or by personal service, once per calendar year. Such notice shall include the following: (a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law. (b) That the owner, occupant, or agent in charge of the property is ordered to cut the weeds within 10 days of the receipt of notice. (c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice. (d) That if the owner, occupant or agent in charge of the property does not cut the weeds, the city or its authorized agent will cut the weeds and assess the cost of the cutting, including a reasonable administrative fee, against the owner, occupant or agent in charge of the property. (e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid, it will be added to the property tax as a special assessment. (f) That no further notice shall be given prior to removal of weeds during

the current calendar year. (g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in the record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title to such property is provided notice as required by this section.

Section 4

Abatement; Assessment of Costs. (a) Upon the expiration of 10 days after receipt of the notice required by *Section 3*, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of *Section 1*, the public officer or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year. (b) The public officer or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the costs is due and payable within 30 days following receipt of the notice. (c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

Section 5

Right of Entry. The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this ordinance.

Section 6

Unlawful Interference. It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute an ordinance violation.

Section 7

Noxious Weeds. (a) Nothing in this ordinance shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds. (b) For the purpose of this section, the term noxious weeds shall mean kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea picris*), hoary cress (*Lepidium draba*), Canada thistle (*Cirsium arvense*), quackgrass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), burragweed (*Franseria tomentosa* and *discolor*), pignut (*Hoffmannseggia densiflora*), must (nodding) thistle (*Carduus nutans* L.), and Johnson grass (*Sorghum haalepense*).

Section 8

That **Ordinance No. 43 & 60** of the City of LeRoy, Kansas, is hereby repealed.

Section 9

This Ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing Body this 11th day of July, 1997.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 325

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1997; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1997, prepared and published in book for by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 325**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as the prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge established a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 3

Ordinance No. 322 is hereby repealed.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 4th day of August, 1997.

Approved by the Mayor this 4th day of August, 1997.

•ORDINANCE NO. 326

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1997.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1997, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 326**”, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 323 is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 4th day of August, 1997.

Bill Freeman, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 327

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AMENDING *SECTION ONE* OF **ORDINANCE NO. 233**, AND REPEALING **ORDINANCE NO. 286**.

Be it Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That *Section One (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“Section 1. The rates charged for water sold by the municipal water plant shall be as follows:

- a. A minimum charge of \$7.00 per month for which amount up to one thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of one thousand (1,000) gallons in any one month the rate shall be \$6.00 per one thousand (1,000) gallons.”

Section 2

That **Ordinance No. 286** is hereby repealed.

Section 3

This Ordinance shall take effect and be in force from and after its passage, approval, and publication in THIS WEEK, the official city newspaper.

Passed by the City Council and approved by the Mayor this 1st day of June, 1998.

Bill Freeman, Mayor

ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 328

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1998; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1998, prepared and published in book form by the league of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 328**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be opened for inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection [a] of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00.

Section 4

Ordinance No. 325 is hereby repealed.

Section 5

Effective Date. This ordinance shall take effect and be in force from and after its publication in This Week.

Passed by the Governing Body of the City of LeRoy, Kansas, this 3rd day of August, 1998.

Approved by the Mayor this 3rd day of August, 1998.

•ORDINANCE NO. 329

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1998.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

INCORPORATING UNIFORM PUBLIC OFFENSE CODE. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1998, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 329**, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 326 is hereby repealed.

Section 3

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the council and approved by the Mayor this 3rd day of August, 1998.

Bill Freeman, Mayor
ATTEST: Viola Luney, City Clerk

•ORDINANCE NO. 330

AN ORDINANCE EXTENDING THE EXPIRATION DATE OF THE CABLE TELEVISION FRANCHISE AGREEMENT AUTHORIZING THE OPERATION OF A CABLE TELEVISION SYSTEM

WHEREAS, the City of LeRoy (“Grantor”) has an agreement with Mediacom Southeast LLC (“Mediacom”) as successor to U.S. Cable Television Group, L.P., for the operation and construction of a cable television system within the City of LeRoy (the “Agreement”); and

WHEREAS, the Agreement shall be expired by its terms on or about June 1, 1999, unless Grantor and Mediacom mutually agree to extend the term of the Agreement; and

WHEREAS, Grantor and Mediacom are involved in a cable franchise renewal proceeding, which will not be concluded by that date; and

WHEREAS, Mediacom has submitted a request to Grantor for an extension of the expiration date of the Agreement until November 30, 1999:

NOW, THEREFORE, BE IT ORDAINED by the City of LeRoy as follows:

1. The term of the Agreement granting Mediacom permission to construct and operate a cable television system is hereby amended to expire November 30, 1999, unless Grantor and Mediacom have executed and adopted a new cable television franchise agreement prior to that date, in which case the Agreement shall expire and terminate concurrently with the effective date of said new franchise agreement.

2. Except as modified by Paragraph 1, all other terms, conditions, provisions and requirements of the Agreement shall remain in force and effect. Neither party waives any right it may have pursuant to the Agreement, State or Federal law.
3. Mediacom, if it accepts this Ordinance and the rights and obligations hereby granted, shall file with Grantor its written acceptance of this Ordinance.
4. This Ordinance shall be effective upon its passage and publication in accordance with law.

ADOPTED this 7th day of June, 1999.

CITY OF LEROY
Billy Freeman, Mayor

ACCEPTED BY:

MEDIACOM SOUTHEAST LLC

•ORDINANCE NO. 331

AN ORDINANCE GRANTING TO FRANCHISEE, THE NON-EXCLUSIVE RIGHT TO ERECT, MAINTAIN AND OPERATE IN, UNDER, OVER, ALONG, ACROSS THE STREETS, LANES, AVENUES, SIDEWALKS, ALLEYS, BRIDGES, HIGHWAYS, EASEMENTS DEDICATED FOR COMPATIBLE USES AND OTHER PUBLIC PLACES IN THE CITY OF LEROY, KANSAS, AND THE SUBSEQUENT ADDITIONS THERETO, TOWERS, CABLES, AND ANCILLARY FACILITIES FOR THE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING AND REPAIRING CABLE SERVICE FOR A PERIOD OF FIFTEEN (15) YEARS REGULATING THE SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS, U.S.A.

SECTION 1 – DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “Basic Cable Television Service” means the service tier which includes the retransmission of local broadcast signals.
- B. “Grantor” is the City of LeRoy, Kansas
- C. “Council” is the City of LeRoy, Kansas.
- D. “System” means a facility that uses any public right-of-way, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within a community is a system utilizing certain electronic and other components which deliver to subscribing members of the public various broadband telecommunications services.
- E. “Cable Service” means the provision of Cable Television Service.
- F. “Cable Television Service” the one-way transmission of video programming or other programming services and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.
- G. “FCC” shall mean the Federal Communications Commission.
- H. “Franchisee” is MEDIACOM SOUTHEAST LLC or its successors or assigns.
- I. “Person” is any person, firm, partnership, association, corporation or organization of any kind and any other legally recognized entity.
- J. “Subscribers” are those persons contracting to receive cable television reception services furnished under this Ordinance by Franchisee.

- K. The “Term” of this Ordinance shall have the meaning as defined in *Section XVI* of this Ordinance.

SECTION II – GRANT OF NON-EXCLUSIVE AUTHORITY

- A. For the Term of this Ordinance, there is hereby granted by Grantor to Franchisee and its successors, assigns or designees, the non-exclusive right to erect, maintain and operate in, under, over, along, across and upon the present and future streets, lanes, avenues, sidewalks, alleys, bridges, highways, rights-of-ways, easements dedicated for compatible uses and other public places located within the boundaries of the City of LeRoy, Kansas including subsequent additions thereto, towers, poles, lines, cable, wires, manholes and all other fixtures and equipment necessary for the maintenance and operation of a System for the purpose of transmission and distribution of cable services, information services, data services and broadband telecommunications services.
- B. Grantor shall not permit any person to provide services similar to those provided by Franchisee without first having secured a non-exclusive franchise from Grantor that shall impose the same costs, obligations and restrictions imposed by this Ordinance.
- C. In the event that a multi-channel video programmer provides service to residents of the community using facilities that occupy the streets and rights of way of the Town, including the delivery of video programming using the facilities of a common carrier (e.g., Open Video Systems), and that provider operates under either no franchise or under a franchise that imposes lesser burdens, Grantee shall have the following rights. Grantee may, upon 30-day written notice to Grantor unilaterally adopt the less burdensome provisions imposed on the competing provider.

SECTION III – COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES

Franchisee shall during the Term, be subject to all lawful exercise of the police powers of Grantor except as those powers are limited by federal law, including the Communications Policy Act of 1984, as amended and the regulations of the FCC.

SECTION IV – FRANCHISE AREA

This Ordinance permits the provision of service to the present boundaries of Grantor and to any area annexed thereto during the Term. Franchisee shall not be required to service residents of areas within the present boundaries of Grantor and any areas annexed by Grantor after the effective date of this Ordinance that are more than one thousand feet (1,000) from a point of connection to existing distribution lines or where there is present a density of less than 20 residences per mile except upon payment by such residents of the capital costs incurred by Franchisee in bringing service to such residents.

SECTION V – LIABILITY AND INDEMNIFICATION

Franchisee shall indemnify, protect, and save harmless Grantor from and against losses and physical damage to property and bodily injury or death to persons, including payments made under any Worker’s Compensation law which may arise out of the erection, maintenance, use or removal of said attachments or poles within the boundaries of Grantor, or by any act of Franchisee, its agents or employees. Franchisee’s obligation to indemnify Grantor shall include, but shall not be limited to, damages arising out of copyright infringements, and all other damages arising out of the installation, operation, or maintenance of the System authorized herein, whether or not any act or omission complained of is authorized, allowed or prohibited by this Ordinance.

Franchisee shall, at all times, keep in effect the following types of coverage:

- A. Worker’s Compensation.

- B. Property Damage Liability Insurance to the extent of Two Hundred Fifty Thousand Dollars (\$250,000.00) as to each occurrence and Two Hundred Fifty Thousand Dollars (\$250,000.00) aggregate, and Personal Injury Liability Insurance to the extent of Five Hundred Thousand Dollars (\$500,000.00) as to each occurrence and Five Hundred Thousand Dollars (\$500,000.00) aggregate. Excess Bodily Injury and Property Damage of One Million Dollars (\$1,000,000.00) each occurrence and One Million Dollars (\$1,000,000.00) aggregate. Automobile Bodily Injury and Property Damage Liability combined One Million Dollars (\$1,000,000.00) each occurrence.
- C. Franchisee shall maintain policies of insurance in the above described amounts to protect the parties hereto from and against all actions, judgments, costs, expenses and liabilities which may arise or result, directly or indirectly, from or by reason of such loss, injury or damage. Franchisee shall also maintain policies of insurance in amounts it deems necessary to protect it from all claims under the Worker's Compensation laws in effect that may be applicable to Franchisee. Grantor shall keep on file Certificates evidencing such insurance coverage.

SECTION VI – GENERAL SYSTEM SPECIFICATIONS

The facilities used by Franchisee shall have a minimum capacity of 400 MHz and have at least 44 activated channels.

SECTION VII – TECHNICAL STANDARDS

Franchisee shall comply with the technical standards established by the FCC.

SECTION VIII – CUSTOMER SERVICE STANDARDS/OPERATION AND MAINTENANCE OF SYSTEM

- A. Franchisee shall render service and make repairs in a commercially reasonable manner, and interrupt service only for good cause, including as required by federal law for the shortest time possible such interruptions, insofar as possible, shall occur during periods of minimum use of the System.
- B. Under normal operating conditions, Franchisee shall respond to service requests within two business days following receipt.
- C. Failure by Franchisee to restore any service to a customer to service within two business days after receipt of notification of a complete disruption of service will, upon request by customer, result in the issuance of a credit to that customer's account for the portion of a month they were without cable service.

SECTION IX – LOCAL BUSINESS AGENT

During the term of this franchise, and any renewal thereof, Franchisee agrees to maintain a local or toll free telephone number to be used by customers of the Franchisee to contact Franchisee and to place requests for service or inquiries.

SECTION X – SERVICE TO SCHOOLS AND CITY

Franchisee shall, subject to the line extension provisions of *Section IV*, provide Basic Cable Television Service at no separate charge to public elementary and secondary schools, at one terminal junction for education purposes upon request of the school system.

Franchisee shall subject to the line extension provisions of *Section IV*, also provide without charge, at one building other than a hospital, nursing home, apartment or building at the airport, to be selected by the Council, one junction terminal to said building and shall also furnish to building, without charge, Basic Cable Television Service to the building's terminal junction.

SECTION XI – EMERGENCY ALERT SYSTEM

Franchisee shall provide emergency alert facilities as required by federal law. Grantor or its designee shall have the capability of disseminating emergency messages over the cable system provided that Grantor or its designee acquires, at its own cost, all necessary interface and encoding equipment.

SECTION XII – SAFETY REQUIREMENTS

Franchisee shall, at all times, employ ordinary care and shall use and maintain commonly accepted methods and devices for preventing failures and accidents which are likely to cause damages, injuries, or nuisances to the public.

SECTION XIII – LIMITATIONS ON RIGHTS GRANTED

- A. All transmission and distribution structures, lines and equipment erected by Franchisee within Grantor shall be located as to cause minimum interference with the proper use of streets, alleys and the public ways and places, and to cause minimum interference with the rights and reasonable convenience of property owners who adjoin any of the said streets, alleys or other public ways and places, and said poles or towers shall be removed by Franchisee whenever Grantor reasonably finds that the same restrict or obstruct the operation or location of any future streets or public places within Grantor and Grantor concurrently requires relocation of similarly situated utilities.
- B. Construction and maintenance of the System shall be in accordance with the provisions of the National Electrical Safety Code, prepared by the National Bureau of Standards, the National Electrical Code of the National Board of Fire Underwriters, and such applicable ordinances and regulations of Grantor, affecting electrical installation, which are presently in effect at the time of construction.
- C. In case of disturbance of any street, sidewalk, alley, public way or paved area, Franchisee shall, at its own cost and expense and in a manner approved by Grantor, replace and restore such street, sidewalk, alley, public way or paved areas in at least as good a condition as before the work involving such disturbance was done.
- D. If at any time during the period of this Ordinance Grantor shall lawfully elect to alter or change the grade of any street, sidewalk, alley or other public way, Franchisee, upon reasonable notice by Grantor, shall remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other fixtures at its own expense provided Grantor concurrently imposes identical requirements on similarly situated utilities.
- E. Franchisee shall on the request of any person holding a building moving permit or any person who wishes to remove trees or structures from their property, temporarily raise or lower its wires to permit the moving of buildings or tree removal. The expense of such temporary removal or raising or lowering of wires shall be paid by the person requesting the same; the Franchisee shall have the authority to require such payment in advance. Franchisee shall be given not less than fourteen (14) days advance notice to arrange for such temporary wire changes.
- F. Subject to Grantor approval, Franchisee shall have the authority to trim trees that overhang the streets, alleys, sidewalks and public ways and places so as to prevent the branches of such trees from coming in contact with the wires and cables of Franchisee.
- G. Franchisee, shall, at its expense, protect, support, temporarily disconnect, relocate on the same street, alley or public place, or remove from the street, alley or public place, any property of Franchisee when required by Grantor by reason of traffic conditions, change of establishments of street grade, installation of sewers, drains, water pipes, power lines, signal lines, and tracks or any other type of structures or improvements by governmental agencies when acting in a governmental or proprietary capacity, or other structure of public improvement; provided, however, that Franchisee shall in all cases have the privileges and be subject to the obligations to abandon any property of Franchisee in place as hereinafter provided.
- H. In all section of Grantor where Grantor designates an area where all presently above ground services are to be placed underground, Franchisee shall place its wires

underground on the same time schedule and on the same conditions that are applicable to the providing of other above ground services in the designated areas.

- I. In the event that the use of any part of the System is discontinued for any reason for a continuous period of twelve (12) months, or in the event such System or property has been installed in any street or public place without complying with the requirements of this Ordinance, or the rights granted hereunder have been subject to the rights of the Grantor to acquire or transfer the system as specified in *Section XV*, promptly remove from the streets, or public places, all such property and poles of such System other than any which the City may permit to be abandoned in place. In the event of such removal, Franchisee shall promptly restore the street or other areas from which such satisfactory to Grantor.
- J. Any property of Franchisee to be abandoned in place shall be abandoned in such a manner as Grantor may prescribe. Upon permanent abandonment of the property of Franchisee in place, it shall submit to Grantor an instrument to be approved by Grantor, transferring to Grantor the ownership of such property.

SECTION XIV – OWNERSHIP AND REMOVAL OF FACILITIES

- A. All cable and equipment for cable service including cable television reception service installed by Franchisee at a subscriber's location shall remain the property of Franchisee and Franchisee shall have the right to remove said cable and equipment upon termination of all service to any subscriber, Franchisee shall promptly remove all its above ground facilities and equipment from the premises upon the request of such subscriber.
- B. At the end of the Term of this franchise, the Company at its sole cost and expense and upon direction of the Grantor, shall removed the above-ground cables and appurtenant devices constructed or maintained in connection with the services authorized herein, unless the Company, its affiliated entities or assignees should, within six (6) months after such expiration, termination or revocation obtain certification from the FCC to operate an Open Video System or any other federal or state certification to provide telecommunication services.

SECTION XV – TRANSFER OF ORDINANCE

All right, title and interest of Franchisee in this Ordinance and the Non-exclusive Franchise granted herein shall not be sold, transferred, assigned or otherwise encumbered without the prior consent of Grantor, such consent not to be unreasonably withheld. Such consent shall not be required for a transfer in order to secure indebtedness such as a transfer in trust, by mortgage, by other hypothecation, or by assignment of any right, title, or interest of Franchisee in this Ordinance or the Non-exclusive Franchise granted herein.

The preceding prohibition shall not apply to a transfer to an affiliate, which shall mean an entity controlling, controlled by, or under common control with Franchisee.

SECTION XVI – DURATION AND RENEWAL OF ORDINANCE

The rights granted to Franchisee herein shall become effective upon the effective date of this Ordinance and shall continue for a period of fifteen (15) years, unless terminated earlier in accordance with this Ordinance ("Term"). Franchisee shall have the option to renew this franchise for an additional fifteen (15) years at any time before the expiration of the Term under the same terms and conditions by providing notice as required under *Section XXV*.

SECTION XVII – ERECTION, REMOVAL AND COMMON USE OF POLES

- A. No poles or other wire-holding structures shall be erected by Franchisee without prior approval of the designated representative of the Council with regard to locations, height, type or any other pertinent aspect, which approval shall not be unreasonably withheld. However, no location of any pole or wire-holding structure of Franchisee shall create a vested interest.

- B. Where poles or other wire-holding structures already existing in use in serving Grantor are available for use by Franchisee, but it does not make arrangements for such use, the Council may require Franchisee to use such poles and structures if it determines that the public convenience would be enhanced thereby and the terms of the use available to Franchisee are just and commercially reasonable.

SECTION XVIII – RATES AND CHARGES

The Grantor reserves the right to regulate such rates and charges to the extent permitted by and using methodologies prescribed by Federal law.

SECTION XIX – BOOKS AND RECORDS

The Franchisee shall keep full, true, accurate, and current books of accounts, which books and records shall be made available for inspection at reasonable times by authorized representatives of Grantor as may be reasonably necessary for the administration of this Ordinance. To the extent Grantor obtains any personally identifiable information or other information protected under federal, state or local privacy laws, Grantor shall assume all of the obligations of a cable operator with respect to protecting the confidentiality of that information. Grantor shall indemnify and hold Franchisee harmless from any costs, losses or damages arising from the disclosure of any protected information to or by Grantor.

SECTION XX – FORCE MAJEURE

The Franchisee shall not be held in default under, or in noncompliance with the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default (including termination, cancellation or revocation of the Franchise), where such noncompliance or alleged defaults occurred or were caused by strike, riot, war, earthquake, flood, tidal wave, unusually severe rain or snow storm, hurricane, tornado or other catastrophic act of nature, labor disputes, governmental, administrative or judicial order or regulation or other event that is reasonably beyond the Franchisee's ability to anticipate and control. This provision also covers work delays caused by waiting for utility providers to service or monitor their own utility poles on which the Franchisee's cable and/or equipment is attached, as well as unavailability of materials and/or qualified labor to perform the work necessary.

SECTION XXI – MISCELLANEOUS

Franchisee's legal, financial, technical and other qualifications, and the adequacy and feasibility of its construction arrangements, if any, have been approved by the Council after consideration in a full public proceeding affording due process to all interested persons.

SECTION XXII – MODIFICATION OF OBLIGATIONS

In addition to any other remedies provided by law or regulation, Franchisee's obligations under this Ordinance may be modified, at its request, in accordance with Section 625 of Cable Communications Policy Act of 1984 as it now exists, or as hereafter amended.

SECTION XXIII – SEVERABILITY

If any Section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, or amended by the United States Congress or is superseded or preempted by Federal Communications Commission regulation, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION XXIV – PUBLICATION

Franchisee shall assume the costs of any required publication of this Ordinance.

SECTION XXV – NOTICES

All notices and other communications hereunder this Ordinance shall be in writing and shall be deemed to have been given on the date of actual delivery if mailed, first class, registered or certified mail, return receipt requested, postage paid to the following respective addresses:

To Grantor:

City of LeRoy, Kansas
P.O. Box 356
713 Main Street
LeRoy, KS. 66857

To the Franchisee:

MEDIACOM SOUTHEAST LLC
LEGAL DEPT: BRUCE GLUCKMAN
100 Crystal Run Road
Middletown, NY 10941

With a copy to:

MEDIACOM SOUTHEAST LLC
115 North Industrial Park Rd.
Excelsior Springs, MO 64024
Attn: General Manager

Either of the foregoing parties to this Ordinance may change the address to which all communications and notices may be sent to it by addressing notices of such change in the manner provided hereunder.

SECTION XXVI – CONTRACT RIGHTS

Acceptance of this Ordinance by Franchisee shall create enforceable contract rights between Franchisee and Grantor with respect to the terms of this Ordinance. This Ordinance shall be governed by and construed according to the law of the State of Kansas.

SECTION XXVII – PRIOR ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed as of the effective date of this Ordinance.

SECTION XXVII – EFFECTIVE DATE

This Ordinance shall be published in the official city newspaper once a week for two consecutive weeks immediately after its adoption. This Ordinance shall take effect sixty-one (61) days after its adoption unless prior to that date a sufficient petition for referendum is submitted pursuant to K.S.A. 12-2001 (G), in which event it shall become effective upon approval by a majority of electors voting thereon.

Read and approved on the first reading on this 7th day of June, 1999.

Read and approved on the second reading on this 6th day of July, 1999.

Read and approved on the third reading on this 2nd day of August, 1999.

ADOPTED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas on this 2nd day of August, 1999.

BY: Bill Freeman, Mayor

ATTEST: Jacey True

ACCEPTANCE

The Non-Exclusive Franchise as granted under this Ordinance is approved and accepted on this 16th day of August 1999, by MEDIACOM SOUTHEAST LLC.

BY: _____

MEDIACOM SOUTHEAST LLC
(by its authorized representative)

•ORDINANCE NO 332

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 1999; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 1999, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. Not less than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 332**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshall, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$100.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00.

Section 4

Ordinance No. 325 is hereby repealed.

Section 5

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 1st day of November, 1999.

Bill Freeman, Mayor

ATTEST: Jacey True, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 333

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 1999.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 1999, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 333**, and to which shall be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 326 is hereby repealed.

Section 3

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 1st day of November, 1999.

Bill Freeman, Mayor

ATTEST:
Jacey True, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 334

AN ORDINANCE ESTABLISHING THE COMPENSATION TO BE PAID TO THE MAYOR, COUNCIL MEMBERS AND OTHER CITY OFFICERS OF THE CITY OF LEROY AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1

That effective January 1, 2000, each council member shall be paid the sum of \$25.00 for each city council meeting, regular or called, at which he or she is in attendance.

SECTION 2

That effective January 1, 2000, the mayor of the City of LeRoy shall be paid the sum of \$40.00 for each city council meeting, regular or called, at which he or she is in attendance.

SECTION 3

That effective January 1, 2000, the other city officers shall be paid as follows:

City Clerk	\$ 7.30 per hour
City Treasurer	\$ 120.00 per month
Water Superintendent	\$ 12.40 per hour
Street Superintendent	\$ 9.10 per hour
City Marshal	\$1,665.30 per month
City Attorney	\$ 75.00 per hour
Municipal Judge	\$ 100.00 per court

SECTION 4

That any ordinance or parts of ordinances in conflict with the provisions of this ordinance shall be, and hereby are, repealed.

SECTION 5

That this ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 7th day of February, 2000.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 335

AN ORDINANCE DECLARING CERTAIN PROPERTIES LOCATED WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, TO BE NUISANCES; DIRECTING NOTICE TO BE GIVEN TO THE OWNERS THEREOF; AND AUTHORIZING THE ABATEMENT OF SAID NUISANCES IN ACCORDANCE WITH THE PROVISIONS OF K.S.A. 12-1617e.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas has caused an inspection to occur of lots and parcels of ground located within the city limits of said City; and

WHEREAS, pursuant to said inspection it has been determined by the Governing Body that certain properties located on said lots and parcels of ground pose a menace and are dangerous to the health of the inhabitants of the City, or of any neighborhood, family or resident of the City; and

WHEREAS, the Governing Body has determined that the properties so deemed to be a menace or a danger should be declared a nuisance pursuant to the provisions of K.S.A. 12-1617e, that the owners of said properties shall be given notice thereof and all actions necessary and authorized by K.S.A. 12-1617e to abate said nuisances shall be taken.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That the specifically described properties located on the specifically described lots and parcels shall be, and hereby are, declared to be a menace and a danger to the health of the inhabitants of the City, neighborhoods, families or residents of the City:

- A. Dilapidated house located at 305 California, LeRoy, Kansas
- B. Dilapidated house and open well and cellar located at 529 Second Street, LeRoy, Kansas
- C. Dilapidated house located at 302 Main, LeRoy, Kansas
- D. Dilapidated house and open well located at 337 4th Street, LeRoy, Kansas
- E. Dilapidated house located at 434 California Street, LeRoy, Kansas
- F. Dilapidated smokehouse located at 526 E Street, LeRoy, Kansas
- G. Dilapidated door on cellar located at 514 E Street, LeRoy, Kansas
- H. Dilapidated house and weeds located at 509 California, LeRoy, Kansas
- I. Dilapidated house and open well located at 411 A Street, LeRoy, Kansas
- J. Dilapidated and partially razed house located at 515 C Street, LeRoy, Kansas

Section 2

That the City Clerk shall give notice to the owners or agents of the above described premises requiring the owner or agents of the above described premises requiring the owner or agent to remove or abate the nuisance within 10 days, pursuant to K.S.A. 12-1617e.

Section 3

That if the owner or agent of the above described properties do not remove or abate the ordinance within the time period stated, or otherwise take such action contemplated by K.S.A. 12-1617e, THE city of LeRoy is authorized to take all actions necessary and authorized by K.S.A. 12-1617e to remove and abate said nuisances.

Section 4

That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 1st day of May, 2000.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 336

AN ORDINANCE VACATING A CERTAIN ALLEY WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, RESERVING PUBLIC EASEMENTS AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owners of all the lands adjoining a specific alley located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said alley; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioners the prayer of the Petitioners ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That the following described alley located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:

Alley running south to north through and located in the center of Block Forty-Nine (49), City of LeRoy, Coffey County, Kansas, According to the recorded plat of said City.

Section 2

That pursuant to this vacation, the City of LeRoy specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such alley.

Section 3

Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4

That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 7th day of August, 2000.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 337

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2000.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 2000, prepared and published in boo9k form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy” as Adopted by **Ordinance No. 337**, and to which shall be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 330 is hereby repealed.

Section 3

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 7th day of August, 2000.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

BE IT REMEMBERED, that on this 10th day of August, 2000, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Douglas P. Witteman, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Paula S. Bryan
Notary Public

My Appointment Expires: 31/7/2004

•ORDINANCE NO. 339

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owners of all the lands adjoining a specific street located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioners the prayer of the Petitioners ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:

That portion of C Street located south of Third Street and
Which lies between Block Seventy-two (72) and Block
Seventy-three (73), Scotts Addition, City of LeRoy, Coffey
County, Kansas, according to the recorded plat of said City.

Section 2

That pursuant to this vacation, the City of LeRoy, specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such street.

Section 3

Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4

That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 5th day of September, 2000.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

STATE OF KANSAS)
)ss:
COUNTY OF COFFEY)

BE IT REMEMBER, that on this 7th day of December, 2000, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Douglas P. Witteman, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same..

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Joan L. Bader
Notary Public

My Appointment Expires:5-26-02

•ORDINANCE NO. 340

AN ORDINANCE PROHIBITING OUTDOOR OPEN BURING ON OR ABOUT HALLOWEEN; ESTABLISHING, EXCEPTIONS THERETO; AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Burning Prohibition. That within the corporate limits of the City of LeRoy, Kansas, all outdoor open burning shall be prohibited on October 30 through November 1, inclusive, each year, except as permitted in *Section 2*.

Section 2

Exceptions. That open outdoor burning otherwise prohibited by *Section 1*, shall be permitted under the following conditions:

- A. Any person or persons who wish to conduct any outdoor open burning operations shall, prior to commencing the burning, contact the Coffey County Fire District #1, LeRoy Station Fire Chief, or his/her designee and provide information relating to the location of the burn site, nature of material to be burned, the name and telephone number of the responsible party, and the estimated time when the burning is to begin and end. This person shall also be responsible for notifying the Fire Chief or his/her designee when the burning is completed.
- B. The Fire Chief or his/her designee shall have the authority to deny any person permission to conduct outside open burning based on the current or expected weather conditions, the availability of fire suppression and support resources, or other conditions which may create an unreasonable risk to the public safety.
- C. All outdoor open burning shall be conducted in accordance with the Kansas Department of Health and Environment guidelines, rules and regulations.
- D. When required by law, nothing in this Ordinance shall relieve any property owner or other responsible parties from the obligation of obtaining the proper permit from the Kansas Department of Health and Environment.

Section 3

Penalties. That any person burning in violation of the prohibition set forth in this Ordinance shall be deemed to have committed a Class C Misdemeanor, punishable by a fine not to exceed \$500, confinement in the County Jail for a period not to exceed 30 days, or both.

Section 4

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 2nd day of October, 2000.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 341

AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1

That the regular monthly meeting of the City Council of The City of LeRoy, Kansas shall be the first Monday of each month and shall commence at 7:00 o'clock P.M. and shall be held at the City Hall in the City of LeRoy, Kansas.

Section 2

All other ordinances in regards to the establishment of regular City Council meetings are hereby repealed.

Section 3

This Ordinance shall be in force and take effect upon its passage and approval and publication in the Coffey County Republican, the official city paper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 15th day of May, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 342

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owner of all the lands adjoining a specific street located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioner the prayer of the Petitioner ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:

A portion of Kansas Avenue lying between Block Forty (40) and Block Forty-Seven (47), Enclosed by a boundary beginning at a point where the southern most boundary of said Avenue intersects with the eastern most boundary of the alley running north and south Through Block Forty-Seven (47), thence running north Forty (40) feet to a point, thence Running east Eighty (80) feet to a point, thence running south Forty (40) feet to a point, Thence running west Eighty (80) feet to the point of beginning, all of which is located in The City of LeRoy, Coffey County, Kansas, according to the recorded plat of said City.

Section 2

That pursuant to this vacation, the City of LeRoy specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such street.

Section 3

Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4

That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 8th day of June, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

STATE OF KANSAS)
) ss:
COUNTY OF COFFEY)

BE IT REMEMBERED, that on this 15th day of June, 2001, before me, the undersigned a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Douglas P. Witteman, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Paula S. Bryan
Notary Public

My Appointment Expires 3/17/2004

•ORDINANCE NO. 343

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2001.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 2001, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of Said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 343**”, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. 337 is hereby repealed.

Section 3

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 14th day of August, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 344

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2000; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 2001, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 344**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshal, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or

required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (B) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00 and shall also pay court costs.

Section 4

Ordinance No. [338](#) is hereby repealed.

Section 5

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 14th day of August, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 345

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGETED YEAR 2002 FOR THE CITY OF LEROY.

WHEREAS, the City of LeRoy must continue to provide services to protect the health, safety, and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continues to increase; and

WHEREAS, the Kansas Legislature has capped growth in revenue transfers top local governments at 1% above the previous year, and well below what is required by state statute; and

WHEREAS, the state sales tax actual collections have not kept pace with projected totals, thereby further reducing state revenue transfers to cities;

NOW THEREFORE, be it ordained by the Governing Body of the City of LeRoy:

Section One

In accordance with state law, the City of LeRoy has conducted a public hearing and has published the proposed budget necessary to fund city services from January 1, 2002 until December 31, 2002.

Section Two

After careful public deliberations, the governing body has determined that in order to maintain the public services which are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount which exceeds the 2001 budget.

Section Three

This ordinance shall take effect after publication once in the official city newspaper.
Passed and approved by the Governing Body on this 14th day of August, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 346

AN ORDINANCE AUTHORIZING THE CITY OF LEROY, KANSAS TO PURCHASE WATER FROM THE CITY OF BURLINGTON, KANSAS.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

That the City of LeRoy is hereby authorized to purchase water from the City of Burlington in accordance with the Water Purchase Contract between the City of LeRoy and the City of Burlington, dated November 7, 2001. The City of Burlington will provide the City of LeRoy with a quantity of water not to exceed 160 gallons per minute or 24.5 million gallons per year. The City of LeRoy agrees to allow its water rights to be moved to the Burlington point of diversion so that the City of Burlington can provide water the City of LeRoy. The City of Burlington will sell water at the rate of \$2.20 per 1,000 gallons to the City of LeRoy, and all increases in water rates will not be higher proportionately than that charged to any other established customer within or without the city limits of the City of Burlington, Kansas.

Section 2

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 5th day of November, 2001.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 347

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owners of all the lands adjoining a specific street located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street; and

WHEREAS; appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioners the prayer of the Petitioners ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1

That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:

That portion of Forgy Street located east of Frawley Street and west of alley ways that Run north and south through Block Thirty-four (34) and Block Thirty-seven (37), North LeRoy, City of LeRoy, Coffey County, Kansas, all of which lies between the western One-half (1/2) of Block Thirty-seven (37), North LeRoy, City of LeRoy, Coffey County, Kansas, according to the recorded plat of said City.

Section 2

That pursuant to this vacation, the City of LeRoy specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such street.

Section 3

Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4

That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 4th day of February, 2002.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

STATE OF KANSAS)
)ss.;;
COUNTY OF COFFEY)

BE IT REMEMBERED, that on this 4th day of February, 2002, before me, the undersigned a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Douglas P. Witteman, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Joan L. Bader
Notary Public

My Appointment Expires: 5-26-02.

•ORDINANCE NO. 348

AN ORDINANCE ESTABLISHING WATER RATES IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND AMENDING *SECTION ONE* OF **ORDINANCE NO. 233**, AND REPEALING **ORDINANCE NO. 327**.

Be it Ordained by the Governing Body of the City of LeRoy, Coffey County, Kansas:

Section 1

That *section one (1)* of **Ordinance No. 233** is hereby amended to read as follows:

“Section 1. The rates for water sold by the municipal water plant shall be as follows:

- a. A minimum charge of \$9.00 per month for which amount up to One thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of one thousand (1,000) gallons in any one month the rate shall be \$6.00 per one thousand (1,000) gallons.”

Section 2

That **Ordinance No. 327** is hereby repealed.

Section 3

Rates stated above will be effective commencing January 22, 2002.

Section 4

This Ordinance shall take effect and be in force from and after its passage, approval and publication in the Coffey County Republican, the official city newspaper.

Passed by the City Council and approved by the mayor this 4th day of February, 2002.

Bill Freeman, Mayor

Linda Doggett, City Clerk

Douglas P. Witteman, City Attorney

•ORDINANCE NO. 349

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2002; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities”, Edition of 2001, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 349**”, and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshal, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2

Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3

Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00 and shall also pay court costs.

Section 4

Ordinance No. [344](#) is hereby repealed.

Section 5

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 7th day of October, 2002.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 350

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”, EDITION OF 2002.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1

Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities”, edition of 2001, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of Said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by **Ordinance No. 350**”, and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2

Ordinance No. [343](#) is hereby repealed.

Section 3

Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 7th day of October, 2002.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

•ORDINANCE NO. 351

AN ORDINANCE REGULATING THE LOCATION AND SPACING OF MOBILE HOMES AND PROVIDING FOR PERMITS TO LOCATE MOBILE HOMES, AND CREATING MOBILE HOME PARKS AND LICENSING OF THE SAME WITHIN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

SECTION 1

DEFINITIONS. Definitions of terms listed in this article shall be as follows:

- a. "Building" shall mean any structure built for the support, shelter or enclosure of persons, chattels, businesses or property of any kind.
- b. "Inspector" shall mean the Mayor, City Clerk, or any other person designated by the City Council to inspect the location and condition of Manufactured/Mobile Homes, or the location, condition or operation of Manufactured/Mobile Home Parks. The inspector is also responsible for issuance of permits and to notify the City Council, in writing, when conditions warrant the revocation of a permit prior to its expiration date.
- c. "House Trailers or Recreational Vehicle (RV)" shall mean a vehicle or a unit that may be independently motorized or may be mounted on or drawn by another vehicle. House trailers or RVs are primarily designed and used for travel, camping, recreation, temporary living or occasional use. RVs include motor homes, mini-motor homes, converted buses, converted camper vans, pickup and truck campers, camping trailers, fifth-wheel trailers, and horse trailers equipped with living quarters. Conventional vans and pickup trucks with or without "toppers" that are no larger than the truck box or higher than the truck cab are not considered to be recreational vehicles nor are small trailers used for hauling animals, equipment, personal property or household goods of the occupant of the dwelling whereon such trailer is parked.
- d. "Manufactured/Mobile Home" shall mean a factory built structure or structures equipped with the necessary service connections and made so as to be transportable as a unit or units on its own running gear and designed to be used as a permanent dwelling unit with or without permanent foundation. The transportation system is designed so that the home may be moved from time to time at the convenience of the owner. The term shall include two or more separately towed units which are designed to be bolted or otherwise fastened together to form a complete living unit. Such homes are built on a chassis consisting of a draw-bar and coupling mechanism, frame, running gear assembly and lights. Removal of any or all of these component parts does not change the definition. These structures are designed for long term occupancy and contain accommodations, a flush toilet, tub or shower bath, kitchens, facilities, and having plumbing and electrical connections provided for permanent connection to outside system.
- e. "Manufactured/Mobile Home Park" shall mean any area, piece, parcel, tract or plot of ground equipped as required for support of manufactured/mobile homes and used or intended to be used by two or more occupied or unoccupied homes whether new or used and whether owned or rented by the occupants. Such parks

shall be under one ownership and control, but under no circumstance shall home spaces be sold or offered for sale individually. The definition of a park does not include a sales area on which unoccupied homes, whether new or used, are parked for the purpose of storage, inspection or sale. A manufactured/mobile home may, however, remain on a space for the purpose of sale by the resident owner.

- f. "Modular/Residential-Design Manufactured Home" shall mean a dwelling structure located on a permanent foundation and connected to public utilities, consisting of pre-selected, pre-fabricated units or modules or completely fabricated structures. These dwellings are transported to and/or assembled on the site of its foundation; in contrast to a dwelling structure that is custom built (site built) at the site of its permanent location and also in contrast to a manufactured home, either single-width, double-width or multi-width, located on its permanent foundation. In general, such modular homes shall be fabricated using construction methods and materials and have appearance similar to custom built (site built) single family dwellings. An additional distinction is that these homes will be delivered to the site on transportation equipment designed for re-use on other assemblies produced at the fabrication facility.
- g. "Site Built Home" shall mean a home built at a permanent location, on a foundation or slab, from dimensional lumber and other raw or engineered components. Prefabrication of components in such dwellings is generally limited to doors, windows and appliances. This classification is in contrast to a dwelling that has been wholly or partially built at an off site location (e.g, factory) and moved to its permanent location.
- h. "Manufactured/Mobile Home Space" shall mean that area of land set aside for use by one manufactured/mobile home. This space includes the open space around said Manufactured/Mobile home.
- i. "Occupy, occupancy, or occupied" shall mean the use of any dwelling for sleeping, living, cooking or eating purposes.
- j. "Park" shall mean manufactured/mobile home park.
- k. "Person" shall mean any individual, firm, trust, partnership, limited liability company, association or corporation, or any combination of the same.

SECTION 2

PERMITS.

1. Anyone desiring to locate a mobile home in a residential district of the City of LeRoy shall first procure a permanent permit valid as long as the occupant or owner and structure fully comply with all applicable City Ordinances.
2. Locating a mobile home on a lot without a building may be for an unlimited period of time, however, if a building (other than a garage) is upon the premises, such will be considered a temporary permit and such mobile home may not be in said location for more than five (5) months.
3. Any mobile home owner or renter or mobile home park owner desiring to locate a mobile home or mobile home park in a residential district other than a existing mobile home park shall obtain written permission to do so from all property owners within a radius of two hundred fifty (250) feet of the proposed location of the mobile home and have found its use to comply with all City Ordinances and regulations.
4. An owner of a mobile home shall first obtain a location use permit from the City Clerk. No permit shall be issued unless a duly authorized representative of the City shall first have inspected the proposed location and condition of the mobile home and have found its use to comply with all City Ordinances, regulations or any applicable safety, fire or building codes.
5. All applications for a location use permit shall state the address of the proposed site, the applicant's name and a drawing showing the location in relation to adjoining property lines, buildings, mobile homes, streets and alleys. Application shall be accompanied by a fee of \$25.00.

6. A mobile home permit will not be issued for mobile homes used for permanent or long term storage of materials and property, or for commercial use.

SECTION 3

LOCATION AND SPACING. All mobile homes shall be located so as to conform to the following requirements:

1. No mobile home manufactured before 1976 will be allowed.
2. No mobile home with hail damaged siding or any other siding, roofing or window damage or sprung frame will be allowed.
3. Single, Double or multiple wide mobile homes are allowed only in trailer park or mobile home subdivisions unless the following conditions are met:
 - (a) New single, double or multiple wide mobile homes are allowed in any residential area where the estimated fair market value of the proposed mobile home and lot (after sale) meets or exceeds the fair market value of 75% of the dwellings within a two hundred fifty (250) foot radius of the proposed location. The fair market value of the single, double or multiple wide mobile home (and lot) must be verified by a licensed appraiser and a report listing the fair market value, as determined by the County Appraiser, of the surrounding properties must be filed with the City Clerk. A report of these findings shall be submitted with the permit application.
 - (b) Double or multiple wide mobile homes shall be placed on a permanent foundation. If a basement, garage or outbuilding(s) is planned, the basement may be included in the valuation but not the outbuildings or garage.
 - (c) The double or multiple wide mobile home must match the architectural aesthetic properties of the surrounding dwellings in the neighborhood.
4. Modular and Residential-Design manufactured homes are allowed in any residential district.
5. No mobile home or any part thereof shall be located on any lot already occupied by a house except as described in *Section 2*, paragraph 2 (temporary permit).
6. No mobile home or part thereof shall be located within any designated City Fire Zone.
7. The minimum "mobile home space" shall be 5000 square feet for mobile home parks and 7000 square feet (one 140 x 50 lot) for the city at large. Only one mobile home can be placed upon a space.
8. No mobile home or any structure shall be located closer than thirty (30) feet from any other building, house, mobile home or city street.
9. No more than one mobile home may be located upon any one platted City lot.
10. No two single wide mobile homes are to be connected on a single mobile home space.
11. No more than one mobile home may be placed on any land contiguously owned by the same person (notwithstanding adequate mobile home space) unless such land is permitted mobile home park.
12. Mobile homes or trailers may be allowed to be placed for temporary offices on the site of construction projects and for additional space for schools. No fee or permit is required for these purposes.

SECTION 4

USE LIMITATIONS. The following performances standards shall apply to all mobile homes:

1. Minimum Mobile Home Size. Any mobile home shall have a minimum width of ten (10) feet and contain a minimum of four hundred fifty (450) square feet.
2. Skirting. Any mobile home shall be provided with skirting on all sides and shall be of a non-flammable material harmonious to the mobile home.
3. Blocking. All mobile homes shall be blocked at a maximum of ten (10) foot centers around the perimeter of each mobile home and this locking shall provide sixteen (16)

inches by sixteen (16) inches bearing upon the stand, or as specified by the mobile home manufacturer.

4. Utilities. All utility connections shall be in conformance with any City codes and the State Fire Codes.
5. Tie-Downs and Ground Anchors. All mobile homes shall be secured to the ground by the tie-downs and ground anchors in accordance with the Mobile Home and Recreational Vehicle Code, K.S.A. 75-1211 to 75-1234, or as may be amended from time to time.
6. Ingress and Egress. All mobile homes shall have sufficient steps and/or decking to allow safe ingress and egress through all doors of the mobile home. Said steps and/or decking shall be anchored to the ground and/or mobile home or in some other manner sufficient to immobilize the steps and/or decking.
7. No mobile home shall be placed or allowed to continue to be placed over a propane or natural gas line.

SECTION 5

WATER AND SEWER CONNECTIONS. Each mobile home, whether located in a mobile home park or an individual lot, shall have a separate water meter and connection to the water supply. The water meters will be read by the City. Management of any mobile home park as defined herein shall be responsible for unpaid bills. Service will be terminated to delinquent accounts and a \$15.00 fee will be charged by the City to turn the water service on again. All mobile homes shall be connected to the City sewage system and be charged the same water and sewage connection and use fees as business and conventional homes.

SECTION 6

EXISTING NON-CONFORMING USES. A use of land existing prior to the date of publication of this ordinance shall be allowed to continue provided compliance with the following conditions:

The owner is registered with the City of LeRoy and holds a certificate of non-conforming use issued by the City of LeRoy prior to March 1, 2003,

The registration should include:

- (a) name of the owner of the Real Estate;
- (b) name of the owner of the Mobile Home;
- (c) size of the mobile home
- (d) manufacturer of the Mobile Home; and
- (e) serial number of the Mobile Home.

Such registration and certificate shall not prevent the City from requiring all mobile homes to have separate water meters and shall not exempt the mobile home owner from any Ordinances or fee regarding use of City water or sewer system.

The mobile home must additionally be in compliance with the Skirting, Utilities, Ingress and Egress, and Tie Down/Ground Anchor provisions stated in *Section 4* herein.

In the event any mobile home is 50 percent or more destroyed or is removed from the property which has received a certificate or nonconforming use, all provisions of this ordinance must be met to replace the non-conforming mobile home or evidence of severe hardship must be presented at a hearing. Final decision in such cases is to be made by the City Council. The owner of such real estate must comply with all the following:

- (a) The proposed replacement mobile home is of equal or greater size than the destroyed mobile home.
- (b) The proposed replacement mobile home is of equal or greater fair market value, after purchase, than the destroyed mobile home.
- (c) The proposed replacement mobile home is located in basically the same location.
- (d) All lot size (mobile home space) and yard requirements set forth are still met.

SECTION 7

MOBILE HOME PARK DESIGN. All mobile home parks shall be designed so as to conform to the following requirements:

1. A storm shelter shall be required with sufficient space for the residents of said mobile home park. Sufficient space shall be the amount of space needed to provide shelter for at least two (2) people per mobile home unit in said park. A storm shelter is required.
2. Adequate lighting is required.
3. Streets to be concrete, asphalt, chip and seal or compacted stone six (6) inches thick. Maintenance of streets are to be the responsibility of park management.
4. Driveways (parking) for individual lots to be concrete, asphalt or compacted stone six (6) inches thick.
5. Each mobile home located within a mobile home park shall be provided with a minimum of two (2) off-street parking spaces adjoining the mobile home.
6. All mobile homes within the mobile home park shall conform to the City spacing requirements.
7. A fence or hedge at least six (6) feet tall shall be installed adjoining a tract of land used for other than a mobile home park. A ten (10) foot landscaped buffer between the fence and property line shall be required. None of this buffer should be included in the minimum lot/space size.

SECTION 8

PERMIT. Construction of a mobile home park shall begin only after a permit has been issued by the City Council. No such permit shall be granted until a development plan for the proposed mobile home park has been prepared and submitted by the developer to the Council, and found satisfactory. Such plan shall be accurately drawn and show the following:

1. Proposed street and drive patterns.
2. Proposed mobile home spaces and their approximate dimensions.
3. Any existing streets in or abutting the property.
4. Location and size of parking spaces.
5. Name and address of developer and projected date of construction.

SECTION 9

LICENSE. All mobile home parks shall be subject to an annual license, which may be issued by the City Council. Compliance with this Ordinance and all other codes of the City shall be necessary prior to issuance of renewal. The initial annual fee for such license shall be \$40.00 for the first year and \$20.00 for each year thereafter.

SECTION 10

MANAGEMENT. Each mobile home park shall be operated in a sanitary, orderly and efficient manner and shall maintain a neat appearance at all times. The owner and/or operator shall be responsible for effective disposal of refuse, insect and rodent control and fire prevention measures and shall be in conformity with regulations of the State of Kansas Fire Marshal.

SECTION 11

ENFORCEMENT. The owner and/or operator of the mobile home park shall be responsible for the conformance to all plans, codes and conditions set out for mobile home parks. Any deviation or non-performance, or unhealthful and unsanitary conditions shall constitute grounds for the cancellation of a license or permit or refusal of the City Council to renew a license. Property owners on which mobile homes are located which are not mobile home parks shall have the responsibility to conform to all ordinances applying to mobile homes.

SECTION 12

NUISANCE. Nothing contained in this Ordinance shall be deemed or construed to authorize the maintenance of a public nuisance as defined by statute, ordinance or regulation. No use of land, whether existing prior to or after the effective date of this Ordinance, shall be authorized or permitted to maintain junked, wrecked, dismantled, uninhabitable or abandoned mobile homes, manufactured homes, house trailers or recreational vehicles that would adversely effect the health, safety or welfare of the inhabitants of the City, or of any neighborhood, family or resident of the City.

SECTION 13

PENALTY. Any willful failure to comply with any provision of this Ordinance shall be deemed a misdemeanor punishable by a fine of not less than One Hundred Dollars (\$100.00) per violation and no more than Five Hundred Dollars (\$500.00) per violation. Each day a person fails to comply with the provisions of this Ordinance shall be considered a separate offense. An action for violation of this Ordinance shall be prosecuted through the Municipal Court of LeRoy, Kansas.

SECTION 14

SEVERABILITY. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance.

SECTION 15

EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official City paper.

PASSED AND APPROVED by the Governing Body this 2nd day of December, 2002.

SIGNED BY THE MAYOR this 2nd day of December, 2002.

Bill Freeman, Mayor

ATTEST:
Linda Doggett, City Clerk

APPROVED AS TO FORM:
Douglas P. Witteman, City Attorney

• **ORDINANCE 352**

AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO THE USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO.233 AND REPEALING ORDINANCE 348; AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KS:

SECTION 1. That Section One (1) of Ordinance No. 233 (relating to water rates) is hereby amended to read as follows:

Section 1. The rates for water sold by the municipal water plant shall be as follows:

- a. A minimum charge of \$15.00 per month for which amount up to one thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of one thousand (1,000) gallons in any one month the rate shall be \$6.00 per one thousand (1,000) gallons.

SECTION 2. That Article Four (4) of Ordinance 309 (relating to sewer rates) is hereby amended to read as follows:

The following classes of users and charges to those users are hereby established:

Class 1. All users in side City limits. \$9.00 per month for operation and maintenance, plus \$.50 per thousand gallons of water used over one thousand gallons of water per month.

Class 2. All users outside city limits. \$9.00 per month for operation and maintenance, plus \$.50 per thousand gallons of water used over one thousand gallons of water per month.

SECTION 3. That the above dexcribed changes in rates and fees will be in effect commencing with the billing cycle, reflected on the April 1, 2003 billing.

SECTION 4. Ordinance No. 348 shall be repealed on the effective date of this Ordinance.

SECTION 5. This Irdinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and Approved by th Mayor of the City of LeRoy, Kansas, on this 3rd day of March 2003.

Bill Freeman, Mayor

ATTEST: Linda Doggett
City Clerk

Approved As To Form:
Douglas P. Witteman
City Attorney

• **ORDINANCE 353**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2003.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” edition of 2003, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of Said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by Ordinance No. 353,” and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 350 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 12th day of August, 2002.

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Douglas P. Witteman, City Attorney

• **ORDINANCE NO. 354**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2003; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2003, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 354,” and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshall, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 349 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Douglas P. Witteman, City Attorney

• **ORDINANCE NO. 355**

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a petition signed by the owners of all lands adjoining a specific street located within the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioners the prayer of the Petitioners ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1. That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:
That portion of Kansas Avenue located west of A Street which is contained within Scott's Addition, City of LeRoy, Coffey County, Kansas, according to the recorded plat of said City.

Section 2. That pursuant to this vacation, the City of LeRoy specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such street.

Section 3. Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4. That this Ordinance shall take effect after it's adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 6th day of October, 2003.

Bill Freeman, Mayor

ATTEST: Linda Doggett, City Clerk

APPROVED AS TO FORM: Douglas P. Witteman, City Attorney

Notarized by Paula Bryan
Recorded by Gwen Birk

• **ORDINANCE NO 356**

AN ORDINANCE PROHIBITING THE PARKING OF TRUCKS, TRACTORS, BUSES, TRAILERS, MOTOR VEHICLES, ETC. ADJACENT TO LEROY CITY PARK DURING CERTAIN HOURS.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Definitions. The definitions contained in the latest version of the "STANDARD TRAFFIC ORDINANCES FOR KANSAS CITIES" prepared and published by the League of Kansas Municipalities as may be in effect from time to time upon adoption by the City of LeRoy, Kansas, are hereby incorporated herein by reference.

Section 2. Parking prohibited. It shall be unlawful to park or leave parked a truck, a bus, a truck tractor, a road tractor, a farm tractor, a trailer or a semi-trailer or any other motor vehicle on the side of any street immediately adjacent to the LeRoy City Park, said park being bounded by Main, Nebraska, California and Kansas Streets in the City of LeRoy, Kansas overnight.

Section 3. Penalties. Any person convicted of a violation of this Ordinance shall be deemed guilty of a non-moving traffic violation and shall be punished by a fine of not more than \$100.

Section 4. Effective Date. This Ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 3rd day of November, 2003.

Bill Freeman, Mayor

ATTEST: Linda Doggett, City Clerk

APPROVED AS TO FORM: Douglas P. Witteman, City Attorney

• **ORDINANCE NO. 357**

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a petition signed by the owners of all lands adjoining a specific street located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioners the prayer of the Petitioners ought to be granted.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

Section 1. That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated: That portion of 2nd Street located west of Main Street which is contained within the City of LeRoy, Coffey County, Kansas according to the recorded plat of said City.

Section 2. That pursuant to this vacation, the City of LeRoy specifically reserves for itself and the owners of any lesser property rights for public utilities, right-of-ways and easements for public service facilities originally held in such street.

Section 3. Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

Section 4. That this ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 7th day of June, 2004.

Bill Freeman, Mayor

ATTEST: Linda Doggett, City Clerk

APPROVED AS TO FORM: Douglas P. Witteman, City Attorney

Notarized by: Paula Bryan

Recorded by: Gwen Birk

• **ORDINANCE NO. 358**

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2005 FOR THE CITY OF LEROY

WHEREAS, the City of LeRoy must continue to provide services to protect the health, safety and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continue to increase.

NOW THEREFORE, be it ordained by the Governing Body of the City of LeRoy:

Section 1. In accordance with state law, the City of LeRoy has scheduled a public hearing and has prepared the proposed budget necessary to fund city services from January 1, 2005 until December 31, 2005.

Section 2. After careful public deliberations, the governing body has determined that in order to maintain the public services that are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount exceeding the levy in the 2004 budget.

Section 3. This ordinance shall take effect after publication once in the official city newspaper.

Passed and approved by the Governing Body in this 15th day of July, 2004.

Bill Freeman, Mayor

ATTEST: Linda Doggett, City Clerk

• **ORDINANCE NO. 359**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," edition of 2004, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of Said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 359," and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 353 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 7th day of September, 2004.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

• [ORDINANCE NO. 360](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 2004; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2004, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked

or stamped "Official Copy as Adopted by Ordinance No. 358," and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshall, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 352 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 7th day of September, 2004.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

- **[ORDINANCE NO. 361](#)**

AN ORDINANCE ESTABLISHING THE POLICIES AND PROCEDURES FOR GRANTING PROPERTY TAX EXEMPTIONS IN ACCORDANCE WITH SECTION 13, ARTICLE 11 OF THE KANSAS CONSTITUTION AND KANDAS STATUTES ANNOTATED 12-1740 ET SEQ.

PLEASE SEE FULL COPY OF THIS ORDINANCE AT CITY HALL

- **[ORDINANCE NO. 362](#)**

AN ORDINANCE REPEALING AND AMENDING SECTION 3.1 OF ORDINANCE NO. 351 REGULATING SPACING OF MOBILE HOMES AND PROVIDING FOR PERMITS TO LOCATE MOBILE HOMES, AND CREATING MOBILE HOME PARKS AND LICENSING OF THE SAME WITHIN THE CITY OF LEROY, KANSAS

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Section 3.1 of Ordinance No. 351 shall be and is hereby repealed.

Section 2. Section 3.1 of Ordinance 351 of the City of LeRoy, Kansas shall be and is hereby amended to read as follows:

No mobile home shall be allowed unless it is determined by the Inspector to be in compliance with the current mobile home safety standards adopted in K.S.A. 75-1220 and any amendments thereto. The inspector's fee shall be paid by the owner of the mobile home.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body this 1st day of November, 2004.

SIGNED BY THE MAYOR this 1st day of November, 2004.

Bill Freeman, Mayor

ATTEST: Linda Doggett, City Clerk

APPROVED AS TO FORM: Bryan K. Joy, City Attorney

• **ORDINANCE NO. 363**

AN ORDINANCE RELATING TO DANGEROUS AND UNFIT STRUCTURES, AN APPOINTMENT OF ENFORCEMENT OFFICER AND PROVIDING FOR PROCEDURE FOR DETERMINATION OF UNSAFE OR DANGEROUS STRUCTURES AND PROVIDING FOR REMOVAL OR REPAIR AND FOR PAYMENT OF COST FOR REMOVAL OR REPAIR.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1. PURPOSE. The governing body has found that there exist within the corporate limits of the city structures which are unfit for human use or habitation because of dilapidation, defects increasing the hazards of fire or accidents, structural defects or other conditions which render such structures unsafe, unsanitary or otherwise inimical to the general welfare of the city, or conditions which provide a general blight upon the neighborhood or surrounding properties. It is hereby deemed necessary by the governing body to require or cause the repair, closing or demolition or removal of such structures as provided in this ordinance. (K.S.A. 12-1751)

Section 2. DEFINITIONS. For the purpose of this ordinance, the following words and terms shall have the following meanings:

(a) Enforcing officer means the person appointed by the council or his or her authorized representative, to carry out the duties as set forth hereafter.

(b) Structure shall include any building, wall, superstructure or other structure which requires location on the ground, or is attached to something having a location on the ground.

(K.S.A. 12-1750)

Section 3. ENFORCING OFFICER; DUTIES. The enforcing officer is hereby authorized to exercise such powers as may be necessary to carry out the purposes of this ordinance, including the following:

(a) Inspect any structure which appears to be unsafe, dangerous or unfit for human habitation;

(b) Have authority to enter upon premises at reasonable hours for the purpose of making such inspections. Entry shall be made so as to cause the least possible inconvenience to any person in possession of the structure. If entry is denied, the enforcing officer may seek an order for this purpose from a court of competent jurisdiction;

(c) Report all structures which he or she believes to be dangerous, unsafe or unfit for human habitation to the governing body;

(d) Receive petitions as provided in this ordinance.

Section 4. SAME; PETITION. Whenever a petition is filed with the enforcing officer by at least five residents charging that any structure is dangerous, unsafe or unfit for human habitation, or whenever it appears to the enforcing officer on his or her own motion that any structure is dangerous, unsafe or unfit for human habitation, he or she shall, if his or her preliminary investigation discloses a basis for such charges, report such findings to the governing body.

Section 5. SAME; NOTICE. The governing body upon receiving a report as provided in Section 4 shall by resolution fix a time and place at which the owner, the owner's agent, any lien holder of records and any occupant of the structure may appear and show cause why the structure should not be condemned and ordered repaired or demolished. (K.S.A. 12-1752)

Section 6. SAME; PUBLICATION.

(a) The resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing.

(b) A copy of the resolution shall be mailed by certified mail within three days after its first publication to each owner, agent, lien holder and occupant at the last known place of residence and shall be marked "deliver to addressee only."

(K.S.A. 12-1752)

Section 7. SAME; HEARING, ORDER. If, after notice and hearing, the governing body determines that the structure under consideration is dangerous, unsafe or unfit for human use or habitation, it shall state in writing its findings of fact in support of such determination and shall cause the resolution to be published once in the official city newspaper and a copy mailed to the owners, agents, lien holders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed.

Section 8. DUTY OF OWNER. Whenever any structure within the city shall be found to be dangerous, unsafe or unfit for human use or habitation, it shall be the duty and obligation of the owner of the property to render the same secure and safe or to remove the same.

Section 9. SAME; FAILURE TO COMPLY.

(a) If, within the time specified in the order, the owner fails to comply with the order to repair, alter, improve or vacate the structure, the enforcing officer may cause the structure to be repaired, altered, improved, or to be vacated and closed.

(b) If, within the time specified in the order, the owner fails to comply with the order to remove or demolish the structure, the enforcing officer may cause the structure to be removed and demolished.

Section 10. SAME; MAKE SITE SAFE. Upon removal of any structure, the owner shall fill any basement or other excavation located upon the premises and take any other action necessary to leave the premises in a safe condition. If the owner fails to take such action, the enforcing officer may proceed to make the site safe.

Section 11. ASSESSMENT OF COSTS.

(a) The cost to the city of any repairs, alterations, improvements, vacating, removal or demolition by the enforcing officer, including making the site safe, shall be reported to the city clerk.

(b) The city shall give notice to the owner of the structure by restricted mail of the cost of removing the structure and making the premises safe and secure. The notice shall also state that payment of the cost is due and payable within 30 days following receipt of the notice.

(c) If the costs remain unpaid after 30 days following receipt of notice, the city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located.

(d) If the proceeds of the sale of salvage or from the proceeds of any insurance policy in which the city has created a lien pursuant to K.S.A. 40-3901, *et seq.*, and amendments thereto, are insufficient to recover the above stated costs, or if there is no salvage, the balance shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments against the lot or parcel of land on which the structure was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs to the county clerk and who 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.

(e) If there is no salvage material, or if the moneys received from the sale of salvage or from the proceeds of any insurance policy in which the city has created a lien pursuant to K.S.A. 40-3901, *et seq.*, and amendments thereto, are insufficient to pay the costs of the work and the costs of providing notice, such costs or any portion thereof in excess of that received from the sale of salvage or any insurance proceeds may be financed, until the costs are paid, out of the general fund or by the issuance of no-fund warrants. (K.S.A. 12-1755)

Section 12. IMMEDIATE HAZARD. When in the opinion of the governing body any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the governing body may direct the enforcing officer to erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lien holders and occupants. The cost of any action under this section shall be assessed against the property as provided in Section 11. (K.S.A. 12-1756)

Section 13. APPEALS FROM ORDER. Any person affected by an order issued by the governing body under this ordinance may, within 30 days following service of the order, petition the district court of the county in which the structure is located for an injunction restraining the enforcing officer from carrying out the provisions of the order pending final disposition of the case.

Section 14. SCOPE OF ORDINANCE. Nothing in this ordinance shall be construed to abrogate or impair the powers of the courts or of any department of the city to enforce any provisions of its charter or its ordinances or regulations, nor to prevent or punish violations thereof; and the powers conferred by this ordinance shall be in addition to and supplemental to the powers conferred by the constitution, any other law or ordinance. Nothing in this ordinance shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise or to exercise those powers granted specifically by K.S.A. 12-1750:1756.

Bill Freeman, Mayor

ATTEST: _____
Linda Doggett, City Clerk

• [ORDINANCE 364](#)

AN ORDINANCE ESTABLISHING COURT COSTS AND FINE SCHEDULE IN CASES HEARD IN THE MUNICIPAL COURT FOR THE CITY OF LEROY, KANSAS.

WHEREAS, pursuant to Charter Ordinance 7, the city of LeRoy, Kansas, a city of the third class by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas has heretofore elected and exempted itself from the provisions of K.S.A. 12-4112, the state legislature having made special provision to certain classes of cities in said enactment; and

WHEREAS, the governing body of the City of LeRoy, Kansas has deemed it appropriate to establish a municipal court to oversee violations of city ordinances; and

WHEREAS, the City of LeRoy, Kansas, has deemed it advisable to establish costs to be assessed to defendants convicted in the LeRoy Municipal court to help defray the costs of operation of said municipal court; and

WHEREAS, pursuant to Charter Ordinance 7, the governing body of the City of LeRoy, Kansas, is empowered to establish and regulate the amount of said court costs and fines.

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

- 1) Pursuant to Charter Ordinance 7, Code of the City of LeRoy, Kansas, the Governing body of the City of LeRoy, Kansas, is empowered and authorized to establish court costs and fine schedule in the administration of justice for the City of LeRoy, Kansas.
- 2) That the court costs assessable by the municipal court for the City of LeRoy, Kansas, shall be and hereby are amended to be as follows:

Costs assessable for the administration of justice in the LeRoy Municipal Court, shall be equal to the court costs charged by the District Court of Coffey County, Kansas, as provided by statute, as amended from time to time which may include witness fees and mileage as set forth in K.S.A. 12-4411; assessment required by K.S.A. 20-1a11 and K.S.A. 12-4117, for judicial education, costs established pursuant to K.S.A. 74-5619 and K.S.A. 12-4117, as amended, providing funds for the law enforcement training center and juvenile detention facilities.
- 3) That the fine schedule adopted by the City of LeRoy, Kansas, shall be equal to and in the same amount of like fines charged in the District Court of Coffey County, Kansas, and as provided by statute, and as amended from time to time, and as set forth in the fine schedule for traffic infractions pursuant to K.S.A. 8-2118, as amended.
- 4) This ordinance shall be effective from and after its passage by the governing Body of the City of LeRoy, Kansas and its publication one time in the official city newspaper as provided by law.

Bill Freeman, Mayor

ATTEST: _____
Linda Doggett, City Clerk

- [ORDINANCE NO. 365](#)

AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO. 233 AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309 AND REPEALING ORDINANCE NO. 259 AND REPEALING ORDINANCE NO. 352.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. That Section One (1) of Ordinance No. 233 (relating to water rates) is hereby amended to read as follows:

- Section 1. The rates charged for water sold by the City of LeRoy shall be as follows:
- a. A minimum charge of \$20 per month for which amount up to One thousand (1,000) gallons shall be furnished;

- b. For water furnished in excess of One thousand (1,000) gallons in any one month the rate shall be \$6 per One thousand (1,000) gallons.

SECTION 2. That Article Four (4) of Ordinance No. 309 (relating to sewer rates) is hereby amended to read as follows:

The following classes of users and charges to those users are hereby established:

Class I. All users inside City limits. \$9 per month for operation and maintenance, plus \$.50 per thousand gallons of water used over one thousand gallons of water per month.

Class II. All users outside city limits. \$9.90 per month for operation and maintenance, plus \$.55 per thousand gallons of water used over one thousand gallons of water per month.

SECTION 3. The following water connection fees are established:

- a. To resume service after water has been disconnected, a nonrefundable fee of \$40 shall be collected;
- b. To establish a new water connection at any site, a nonrefundable fee of \$375 shall be collected;
- c. To re-establish service at an existing site, a nonrefundable fee of \$50 shall be collected.

SECTION 4. In the event that the City of LeRoy is required to pursue collection of accounts that become delinquent through the State of Kansas set-off program or any other lawful collection process, the City shall be entitled to reimbursement of the costs of collection from the customer, including but not limited to, court costs, attorney's fees and collection agency fees.

SECTION 5. That the above described changes in rates and fees will be in effect commencing with the billing cycle, and reflected on, the June, 2005, billing.

SECTION 6. Ordinance No. 259 shall be repealed on the effective date of this Ordinance.

SECTION 7. Ordinance No. 352 shall be repealed on the effective date of this Ordinance.

SECTION 8. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 15th day of June, 2005.

Bill Freeman, Mayor

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

- [ORDINANCE NUMBER 366](#)

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2006 FOR THE CITY OF LEROY.

WHEREAS, the City of LeRoy must continue to provide services to protect the health, safety, and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continues to increase;

NOW THEREFORE, be it ordained by the Governing Body of the City of LeRoy:

Section One. In accordance with state law, the City of LeRoy has conducted a public hearing and has published the proposed budget necessary to fund city services from January 1, 2006 until December 31, 2006.

Section Two. After careful public deliberations, the governing body has determined that in order to maintain public services which are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount that exceeds the 2005 budget.

Section Three. This ordinance shall take effect after publication once in the official city newspaper.

Passed and approved by the Governing Body on this 15th day of August, 2005.

Bill Freeman
Mayor

Attest: Linda Doggett
City Clerk

- [ORDINANCE 367](#)

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2005, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 367," and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. The City Marshall, Municipal Judge and all administrative departments of the city charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of such Standard Ordinance similarly marked, as may be deemed expedient.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118. (B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall be not less than \$10.00 nor more than \$500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court, not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 360 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 12th day of September 2005.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

- [ORDINANCE NO. 368](#)

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2005.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” edition of 2005, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of Said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by Ordinance No. 368,” and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 359 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 12th day of September, 2005.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

- [ORDINANCE 369](#)

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2007 FOR THE CITY OF LEROY.

WHEREAS, the City of LeRoy must continue to provide services to protect the health, safety and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continue to increase.

NOW, THEREFORE, be it ordained by the Governing Body of the City of LeRoy:

Section One. In accordance with state law, the City of LeRoy has scheduled a public hearing and has prepared the proposed budget necessary to fund the city services from January 1, 2007 until December 31, 2007.

Section Two. After careful public deliberations, the governing body has determined that in order to maintain the public services that are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount exceeding the levy in the 2006 budget.

Section Three. This ordinance shall take effect after publication once in the official newspaper.

Passed and approved by the Governing Body on this 7th day of August, 2006.

Bill Freeman
Mayor

ATTEST: Linda Doggett, CMC
City Clerk

• **ORDINANCE NO. 370**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2006.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2006, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 368 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 11th day of September, 2006.

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 371**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2006; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2006, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 not more than \$30.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 367 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

- **ORDINANCE NO. 372**

AN ORDINANCE PROHIBITING THE USE OF JAKE/ENGINE BRAKES ON MOTOR VEHICLES WITHIN THE CITY OF LEROY, KANSAS, AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION I: DEFINITION: The term jake/engine brake as used herein means any device commonly known by that name or any similar device used to slow a motor vehicle by engine compression creating loud or excessive noises to be emitted through the vehicles exhaust system.

SECTION II: USE OF JAKE/ENGINE BRAKES PROHIBITED: It shall be unlawful for any person operating a motor vehicle within the City of LeRoy, Kansas, to use a jake/engine brake system installed in said motor vehicle.

SECTION III: PENALTIES FOR VIOLATIONS: Any person convicted of a violation of this ordinance will be deemed guilty of a Class C Misdemeanor and punished by a fine of not more than \$100.00 or by imprisonment for not more than 30 days or by both such fine and imprisonment.

SECTION IV: This ordinance shall become effective upon publication in the official City newspaper.

ADOPTED AND APPROVED by the governing body, this 6th day of November, 2006.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

- **ORDINANCE NO. 373**

AN ORDINANCE ESTABLISHING PROHIBITIONS AGAINST THE POSSESSION OR CARRYING OF CERTAIN FIREARMS WHILE UPON DESIGNATED PROPERTY OWNED AND/OR OPERATED BY THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. As used in this ordinance, the term “firearm” shall mean any handgun, pistol, or revolver.

SECTION 2. Pursuant to the authority granted to property owners and to the owners or operators of businesses under the Personal and Family Protection Act, Chapter 32 of the 2006 Session Laws of Kansas, as amended by Chapter 210 of the 2006 Session Laws of Kansas, the governing body of the City of LeRoy, Kansas, hereby prohibits the carrying of any concealed firearm by any person other than those identified in Section 5 below while in or upon the premises of any of the following properties which are owned by the City of LeRoy, Kansas, and/or on which the City is operating as a public employer:

- (1) The LeRoy Wastewater Treatment Plant located at 521 Walnut, LeRoy, Kansas;
- (2) The LeRoy Water Plant located at 86 4th Street, LeRoy, Kansas;
- (3) Any city park or playground within the City of LeRoy, Kansas.
- (4) The LeRoy City Shop located at 620 Main, LeRoy, Kansas.

SECTION 3. Violation of section 4 of this ordinance is a Class B violation.

SECTION 4. The prohibitions set forth in Sections 2 and 4 above shall apply both to the interiors of the structures on all such properties and to the exterior areas; provided, however, that the prohibitions shall not apply to persons who are otherwise lawfully in possession of any such firearm while in a motor vehicle which is located in an area designated for public vehicular traffic or for public vehicular parking.

SECTION 5. The prohibitions set forth in Sections 2 and 4 above shall not apply to any person identified under the exclusions set forth in subsections (b) or (c) of K.S.A. 21-4201 regarding the criminal use of weapons, as said provisions now apply or may hereafter be amended.

SECTION 6. This ordinance shall take effect and be in force from and after its publication in the official newspaper of said City.

PASSED AND ADOPTED this ____ day of _____, 20____.

Mayor

ATTEST:

City Clerk

• **ORDINANCE NO. 374**

AN ORDINANCE SETTING THE RATE FOR SOLID WASTE COLLECTION WITHIN THE CITY OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. Rates for Solid Waste Service. The Governing Body of the City of LeRoy hereby finds and determines that the monthly rates or charges for collection and disposal of residential solid waste by the contractor holding a valid contract with the City shall be as specified below, subject, however, to such changes therein and revisions therein and revisions thereof as may be deemed necessary from time to time by the City:

1. Residential Rate: Single and multi-family regular solid

waste service rate per dwelling unit per month,
shall be as follows:

March 1, 2007 – February 29, 2008: \$12.00
March 1, 2008 – February 28, 2009: \$13.00
March 1, 2009 – February 28, 2010: \$14.00
March 1, 2010 – February 28, 2011: \$15.00
March 1, 2011 – February 29, 2012: \$16.00

Polycart Rate will be \$3.00 above the set residential rate.

SECTION 2. This ordinance shall take effect and be in full force upon passage, approval and publication in *The Coffey County Republican*, the official city newspaper.

Passed by the Governing Body and approved by the Mayor of the City of LeRoy this 4th day of February, 2007.

Bill Freeman, Mayor

ATTEST:

Approved As To Form:

Linda Doggett, City Clerk

Bryan Joy, City Attorney

• **ORDINANCE NO. 375**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2007; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2007, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped

“Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 371 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 10th day of September 2007.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **[ORDINANCE NO. 376](#)**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2007.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses

within the corporate limits of the City of LeRoy, Kansas, that certain code known as the "Uniform Public Offense Code for Kansas Cities," Edition of 2007, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by the Code of the City of LeRoy, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 370 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 10th day of September, 2007.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 377**

AN ORDINANCE MAKING IT UNLAWFUL TO MAINTAIN OR PERMIT ANY NUISANCE WITHIN THE CITY OF LEROY, KANSAS; PROVIDING FOR THE DESIGNATION OF A PUBLIC OFFICER; COMPLAINTS; INQUIRY AND INSPECTION; RIGHT OF ENTRY, AN ORDER OF VIOLATION; CONTENTS OF ORDER OF VIOLATION; FAILURE TO COMPLY; PENALTY; ABATEMENT; HEARING; AND ASSESSMENT OF COSTS

Section 1. NUISANCES UNLAWFUL; DEFINED. It shall be unlawful for any person to maintain or permit any nuisance within the city as defined, without limitation, as follows:

- (a) Filth, excrement, lumber, rocks, dirt, cans, paper, trash, metal or any other offensive or disagreeable thing or substance thrown or left or deposited upon any street, avenue, alley, sidewalk, park, public or private enclosure or lot whether vacant or occupied;
 - (b) All dead animals not removed within 24 hours after death;
 - (c) Any place or structure or substance which emits or causes any offensive, disagreeable or nauseous odors;
 - (d) All stagnant ponds or pools of water;
 - (e) All grass or weeds or other unsightly vegetation not usually cultivated or grown for domestic use or to be marketed or for ornamental purposes;
 - (f) Abandoned iceboxes or refrigerators kept on the premises under the control of any person, or deposited on the sanitary landfill, or any icebox or refrigerator not in actual use unless the door, opening or lid thereof is unhinged, or unfastened and removed therefrom;
 - (g) All articles or things whatsoever caused, kept, maintained or permitted by any person to the injury, annoyance or inconvenience of the public or of any neighborhood;
 - (h) Any fence, structure, thing or substance placed upon or being upon any street, sidewalk, alley or public ground so as to obstruct the same, except as permitted by the laws of the city.
- (K.S.A. 21-4106:4107)

Section 2. PUBLIC OFFICER. The LeRoy City Council shall designate a public officer to be charged with the administration and enforcement of this ordinance.

Section 3. COMPLAINTS; INQUIRY AND INSPECTION. The public officer shall make inquiry and inspection of premises upon receiving a complaint or complaints in writing signed by two or more persons stating that a nuisance exists and describing the same and where located or is informed that a nuisance may exist by the board of health, chief of police or the fire chief. The public officer may make such inquiry and inspection when he or she observes conditions which appear to constitute a nuisance. Upon making any inquiry and inspection the public officer shall make a written report of findings.

Section 4. ORDER OF VIOLATION. (a) The governing body shall serve upon the owner, any agent of the owner of the property or any other person, corporation, partnership or association found by the public officer to be in violation of Section 1 an order stating the violation. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(b) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail. (K.S.A. 12-1617e)

Section 5. SAME; CONTENTS. The order shall state the condition(s) which is (are) in violation of Section 1. The order shall also inform the person, corporation, partnership or association that

(a) He, she or they shall have 10 days from the receipt of the order to abate the condition(s) in violation of Section 1; provided, however, that the governing body [or its designee named in Section 5] shall grant one or more extensions of the 10 day period if the owner or agent of the property demonstrates that due diligence is being exercised in the abatement of the conditions in violation of Section 1; or,

(b) He, she or they have 10 days from the receipt of the order, plus any additional time granted under subsection (a), to request a hearing before the governing body or its designated representative of the matter as provided by Section 8;

(c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by Section 6 and/or abatement of the condition(s) by the city as provided by Section 7.

Section 6. FAILURE TO COMPLY; PENALTY. Should the person, corporation, partnership or association fail to comply with the order to abate the nuisance or request a hearing the public officer may file a complaint in the municipal court of the city against such person, corporation, partnership or association and upon conviction of any violation of provisions of Section 1, be fined in an amount not to exceed \$100 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

Section 7. ABATEMENT. In addition to, or as an alternative to prosecution as provided in Section 6, the public officer may seek to remedy violations of this ordinance in the following manner. If a person to whom an order has been served pursuant to Section 5 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the governing body within the time periods specified in Section 6, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution. The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located as provided in Section 10. A copy of the resolution shall be served upon the person in violation in one of the following ways:

(a) Personal service upon the person in violation;

(b) Certified mail, return receipt requested; or

(c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.

(d) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail

Section 8. HEARING. If a hearing is requested within the 10 day period as provided in Section 6, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer. The hearing shall be held by the governing body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the governing body or its designated representative shall be prepared in resolution form, adopted by the governing body, and the resolution shall be served upon the person in the manner provided in Section 8.

Section 9 COSTS ASSESSED. If the city abates or removes the nuisance pursuant to section 8, 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. 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.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

Approved As To Form

Bryan Joy, City Attorney

- **[ORDINANCE NO. 378](#)**
AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO USE OF WATER AND SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 1 OF ORDINANCE NO. 233 AND AMENDING ARTICLE 4 OF ORDINANCE NO. 309 AND AMENDING SECTION 3 OF ORDINANCE NO. 365

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. That Section One (1) of Ordinance No. 233 (relating to water rates) is hereby amended to read as follows:

Section 1. The rates charged for water sold by the City of LeRoy shall be as follows:

- a. A minimum charge of \$____ per month for which amount up to One thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of One thousand (1,000) gallons in any one month the rate shall be \$____ per One thousand (1,000) gallons.

SECTION 2. That the above described changes in rates and fees will be in effect commencing with the billing cycle, and reflected on, the _____, 2008, billing.

SECTION 3. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this _____ day of _____, 2008.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

• **ORDINANCE 380**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2008; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2008, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and

filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 375 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 8th day of September 2008.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO 381**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2008.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2008, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles,

sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by the Code of the City of LeRoy, Kansas," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 376 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 8th day of September, 2008.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 383**

AN ORDINANCE FIXING THE TIME, PLACE AND DATE OF THE REGULAR MONTHLY MEETING FOR THE CITY COUNCIL OF LEROY, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

Section 1. That the regular monthly meeting of the City Council of The City of LeRoy, Kansas shall be the first Monday of each month and shall commence at 6:00 o'clock P.M. and shall be held at the City Hall in the City of LeRoy, Kansas. In the event that the first Monday of the month is a holiday the regular meeting shall be held on the following Monday at the time and place designated herein,

Section 2. All other ordinances in regards to the establishment of regular City Council meetings are hereby repealed.

Section 3. This ordinance shall be in force and take effect upon its passage and approval and publication in the Coffey County Republican, the official city paper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 3rd day of November, 2008.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan Joy, City Attorney

• **ORDINANCE NO. 384**

AN ORDINANCE LEVYING A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE PERCENT (1%) WITHIN THE CITY OF LEROY, FOR THE PURPOSE OF PROVIDING ADDITIONAL REVENUE FOR AN ADEQUATE LEVEL OF PUBLIC SERVICES EFFECTIVE OCTOBER 1, 2009.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1. The majority of the electors voting thereon approved at the general election held on the 7th day of April, 2009, the special question, levying of a retailers' sales tax in the City of LeRoy, for the purpose of providing additional revenue for an adequate level of public services within the city, in the amount of on percent (1%), such tax to take effect on the 1st day of October 2009.

Section 2. Except as may otherwise be provided by law, such tax shall be identical in its applications and exemptions therefrom to the Kansas Retailers Sales Tax Act and all laws and administrative rules and regulations of the Kansas Department of Revenue relating to the state retailers' sales tax and shall apply to such city retailers' sales tax insofar as such laws and regulations may be made applicable. The services of the Department of Revenue shall be utilized to administer, enforce and collect such tax.

Section 3. This ordinance shall be published in the official city newspaper, and a copy duly certified shall be submitted to the State Director of Taxation.

Passed by the Governing Body of the City of LeRoy, this 4th day of May, 2009.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan Joy, City Attorney

• **ORDINANCE NO. 385**

AN ORDINANCE MAKING IT UNLAWFUL TO KEEP LIVESTOCK WITHIN THE CITY OF LEROY, KANSAS; EXCEPTION; MAKING IT UNLAWFUL TO POSSESS EXOTIC ANIMALS WITHIN THE CITY OF LEROY, KANSAS; AND MAKING IT UNLAWFUL TO ALLOW ANIMALS TO RUN LOOSE WITHIN THE CITY OF LEROY, KANSAS; PENALTY; AND ASSESSMENT OF COSTS.

Section 1. LIVESTOCK

- (a) Livestock is defined as any domesticated animals that are commonly bred or raised for sale or the production of products for sale, including but not limited to, cattle, horses, bison, swine, llamas, alpacas, goats, sheep, rabbits and fowl. Canines and felines are not considered as livestock for the purpose of this ordinance.
- (b) It shall be unlawful for any person, firm or corporation to keep, maintain, or have in his or her possession or under his or her control any livestock within the city unless said livestock are kept in an area at least three (3) acres in size and which is enclosed by a fence sufficient to keep the said animals enclosed within said area.
- (c) If any of said animals defined and described herein are found outside of the enclosed area and within the city, the owner or any person possessing or having said animals under his or her control shall be subject to a fine of not more than \$500.00 per animal for a first conviction; a fine of not more than \$1,000.00 per animal for a second conviction; a fine of not more than \$1,500.00 per animal for a third or subsequent conviction and court costs.
- (d) If any of said animals defined and described herein are found within the city and enclosed in an area of less than three (3) acres, said animals shall be considered as running loose and subject to the penalties set forth in Section 3(b).

Section 2. EXOTIC ANIMALS

- (a) It shall be unlawful for any person, firm or corporation to keep, maintain or have in his or her possession or under his or her control within the city any poisonous reptile or any other dangerous wild animal or reptile, any vicious or dangerous animal or any other animal or reptile of wild, vicious or dangerous propensities.
- (b) It shall be unlawful for any person to keep, maintain or have in his or her possession or under his or her control within the city any of the following animals:
 - (1) All poisonous animals including rear-fang;
 - (2) Apes: Chimpanzees, gibbons, gorillas, orangutans; and siamangs.
 - (3) Baboons.
 - (4) Badgers.
 - (5) Bears.
 - (6) Bobcats.
 - (7) Cheetahs.
 - (8) Crocodilians, 30 inches in length or more.
 - (9) Constrictor snakes, six feet in length or more.
 - (10) Coyotes.
 - (11) Deer; includes all members of the deer family, for example, white-tailed deer, mule deer, elk, antelope, and moose.
 - (12) Elephants.
 - (13) Gamecocks and other fighting birds.
 - (14) Hippopotami.
 - (15) Hyenas.
 - (16) Jaguars.
 - (17) Javelinas.
 - (18) Leopards.
 - (19) Lions.
 - (20) Lynxes.
 - (21) Monkeys.
 - (22) Ostriches.
 - (23) Pumas; also known as cougars, mountain lions and panthers.
 - (24) Raccoons;
 - (25) Rhinoceroses;
 - (26) Skunks;
 - (27) Tigers.
 - (28) Wolves.

(c) The prohibitions of this section shall not apply to bona fide pet shops, zoos, circuses, carnivals, educational institutions, or medical institutions, if:

- (1) Their location conforms to the zoning ordinance of the city.
- (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
- (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (e) The municipal judge shall have the authority to order any animal deemed vicious confined, destroyed or removed from the city.
- (f) If any of said animals defined and described herein are found within the city, the owner or any person possessing or having said animals under his or her control shall be subject to a fine of not more than \$500.00 per animal for a first conviction; a fine of not more than \$1,000.00 per animal for a second conviction; a fine of not more than \$1,500.00 per animal for a third or subsequent conviction and court costs.

Section 3. ANIMALS RUNNING LOOSE

- (a) It shall be unlawful for any person, firm or corporation to allow any animal defined in Section 1 and Section 2 herein to run loose in the city.
- (b) The owner or any person who is in possession or control of any animal defined herein found running loose within the city shall be subject to a fine of not more than \$500.00 per animal for a first conviction; a fine of not more than \$1,000.00 per animal for a second conviction; a fine of not more than \$1,500.00 per animal for a third or subsequent conviction and court costs.

Section 4. That this ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas on this ____ day of _____, 2009.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

• **ORDINANCE NO. 386**

AN ORDINANCE VACATING A CERTAIN STREETS AND ALLEYS WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owner of all the lands adjoining specific streets and an alley located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said streets and alley; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioner the prayer of the Petitioner ought to be granted.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

SECTION 1. That the following described streets and alley located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby are, vacated:

That portion of Shull Street commencing at the Southeast corner of Lot Sixteen (16) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas thence East Sixty feet (60'); thence North Six Hundred One feet (601'); thence West Sixty feet (60') to the Northeast corner of Lot Sixteen (16) in Block Four (4) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence South Six Hundred One feet (601') to the point of beginning;

That portion Nebraska Street commencing at the Northeast corner of Lot One (1) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence North Eighty feet (80') to the Southeast corner of Lot Sixteen (16) in Block Four (4) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence West Three Hundred Twenty feet (320') to the Southwest corner of Lot Nine (9) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence South Eighty feet (80') to the Northwest corner of Lot Eight (8) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence East Three Hundred Twenty feet (320') to the point of beginning; and

The alley located in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas described as commencing at the Northwest corner of Lot Nine (9) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence East Three Hundred Twenty feet (320') to the Northeast corner of Lot Sixteen (16) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence North Sixteen feet (16') to the Southeast corner of Lot One (1) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence West Three Hundred Twenty feet (320') to the Southwest corner of Lot Eight (8) in Block Seven (7) of the East Addition to the city of LeRoy, Coffey County, Kansas; thence South Sixteen feet (16') to the point of beginning;

SECTION 2. Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

SECTION 3. That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 6th day of July, 2009.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

STATE OF KANSAS,)
(ss:
COUNTY OF COFFEY,)

BE IT REMEMBERED, that on this ____ day of _____, 2009, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Bryan K. Joy, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public
My Appointment Expires:

• **ORDINANCE NO. 387**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2009; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2009, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 3. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal

Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 380 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 14th day of September 2009.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 388**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2009.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2009, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 381 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

- **[ORDINANCE NO. 389](#)**
AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, ALL TERRAIN VEHICLES AND GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ORDINANCE NO. 387 SECTIONS 114.1 AND 114.2 OF THE 2009 STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. 387.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. DEFINITIONS. As used in this ordinance, the following words and phrases shall have the meanings respectively ascribed to them in this section, except when the context requires otherwise.

(a) "All-terrain vehicle" means any motorized non-highway vehicle 50 inches or less in width, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires, and having a seat to be straddled by the operator. As used in this subsection, "nonhighway tire" means any pneumatic tire six inches or more in width, designed for use on wheels with rim diameter of 14 inches or less.

(b) "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour and is designed to carry not more than four persons, including the driver.

(c) "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, or more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle.

(d) "Slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(e) "Special purpose vehicle" means all-terrain vehicle, golf cart, micro utility truck and work-site utility vehicle, either individually or collectively.

(f) "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 135 inches, has an unladen weight, including fuel and fluids, or more than 800 pounds and is equipped with four or more low pressure tires, a steering wheel and bench or bucket type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck.

SECTION 2. OPERATION OF SPECIAL PURPOSE VEHICLES ON CITY STREETS; SPECIAL CONDITIONS AND RESTRICTIONS ON OPERATION.

(a) All-terrain vehicles may be operated upon the public highway, street, road or alleys within the corporate limits of the city.

(1) No all-terrain vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless equipped with lights as required for motorcycles.

(2) A person operating an all-terrain vehicle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on an all-terrain vehicle, unless such all-terrain vehicle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the all-terrain vehicle at the rear or side of the operator.

(3) A person shall ride upon an all-terrain vehicle only while sitting astride the seat, facing forward, with one leg on each side of the all-terrain vehicle.

(4) No person shall operate an all-terrain vehicle while carrying any package, bundle, or other article which prevents such person from keeping both hands on the handlebars.

(5) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the all-terrain vehicle or the view of the operator.

(b) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(1) No golf cart may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 miles per hour.

(2) No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway with a posted speed limit greater than 30 miles per hour.

(3) No golf cart shall be operated on any public highway, street, road or alley between sunset and sunrise.

(4) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem on the rear of the vehicle; the slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

(c) Micro utility trucks may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(1) No micro utility truck shall be operated on any public highway, street, road or alley, unless such truck complies with the equipment requirements under Article 17 of Chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(2) No micro utility truck shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway.

(d) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(1) No work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights as required by law for motorcycles.

(2) No work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a work-site utility vehicle from crossing a federal or state highway.

(3) It shall be illegal to operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow moving vehicle emblem in the rear of the vehicle; the slow-moving

vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

SECTION 3. SAME: VALID DRIVER'S LICENSE REQUIRED; PENALTY; DUTIES AND RESPONSIBILITIES.

(a) No person shall operate a special purpose vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

(b) Every person operating a work-site utility vehicle on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

SECTION 4. ALL-TERRAIN VEHICLES; ADDITIONAL REQUIREMENTS.

(a) All all-terrain vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any all-terrain vehicle the full use of a lane. This subsection shall not apply to all-terrain vehicle operated two (2) abreast in a single lane.

(b) The operator of an all-terrain vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(c) No person shall operate an all-terrain vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

(d) All-terrain vehicles shall not be operated more than two (2) abreast in a single lane.

(e) Subsections (b) and (c) shall not apply to police officers in the performance of their official duties.

(f) No person riding upon an all-terrain vehicle shall attach himself, herself or the all-terrain vehicle to any other vehicle on a roadway.

SECTION 5. ALL-TERRAIN VEHICLES; EQUIPMENT REQUIRED FOR OPERATORS AND RIDERS.

(a) No person under the age of 18 years shall operate or ride upon an all-terrain vehicle unless wearing a helmet which complies with minimum guidelines established by the national highway traffic safety administration pursuant to the national traffic and motor vehicle safety act of 1966 for helmets designed for use by motorcyclists and other motor vehicle users.

(b) No person shall operate an all-terrain vehicle unless such person is wearing an eye-protective device which shall consist of protective glasses, goggles or transparent face shields which are shatter proof and impact resistant, except when the all-terrain vehicle is equipped with a windscreen which has a minimum height of 10 inches measured from the center of the handlebars.

SECTION 6. SAME; INSURANCE REQUIRED; PENALTY.

(a) Every owner of a special purposes vehicle shall provide liability coverage in accordance with Section 200 of the 2008 Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, et seq., and amendments thereto.

(b) All provisions of Section 200 of the 2009 Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of special purpose vehicles.

SECTION 7. PENALTY. Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201, 2008 Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

SECTION 8. REPEALER. Sections 114.1 and 114.2 of the 2009 Standard Traffic Ordinance, as adopted in Ordinance No. 387 are hereby repealed.

SECTION 9. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper, and shall take effect and be in force from and after said publication.

Passed by the city council this 14th day of September, 2009, and signed by the mayor on the 14th day of September, 2009

Mayor

ATTEST:

City Clerk

- **[ORDINANCE NO. 390](#)**

AN ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES LOCATED AT LOT 14 AND THE SOUTH 17 FEET OF LOT 15 IN BLOCK 45 IN THE CITY OF LEROY, KANSAS, KNOWN AS THE UNION BLOCK BUILDING; AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURE, IF ANY, AND/OR FROM FUNDS OF THE CITY AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS OR PARCELS OF LAND ON WHICH SUCH STRUCTURE IS LOCATED.

WHEREAS, the governing body after proper notice and hearing as provided by law make findings by Resolution No. _____ on November 2, 2009 that the structure hereinafter described is unsafe and dangerous and did direct the owner of such structure to repair and remove the same and make the premises safe and secure, together with a statement that if the owner failed to provide plans to the governing body within the time fixed by the resolution and commence to repair or remove the structure within the time fixed by said resolution, the city would cause the structure to be razed and removed; and

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent, lienholder of record and occupant of such structure and all other parties having any legal or equitable interest in the property, or was otherwise served as required by law; and

Now, Therefore, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. The enforcing officer is hereby authorized and directed to cause the structure located at Lot 14 and South 17 feet of Lot 15, in Block 45 in the city of LeRoy, known as the Union Block Building, to be razed and removed and the premises made safe and secure and for this purpose is authorized to consult with architects and/or engineers to develop a plan for the razing and removal, to invite bids, negotiate a contract or cause the work to be done by city employees.

SECTION 2. The enforcing officer shall keep an account of the cost of the work and may sell the salvage from such structure and shall keep an account of the receipts therefrom as provided by law.

SECTION 3. All costs incurred by the city in the razing and removal of the structure and the making of the premises safe and secure shall be paid from moneys received from the sale of the salvage therefrom and all moneys in excess of that necessary to pay such cost shall, after the payment of all costs, be paid to the owner of the premises upon which said structure was located; PROVIDED, that if there is not salvage or if the proceeds received from the sale of salvage is insufficient to pay the costs of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots or parcels of land on which the structure is located and may be financed until the assessment is paid out of the general fund of the city and/or may be pursued as a personal debt pursuant to the procedure allowed under K.S.A. 12-1,115 and any amendments thereto.

SECTION 9. This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this ____ day of December, 2009, and signed by the mayor on the ____ day of December, 2009.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE 391**
AN ORDINANCE PROVIDING FOR THE INSPECTION AND REGISTRATION OF SPECIAL PURPOSE VEHICLES TO BE OPERATED ON THE CITY STREETS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. That Ordinance #389 providing for the operation of special purpose vehicles on the city streets of LeRoy, Kansas is hereby ratified.

SECTION 2. REGISTRATION AND LICENSE; FEE; APPLICATION; Before operating any special purpose utility vehicle on any public highway, street, road or alley within the corporate limits of the city, the vehicle shall be inspected by and registered with the City of LeRoy, Kansas police department and display a valid registration decal affixed and displayed in such a manner as to be clearly visible from the rear of the vehicle. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 6 of

Ordinance No. 389 shall be furnished at the time of application for registration. The annual registration fee for a special purpose vehicle shall be \$10.00. The full amount of the license fee shall be required regardless of the time of year that the application is made. The license issued hereunder is not transferrable. Renewals of the registration of a special use vehicle shall be made by June 1 of each year.

SECTION 3. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this 3rd day of May, 2010, and signed by the mayor on the 3rd day of May, 2010.

Mayor

ATTEST:

City Clerk

- **[ORDINANCE NO. 392](#)**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2010.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 388 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 13th day of September, 2010.

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 393**

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2010; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

- Section 1. Incorporating Standard Traffic Ordinance.** There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2010, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- Section 2. Traffic Infractions and Traffic Offenses.** (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.
- Section 3. Penalty for Scheduled Fines.** The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.
- Section 4.** Ordinance No. 387 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 13th day of September 2010.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

• **ORDINANCE NO. 394**
**AN ORDINANCE PROHIBITING THE OPERATION OF LOUD SOUND
AMPLIFICATION SYSTEMS WITHIN THE CITY OF LEROY, KANSAS**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY,
KANSAS:**

SECTION 1. No person operating, occupying or leaving parked unoccupied a motor vehicle on a street, highway, alley, parking lot, driveway or anywhere within the City shall operate or permit the operation of any sound amplification system from within the vehicle so that the sound is plainly audible at a distance of fifty (50) feet from the vehicle.

SECTION 2. Definitions. (a) Sound Amplification System – Any radio, tape player, compact disc player, loud speaker, or other electronic device used for the amplification of sound.

(b) Plainly Audible – Any sound produced by a sound amplification system from within the vehicle, which clearly can be heard at a distance of fifty (50) feet or more. Measurement standards shall be by the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass vibrations are included. The motor vehicle may be stopped, standing, parked or moving on a street, highway, alley, parking lot, driveway, or anywhere in the City.

SECTION 3. Affirmative Defense. It is an affirmative defense to a charge under this section that the operator was not otherwise prohibited by law from operating the sound amplification system, and that any of the following apply:

- (1) The system was being operated to request medical or vehicular assistance or to warn of a hazardous road condition.
- (2) The vehicle was an emergency or public safety vehicle
- (3) The vehicle was owned and operated by the City or a gas, electric, communications or refuse company.
- (4) The system was used for the purpose of giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in compliance with ordinances by the City.
- (5) The vehicle was used in authorized public activities, such as parades, fireworks, sports events, musical productions, and other activities which have the approval of the department of the City to grant such approval.

SECTION 4. Penalty. Any person convicted of violating the provisions of this ordinance shall be subject to a definite term of confinement in the county jail which shall be fixed by the court and shall not exceed one month and shall be subject to a fine not exceeding \$500.00, or both.

SECTION 5. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 1st day of November, 2010.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

- **ORDINANCE NO. 395**
AN ORDINANCE ESTABLISHING A FUND FOR THE CONSTRUCTION AND MAINTENANCE OF A COMMUNITY BUILDING FOR THE CITY OF LEROY, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. That it is determined that it would be beneficial for the citizens of the city of LeRoy to have a community building where its citizens can gather for meetings of community organizations and for other community purposes, including but not limited to, family reunions, wedding receptions and community dinners.

SECTION 2. That to provide for said community building there should be established a fund within the city's budget for the construction and maintenance of said community building for the city of LeRoy.

SECTION 3. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 27th day of December, 2010.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

ORDINANCE NO. 396

AN ORDINANCE MAKING LANDOWNER'S LIABLE FOR WATER UTILITY BILLS AND CHARGES ARISING OUT OF SERVICE TO THE LANDOWNER'S PROPERTY IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS.

WHEREAS, the City of LeRoy has had difficulty collecting water bills and charges from tenants of real property because said tenants often move from the area without notice or without leaving a forwarding address and do not pay their water bills; and

WHEREAS, the City has the authority to legislate that the landowners shall be liable for City water bills and charges for water used by landowners' tenants.

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

Section 1. Owners of property served by the City of LeRoy shall be liable for payment of the costs of any delinquent water bill arising from service provided to said property regardless of whether the water service furnished upon the application and request of the owner or the owners' tenant(s) of the property.

Section 2. In the event that a delinquency arises involving the leased property, the tenant and the landowner or the landowner's agent, shall be notified, in writing, of the delinquency by first class regular mail within ten (10) days after the billing to the tenant becomes delinquent. Notice shall be sufficient if mailed to the last known address of the owner or the owner's agent known to city personnel responsible for said mailing, after reasonable inquiry.

Section 3. If utility service is furnished to a leased property on the application or request of the landowner or landowner's agent, then all billings for water furnished to said leased property shall be made directly to the landowner or landowner's agent, and the landowner or landowner's agent shall be liable for the cost of the water service furnished.

Section 4. The city may collect the amount of the unpaid bill for water service by any legal means.

Section 5. That this ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas on this 6th day of June, 2011.

Bill Freeman, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

ORDINANCE NO. 397

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2011; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

- Section 1. Incorporating Standard Traffic Ordinance.** There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2011, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- Section 2. Traffic Infractions and Traffic Offenses.** (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.
(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.
- Section 3. Penalty for Scheduled Fines.** The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine

has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 4. Ordinance No. 393 is hereby repealed.

Section 5. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 12th day of September 2011.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 398

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2011.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2011, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Ordinance No. 392 is hereby repealed.

Section 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 12th day of September, 2011.

Bill Freeman, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 399

AN ORDINANCE AMENDING ORDINANCE 397 REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

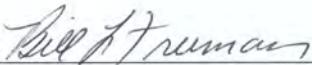
SECTION 1. That Ordinance #397 providing incorporation by reference of the "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 2011 is hereby ratified except as supplemented by Section 2 below.

SECTION 2. Article 14 of said "Standard Traffic Ordinance for Kansas Cities" is hereby supplemented by the following sections.

114.1 – 114.5 Unlawful Operation of All –Terrain Vehicle, Unlawful Operation of Micro Utility Truck, Unlawful Operation of Low Speed Vehicle, Unlawful Operation of a Golf Cart and Unlawful Operation of a Work Site Utility Vehicle are not adopted and are replaced by LeRoy City Ordinance No. 399.

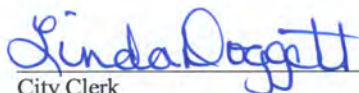
SECTION 3. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this 3rd day of October, 2011, and signed by the mayor on the 3rd day of October, 2010.



Mayor

ATTEST:



City Clerk

ORDINANCE NO. 400

AN ORDINANCE MAKING IT UNLAWFUL TO POSSESS MANUFACTURE, POSSESS, SELL, OR OFFER FOR SALE MARIJUANA OR ANY DEPRESSANT, STIMULANT OR HALLUCINOGENIC DRUG IN VIOLATION OF THE KANSAS CONTROLLED SUBSTANCE ACT WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1: DRUGS, MARIJUANA PROHIBITED.


(a) It shall be unlawful for any person to manufacture, possess, have under his or her control, prescribe, administer, deliver, distribute, dispense, compound, sell or offer for sale any depressant, stimulant or hallucinogenic drug in violation of the Kansas controlled substances act within the corporate limits of the city of LeRoy, Kansas.

(b) It shall be unlawful for any person to have in her or her possession any marijuana in violation of the Kansas controlled substances act.

SECTION 2: PUNISHMENT: A violation of this ordinance is a Class A violation, the sentence for which shall be a definite term of confinement in the county jail which shall be fixed by the court and shall not exceed one year or a fine not exceeding \$2,500.00, or both. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action program or treatment program as provided in K.S.A. 8-1008, and amendments thereto, or both the education and treatment programs.

SECTION 3. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this 2nd day of April, 2012, and signed by the mayor on the 2nd day of April, 2012.



Mayor

ATTEST:



City Clerk.



ORDINANCE NO. 401

**AN ORDINANCE MAKING IT UNLAWFUL TO POSSESS DRUG PARAPHERNALIA
WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY
COUNTY, KANSAS**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY,
KANSAS:**

SECTION 1: POSSESSION OF DRUG PARAPHERNALIA PROHIBITED. It shall be unlawful for any person to possess drug paraphernalia within the city limits of the city of LeRoy, Kansas.

SECTION 2. DEFINITIONS: (a) Drug paraphernalia means all equipment, products and materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the uniform controlled substances act. Drug paraphernalia shall include, but not limited to:

- (1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting and species of plant which is a controlled substance or from which a controlled substance is derived.
- (2) Kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.
- (3) Isomerization devices used or intended for use in increasing the potency of any species of plant which is a controlled substance.
- (4) Testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances.
- (5) Scales or balances used or intended for use in weighing or measuring controlled substances.
- (6) Diluents or adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, which are used or intended for use in cutting controlled substances.
- (7) Separating gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana.
- (8) Blenders, bowls, containers, spoons and mixing devices used or intended for use in packaging small quantities of controlled substances.
- (9) Capsules, balloons, envelopes and other containers used or intended to use in packaging small quantities of controlled substances.
- (10) Containers and other objects used or intended for use in storing or concealing controlled substances.

- (11) Hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body.
- (12) Objects used or intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, methamphetamine or any other controlled substance into the human body, such as but not limited to:
 - (A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
 - (B) Water pipes;
 - (C) Carburetion tubes and devices;
 - (D) Smoking and Carburetion masks;
 - (E) Roach clips (objects used to hold burning material, such as marijuana cigarette, that has become too small or too short to be held in the hand);
 - (F) Miniature cocaine spoons and cocaine vials;
 - (G) Chamber pipes;
 - (H) Carburetor pipes;
 - (I) Electric pipes;
 - (J) Air-driven pipes;
 - (K) Chillums;
 - (L) Bongs;
 - (M) Ice pipes and chillers.

(b) Person – Any individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or other legal entity.

(c) Simulated Controlled Substance – Any product which identifies itself by a common name or slang term associated with a controlled substance and which indicates on its label or accompanying promotional material that the product simulates the effect of a controlled substance.

SECTION 3: PUNISHMENT: A violation of this ordinance is a Class A violation, the sentence for which shall be a definite term of confinement in the county jail which shall be fixed by the court and shall not exceed one year or a fine not exceeding \$2,500.00, or both. In addition to any sentence or fine imposed, the court shall enter an order which requires that the person enroll in and successfully complete an alcohol and drug safety action program or treatment program as provided in K.S.A. 8-1008, and amendments thereto, or both the education and treatment programs.

SECTION 4. PUBLICATION; EFFECTIVE DATE: This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this 2nd day of April, 2012, and signed by the mayor on the 2nd day of April, 2012.

Christine Williams

Mayor

ATTEST:

Linda Daggatt

City Clerk



ORDINANCE NO. 402

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2012.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

SECTION 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2012, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, Sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2. Ordinance No. 398 is hereby repealed.

SECTION 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 10th day of September, 2012.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 403

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2012; SUPPLEMENTING THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION 2012 SECTION 14; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

- Section 1. Incorporating Standard Traffic Ordinance.** There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2011, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- Section 2.** Article 14 of said “Standard Traffic Ordinance for Kansas Cities” is hereby supplemented by the following sections.
- 114.1 – 114.5 Unlawful Operation of All –Terrain Vehicle, Unlawful Operation of Micro Utility Truck, Unlawful Operation of Low Speed Vehicle, Unlawful Operation of a Golf Cart and Unlawful Operation of a Work Site Utility Vehicle are not adopted and are replaced by LeRoy City Ordinance No. ____.
- Section 3. Traffic Infractions and Traffic Offenses.** (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a

statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 4. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 5. Ordinance No. 397 is hereby repealed.

Section 6. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 10th day of September, 2012.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 404

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A PERMIT FOR THE SALE AND SERVING OF CEREAL MALT BEVERAGES AT SPECIAL EVENTS IN THE CITY OF LEROY, KANSAS; PERMIT FEE; PERMIT APPLICATION; AND PERMIT REGULATIONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

Section 1. PERMIT REQUIRED. It shall be unlawful for any person to sell or serve any cereal malt beverage at any special event within the city without first obtaining a local special permit from the city clerk.

Section 2. PERMIT FEE.

- (a) There is hereby levied a special event permit fee in the amount of \$100.00 on each group or individual, which fee shall be paid before the event begins. Such fee shall be in addition to the \$25 fee to be remitted to the Division of Alcohol Beverage Control.
- (b) Every special event permit holder shall cause the permit receipt to be placed in plain view on any premises within the city where the holder of the special event permit is serving cereal malt beverage for consumption on the premises.

Section 3. CITY SPECIAL EVENT PERMIT.

- (a) It shall be unlawful for any person to serve cereal malt beverage at a special event without first applying for a local special event permit at least twenty-one (21) days before the event. Written application for the local special event permit shall be made to the city clerk on the form used for annual cereal malt beverage sales as directed by the city clerk. In addition to any other information required, the applicant shall provide the following:
 - (1) the name of the applicant;
 - (2) the group for which the event is planned;
 - (3) the location of the event;
 - (4) the date and time of the event;
 - (5) any anticipated need for police, fire or other municipal services.
- (b) Upon meeting the requirements to obtain a special event permit, the city clerk shall issue a local special event permit to the applicant if there are no conflicts with any zoning or other ordinances of the city.
- (c) The city clerk shall notify the chief of police whenever a special event permit has been issued and forward a copy of the permit and application to the chief of police.

Section 4. PERMIT REGULATIONS.

- (a) No special event permit holder shall allow the serving of cereal malt beverage between the hours of 12:00 a.m. and 6:00 a.m. at any event for which a special event permit has been issued.
- (b) No cereal malt beverage shall be given, sold or traded to any person under 21 years of age.
- (c) No more than four special event permits may be issued in a calendar year to the same applicant.

- (d) No special event permit issued hereunder may be transferred or assigned to any other vendor.
- (e) All local ordinances and state statutes for the sale and consumption of cereal malt beverage apply to holders of special event permits.

Section 5. That this ordinance shall take effect after its adoption and its publication on (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the city of LeRoy, Kansas on the this 13th day of November, 2012.

Christine Williams, Mayor.

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

- [ORDINANCE NO. 406](#)

AN ORDINANCE AMENDING THE RATES AND FEES RELATED TO USE OF SEWER FOR THE CITY OF LEROY, KANSAS AND AMENDING SECTION 2 AND AMENDING SECTION 5 OF ORDINANCE 365

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1. That Article Four (4) of Ordinance No. 309 (relating to sewer rates) is hereby amended to read as follows:

The following classes of users and charges to those users are hereby established:

Class I. All users inside City limits. \$14 per month for operation and maintenance, plus \$.50 per thousand gallons of water used over one thousand gallons of water per month.

Class II. All users outside city limits. \$15.40 per month for operation and maintenance, plus \$.55 per thousand gallons of water used over one thousand gallons of water per month.

SECTION 2. That section 5 of ordinance 365 shall be amended to read as follows that the above described changes in rates and fees will be in effect commencing with the billing cycle and reflected on, the January, 2013, billing.

SECTION 3. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 13th day of November, 2012.

Christine Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

ORDINANCE NO. 407

AN ORDINANCE VACATING A CERTAIN ALLEY WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owners of all the lands adjoining a specific alley located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said alley; and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioner the prayer of the Petitioner ought to be granted.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

SECTION 1. That the following described alley located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is, vacated:

The alley located in Block 42 of the North LeRoy Addition to the City of LeRoy, Coffey County, Kansas.

SECTION 2. Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

SECTION 3. That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 3rd day of June, 2013.

Christine Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

STATE OF KANSAS,)
(ss:
COUNTY OF COFFEY,)

BE IT REMEMBERED, that on this 3rd day of June, 2013, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Bill Freeman, Linda Doggett and Bryan K. Joy, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public
My Appointment Expires: _____

ORDINANCE NO. 408

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2013.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

SECTION 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, Sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2. Ordinance No. 398 is hereby repealed.

SECTION 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 7th day of October, 2013.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 409

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2013; SUPPLEMENTING THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION 2013 SECTION 14; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

- Section 1. Incorporating Standard Traffic Ordinance.** There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- Section 2.** Article 14 of said “Standard Traffic Ordinance for Kansas Cities” is hereby supplemented by the following sections.
- 114.1 – 114.5 Unlawful Operation of All –Terrain Vehicle, Unlawful Operation of Micro Utility Truck, Unlawful Operation of Low Speed Vehicle, Unlawful Operation of a Golf Cart and Unlawful Operation of a Work Site Utility Vehicle are not adopted and are replaced by LeRoy City Ordinance No. 391.
- Section 3. Traffic Infractions and Traffic Offenses.** (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a

statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 4. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 5. Ordinance No. 397 is hereby repealed.

Section 6. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 7th day of October, 2013.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 410

AN ORDINANCE ESTABLISHING ANGLE PARKING ON THE WEST SIDE AND EAST SIDE OF THE 500 AND 600 BLOCKS OF MAIN STREET AND THE WEST SIDE OF THE 700 BLOCK OF MAIN STREET IN THE CITY OF LEROY, COFFEY COUNTY, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

SECTION 1: That angle parking shall be established on the following streets in the city of LeRoy, Kansas, to-wit:

- (a) The West side of the 500, 600 and 700 Blocks of Main Street; and
- (b) The East side of the 500 and 600 Blocks of Main Street.

SECTION 2. That the angle parking herein established shall conform to the rules and regulations set forth by the state of Kansas.

SECTION 3. This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council this 2nd day of December, 2013, and signed by the mayor on the 2nd day of December, 2013.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 413

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2012; SUPPLEMENTING THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION 2013 SECTION 14; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

Section 1. Incorporating Standard Traffic Ordinance. There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2011, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. Article 14 of said “Standard Traffic Ordinance for Kansas Cities” is hereby supplemented by the following sections.

114.1 – 114.5 Unlawful Operation of All –Terrain Vehicle, Unlawful Operation of Micro Utility Truck, Unlawful Operation of Low Speed Vehicle, Unlawful Operation of a Golf Cart and Unlawful Operation of a Work Site Utility Vehicle are not adopted and are replaced by LeRoy City Ordinance No. ____.

Section 3. Traffic Infractions and Traffic Offenses. (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a

statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 4. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 5. Ordinance No. 409 is hereby repealed.

Section 6. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 19th day of March 2015.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 417

AN ORDINANCE SETTING THE RATES AND FEES RELATED TO USE OF WATER FOR THE CITY OF LEROY, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, KANSAS:

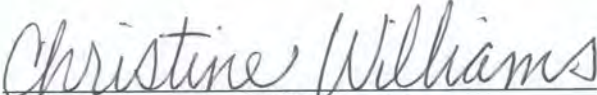
SECTION 1. That the rates charged for water sold by the City of LeRoy shall be as follows:

- a. A minimum charge of \$22.50 per month for which amount up to One thousand (1,000) gallons shall be furnished;
- b. For water furnished in excess of One thousand (1,000) gallons in any one month the rate shall be 7.50 per One thousand gallons.
- c. That Section 1 of Ordinance 378 is repealed.

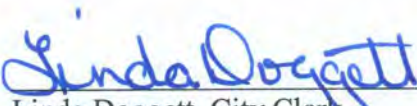
SECTION 2. That the above described changes in rates and fees will be in effect commencing with the billing cycle, and reflected on, the June, 2016, billing.

SECTION 3. This Ordinance shall be effective from and after its passage by the Governing Body of the City of LeRoy, Kansas, and its publication one (1) time in the official city newspaper as provided by law.

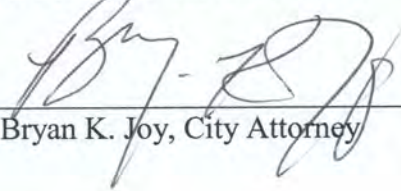
PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 2nd day of May, 2016.


Christine Williams, Mayor

ATTEST:


Linda Doggett, City Clerk

APPROVED AS TO FORM:


Bryan K. Joy, City Attorney



ORDINANCE NO. 419

AN ORDINANCE VACATING A CERTAIN STREET WITHIN THE CITY LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS, AND PROVIDING FOR THE RECORDING OF THE SAME.

WHEREAS, the Governing Body of the City of LeRoy, Coffey County, Kansas, was presented with a Petition signed by the owner of all the lands adjoining specific street located within the city limits of the City of LeRoy, Coffey County, Kansas, praying for the vacation of said street and

WHEREAS, appropriate notice of said Petition was given pursuant to K.S.A. 12-504, and a public hearing was had under said Petition at the place and time stated in said notice; and

WHEREAS, the Governing Body has determined that no private rights will be injured or endangered by such vacation, and that the public will suffer no loss or inconvenience thereby, and that in justice to the Petitioner the prayer of the Petitioner ought to be granted.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS AS FOLLOWS:

SECTION 1. That the following described street located within the city limits of the City of LeRoy, Coffey County, Kansas, should be, and hereby is vacated:

That portion of 5th Street commencing at the Southwest corner of Lot Eleven (11) in Block Fifty-four (54) of the city of LeRoy, Coffey County, Kansas thence East Three hundred sixty-eight feet (368') to the Southeast corner of Lot Ten (10) in Block fifty-five (55) of the city of Leroy; thence South Sixty feet (60') to the Northeast corner of Lot One (1) in Block sixty-two (62) of the city of LeRoy; thence West Three hundred sixty-eight feet (368') to the Northwest corner of Lot Twenty (20) in Block Sixty-one (61) of the city of LeRoy; thence North Sixty feet (60') to the Southwest corner of Lot Eleven (11) in Block Fifty-four (54) of the city of LeRoy, being the point of beginning;

SECTION 2. Upon the effective date of this Ordinance the City Clerk shall file a certified copy of this Ordinance with the Coffey County Register of Deeds.

SECTION 3. That this Ordinance shall take effect after its adoption and its publication one (1) time in the official City newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of LeRoy, Kansas, on this 3rd day of October, 2016.

Christine Williams, Mayor

ATTEST:

APPROVED AS TO FORM:

Linda Doggett, City Clerk

Bryan K. Joy, City Attorney

STATE OF KANSAS,)
 (ss:
COUNTY OF COFFEY,)

BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Christine Williams, Linda Doggett and Bryan K. Joy, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

Notary Public
My Appointment Expires: _____

ORDINANCE NO. 420

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, COFFEY COUNTY, KANSAS INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES” EDITION 2016; SUPPLEMENTING THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION 2016 SECTION 14; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

- Section 1. Incorporating Standard Traffic Ordinance.** There is hereby incorporated by reference for purpose of regulating traffic within the corporate limits of the City of LeRoy, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, save and except such articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed, such incorporation being authorized by K.S.A. 12-3009 through 12-3012, inclusive, as amended. No fewer than three (3) copies of said standard ordinance shall be marked or stamped “Official Copy as Incorporated by the Code of the City of LeRoy, Kansas” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.
- Section 2.** Article 14 of said “Standard Traffic Ordinance for Kansas Cities” is hereby supplemented by the following sections.
- 114.1 – 114.5 Unlawful Operation of All –Terrain Vehicle, Unlawful Operation of Micro Utility Truck, Unlawful Operation of Low Speed Vehicle, Unlawful Operation of a Golf Cart and Unlawful Operation of a Work Site Utility Vehicle are not adopted and are replaced by LeRoy City Ordinance No. 389.
- Section 3. Traffic Infractions and Traffic Offenses.** (A) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a

statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(B) All traffic violations, which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (A) of this section, shall be considered traffic offenses.

Section 4. Penalty for Scheduled Fines. The fine for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$10.00 nor more than \$300.00, except for speeding which shall not be less than \$10 nor more than \$500. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.00 and shall also pay court costs.

Section 5. Ordinance No. 413 is hereby repealed.

Section 6. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official newspaper.

Passed by the City Council and approved by the Mayor this 3rd day of October, 2016.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

ORDINANCE NO. 421

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF LEROY, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2016.

BE IT ORDAINED by the Governing Body of the City of LeRoy, Kansas:

SECTION 1. Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of LeRoy, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2016, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, Sections, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by the Code of the City of LeRoy, Kansas,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2. Ordinance No. 412 is hereby repealed.

SECTION 3. Effective Date. This ordinance shall take effect and be in force from and after its publication one (1) time in the official city newspaper.

Passed by the City Council and approved by the Mayor this 3rd day of October, 2016.

Christine Williams, Mayor

ATTEST:

Linda Doggett, City Clerk

**ENHANCED CEREAL MALT BEVERAGES and/or BEER CONTAINING NOT MORE THAN
6% ALCOHOL BY VOLUME**

ORDINANCE NO. 426

AN ORDINANCE REGULATING THE SALE OF CEREAL MALT BEVERAGE AND BEER
CONTAINING NOT MORE THAN 6% ALCOHOL BY VOLUME WITHIN THE CITY OF LEROY,
KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEROY:

Section 1. DEFINITION. Enhanced Cereal Malt Beverage means cereal malt beverage as that term is defined in K.S.A. 41-2701, and amendments thereto, and such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

Section 2. LICENSE ISSUED BY CITY. The "Cereal Malt Beverage License" issued by the city of LeRoy pursuant to this ordinance, authorizes the sale of enhanced cereal malt beverage as defined in section 1, by those retailers in compliance with this ordinance and other laws and regulations that may apply.

Section 3. LICENSE REQUIRED OF RETAILER.

(a) It shall be unlawful for any person to sell any enhanced cereal malt beverage at retail without a license for each place of business where enhanced cereal malt beverages are to be sold at retail.

(b) It shall be unlawful for any person, having a license to sell enhanced cereal malt beverages at retail only in the original and unopened containers and not for consumption on the premises, to sell any enhanced cereal malt beverage in any other manner.

Section 4. APPLICATION. Any person desiring a license shall make an application to the governing body of the city and accompany the application by the required license fee for each place of business for which the person desires the license. The application shall be verified, and upon a form prepared by the attorney general of the State of Kansas, and shall contain:

(a) The name and residence of the applicant and how long he or she has resided within the State of Kansas;

(b) The particular place for which a license is desired;

(c) The name of the owner of the premises upon which the place of business is located;

(d) The names and addresses of all persons who hold any financial interest in the particular place of business for which a license is desired.

(e) A statement that the applicant is a citizen of the United States and not less than 21 years of age and that he or she has not within two years immediately preceding the date of making application been convicted of a felony or any crime involving moral turpitude, or been adjudged guilty of drunkenness, or driving a motor vehicle while under the influence of intoxicating liquor or the violation of any other intoxicating liquor law of any state or of the United States;

(f) Each application for a general retailer's license shall be accompanied by a certificate from the city health officer certifying that he or she has inspected the premises to be licensed.

(g) Each application for a general retailer's license must be accompanied by a certificate from the city fire chief certifying that he or she has inspected the premises to be licensed.

The application shall be accompanied by a statement, signed by the applicant, authorizing any governmental agency to provide the city with any information pertinent to the application. One

copy of such application shall immediately be transmitted to the chief of police of the city for investigation of the applicant. It shall be the duty of the chief of police to investigate such applicant to determine whether he or she is qualified as a licensee under the provisions of this chapter. The chief shall report to the city clerk not later than five working days subsequent to the receipt of such application. The application shall be scheduled for consideration by the governing body at the earliest meeting consistent with current notification requirements.

Section 5. LICENSE APPLICATION PROCEDURES.

(a) All applications for a new and renewed enhanced cereal malt beverage license shall be submitted to the city clerk 10 days in advance of the governing body meeting at which they will be considered.

(b) The city clerk's office shall notify the applicant of an existing license 30 days in advance of its expiration.

(c) The clerk's office shall provide copies of all applications to the police department, to the fire department, and to the city-county health department, when they are received. The police department will run a record check on all applicants and the fire department and health department will inspect the premises. The departments will then recommend approval, or disapproval, of applications within five working days of the department's receipt of the application.

(d) The governing body will not consider any application for a new or renewed license that has not been submitted 10 days in advance and been reviewed by the above city departments.

(e) An applicant who has not had an enhanced cereal malt beverage license in the city shall attend the governing body meeting when the application for a new license will be considered.

Section 6. LICENSE GRANTED; DENIED.

(a) The journal of the governing body shall show the action taken on the application.

(b) If the license is granted, the city clerk shall issue the license which shall show the name of the licensee and the year for which issued.

(c) No license shall be transferred to another licensee.

(d) If the license shall be denied, the license fee shall be immediately returned to the person who has made application.

Section 7. LICENSE TO BE POSTED. Each license shall be posted in a conspicuous place in the place of business for which the license is issued.

Section 8. LICENSE, DISQUALIFICATION. No license shall be issued to:

(a) A person who has not been a resident in good faith of the state of Kansas for at least one year immediately preceding application and a resident of Coffey county for at least six months prior to filing of such application.

(b) A person who is not a citizen of the United States.

(c) A person who is not of good character and reputation in the community in which he or she resides.

(d) A person who, within two years immediately preceding the date of making application, has been convicted of a felony or any crime involving moral turpitude, or has been adjudged guilty of drunkenness or driving a motor vehicle while under the influence of intoxicating liquor or the violation of any other intoxicating liquor law of any state or of the United States.

(e) A partnership, unless all the members of the partnership shall otherwise be qualified to obtain a license.

(f) A corporation if any manager, officer or director thereof or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation would be ineligible to receive a license hereunder for any reason other than non-residence within the city or county.

(g) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 25 percent of the stock, of a corporation which: (A) Has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or (B) has been convicted of a violation of the drinking establishment act or the cereal malt beverage laws of this state.

(h) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.

(i) A person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship, retailer residency requirements or age, except that this subsection (i) shall not apply in determining eligibility for a renewal license.

Section 9. RESTRICTION UPON LOCATION.

(a) No license shall be issued for the sale at retail of any enhanced cereal malt beverage on premises which are located in areas not zoned for such purpose.

(b) Provisions shall not apply to any establishment holding a private club license issued by the State of Kansas.

Section 10. LICENSE FEE. The rules and regulations regarding license fees shall be as follows:

(a) General Retailer -- for each place of business selling enhanced cereal malt beverages at retail, \$50 per calendar year.

(b) Limited Retailer -- for each place of business selling only at retail enhanced cereal malt beverages in original and unopened containers and not for consumption on the premises, \$ 50 per calendar year.

Full amount of the license fee shall be required regardless of the time of the year in which the application is made, and the licensee shall only be authorized to operate under the license for the remainder of the calendar year in which the license is issued.

Section 11. SUSPENSION OF LICENSE. The chief of police, upon five days' written notice, shall have the authority to suspend such license for a period not to exceed 30 days, for any violation of the provisions of this ordinance or other laws pertaining to enhanced cereal malt beverages, which violation does not in his or her judgment justify a recommendation of revocation. The licensee may appeal such order of suspension to the governing body within seven days from the date of such order.

Section 12. LICENSE SUSPENSION/REVOCAION BY GOVERNING BODY. The governing body of the city, upon five days' written notice, to a person holding a license to sell enhanced cereal malt beverages shall permanently revoke or cause to be suspended for a period of not more than 30 days such license for any of the following reasons:

(a) If a licensee has fraudulently obtained the license by giving false information in the application therefor;

(b) If the licensee has violated any of the provisions of this section or has become ineligible to obtain a license under this section;

(c) Drunkenness of a person holding such license, drunkenness of a licensee's manager or employee while on duty and while on the premises for which the license is issued, or for a licensee, his or her manager or employee permitting any intoxicated person to remain in such place selling enhanced cereal malt beverages;

(d) The sale of enhanced cereal malt beverages to any person under 21 years of age;

- (e) For permitting any gambling in or upon any premises licensed;
- (f) For permitting any person to mix drinks with materials purchased in any premises licensed or brought into the premises for this purpose;
- (g) For the employment of any person under the age established by the State of Kansas for employment involving dispensing enhanced cereal malt beverages;
- (h) For the employment of persons adjudged guilty of a felony or of a violation of any law relating to intoxicating liquor;
- (i) For the sale or possession of, or for permitting the use or consumption of alcoholic liquor within or upon any premise licensed;
- (j) The nonpayment of any license fees;
- (k) If the licensee has become ineligible to obtain a license;
- (l) The provisions of subsections (f) and (i) shall not apply if such place of business is also currently licensed as a private club.

Section 13. SAME; APPEAL. The licensee, within 20 days after the order of the governing body revoking any license, may appeal to the district court of Coffey county and the district court shall proceed to hear such appeal as though such court had original jurisdiction in the matter. Any appeal taken shall not suspend the order of revocation of the license of any licensee, nor shall any new license be issued to such person or any person acting for or on his or her behalf, for a period of six months thereafter.

Section 14. CHANGE OF LOCATION. If a licensee desires to change the location of his or her place of business, he or she shall make an application to the governing body showing the same information relating to the proposed location as in the case of an original application. Such application shall be accompanied by a fee of \$ 50 . If the application is in proper form and the location is not in a prohibited zone and all other requirements relating to such place of business are met, a new license shall be issued for the new location for the balance of the year for which a current license is held by the licensee.

Section 15. WHOLESALERS AND/OR DISTRIBUTORS. It shall be unlawful for any wholesaler and/or distributor, his, her or its agents or employees, to sell and/or deliver enhanced cereal malt beverages within the city, to persons authorized to sell the same within this city unless such wholesaler and/or distributor has first secured a license from the director of revenue, state commission of revenue and taxation of the State of Kansas authorizing such sales.

Section 16. BUSINESS REGULATIONS. It shall be the duty of every licensee to observe the following regulations.

(a) The place of business licensed, and operating shall at all times have a front and rear exit unlocked when open for business.

(b) The premises and all equipment used in connection with such business shall be kept clean and in a sanitary condition and shall at all times be open to the inspection of the police and health officers of the city, county and state.

(c) Except as provided by subsection (d), no enhanced cereal malt beverages may be sold or dispensed between the hours of 12:00 midnight and 6:00 a.m., or consumed between the hours of 12:30 a.m., and 6:00 a.m., or on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30 percent of its gross receipts from the sale of food for consumption on the licensed premises; closing hours for clubs shall conform to K.S.A. 41-2614 and amendments thereto.

[Optional subsection (c) for cities where Sunday sales have been authorized by ordinance.

(c) Except as provided by subsection (d), no enhanced cereal malt beverages may be sold

or dispensed; (1) Between the hours of 12:00 midnight and 6:00 a.m.; (2) in the original package before 12:00 noon or after 8:00 p.m. on Sunday; (3) on Easter Sunday; or (4) for consumption on the licensed premises on Sunday, except in a place of business which is licensed to sell enhanced cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.]

(d) Enhanced cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to be served on premises which are licensed pursuant to K.S.A. 41-2601, et seq. and amendments thereto, and licensed as a club by the State Director of Alcoholic Beverage Control.

(e) The place of business shall be open to the public and to the police at all times during business hours, except that premises licensed as a club under a license issued by the State Director of Alcoholic Beverage Control shall be open to the police and not to the public.

(f) It shall be unlawful for any licensee or agent or employee of the licensee to become intoxicated in the place of business for which such license has been issued.

(g) No licensee or agent or employee of the licensee shall permit any intoxicated person to remain in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall sell or permit the sale of enhanced cereal malt beverage to any person under 21 years of age.

(i) No licensee or agent or employee of the licensee shall permit any gambling in the place of business for which such license has been issued.

(j) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(k) No licensee or agent or employee of the licensee shall employ any person under 18 years of age in dispensing enhanced cereal malt beverages. No licensee shall employ any person who has been judged guilty of a felony.

Section 17. PROHIBITED CONDUCT ON PREMISES. The following conduct by an enhanced cereal malt beverage licensee, manager or employee of any licensed enhanced cereal malt beverage establishment is deemed contrary to public welfare and is prohibited:

(a) Remaining or permitting any person to remain in or upon the premises who exposes to view any portion of the female breasts below the top of the areola or any portion of males/female's pubic hair, anus, buttocks or genitals;

(b) Permitting any employee on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva or genitals of any other employee or any patron;

(c) Encouraging or permitting any patron on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva, or genitals of any employee;

(d) Performing or permitting any person to perform on the licensed premises acts of or acts which simulate:

(1) Sexual intercourse, masturbation, sodomy, or any other sexual act which is prohibited by law; or

(2) Touching, caressing or fondling such persons' breasts, buttocks, anus or genitals.

(e) Using or permitting any person to use on the licensed premises, any artificial devices or inanimate objects to depict any of the acts prohibited by paragraph (d).

(f) Showing or permitting any person to show on the licensed premises any motion picture, film, photograph, electronic reproduction, or other visual reproduction depicting:

(1) Acts or simulated acts of sexual intercourse, masturbation, sodomy, or any sexual act which is prohibited by law;

(2) The touching, caressing or fondling of the buttocks, anus, genitals or the female breasts;

(3) Scenes in which a person displays the buttocks, anus, genitals or the female breasts.

(g) The term premises means the premises licensed by the city as an enhanced cereal

malt beverage establishment and such other areas, under the control of the licensee or his or her employee or employees, that are in such close proximity to the licensed premises that activities and conduct of persons within such other areas may be viewed by persons on or within the licensed premises.

Section 18. SANITARY CONDITIONS REQUIRED. All parts of the licensed premises including furnishings and equipment shall be kept clean and in a sanitary condition, free from flies, rodents and vermin at all times. The licensed premises shall have at least one restroom for each sex easily accessible at all times to its patrons and employees. The restroom shall be equipped with at least one lavatory with hot and cold running water, be well lighted, and be furnished at all times with paper towels or other mechanical means of drying hands and face. Each restroom shall be provided with adequate toilet facilities which shall be of sanitary design and readily cleanable. The doors of all toilet rooms shall be self-closing and toilet paper at all times shall be provided. Easily cleanable receptacles shall be provided for waste material and such receptacles in toilet rooms for women shall be covered. The restrooms shall at all times be kept in a sanitary condition and free of offensive odors and shall be at all times subject to inspection by the city health officer or designee.

Section 19. This ordinance shall take effect after its adoption and its publication (1) one time in the official city newspaper.

PASSED AND APPROVED this 1 day of April, 2019

Christine Williams
Mayor

ATTEST:

Rikki Houston
City Clerk

[SEAL]

ORDINANCE NO. 427

AN ORDINANCE OF THE CITY OF LE ROY, KANSAS, GRANTING JMZ CORPORATION, DOING BUSINESS AS KWIKOM COMMUNICATIONS, A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, A TELECOMMUNICATIONS FRANCHISE AND PRESCRIBING THE TERMS OF SAID GRANT AND RELATING THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LE ROY, KANSAS:

This Franchise Agreement (the "Agreement") is entered into as of the 1st day of July, 2019 ("Effective Date") by and between the CITY OF LE ROY, KANSAS, a municipal corporation ("City"), and JMZ CORPORATION, doing business as KwiKom Communications ("JMZ").

RECITALS

A. JMZ owns, maintains, operates and/or controls, in accordance with any applicable regulations promulgated by the Federal Communications Commission and the Kansas Corporation Commission, telecommunications networks serving JMZ's customers through advanced fiber facilities and other wireless carrier customers through fiber-fed facilities.

B. JMZ seeks to enter the City's right-of-way ("ROW"), and other real property of the City, to install, maintain and operate a fiber optic and/or coaxial network (the "Network"), so that JMZ and/or its customers (the "Customers") may provide data, telecommunications and other services to the enterprises, residents and visitors of the City and others (the "Services").

C. Some features of the Network include, without limitation, antenna nodes, poles, equipment cabinets, underground and above ground fiber optic cable, fiber handholes and enclosures, fiber repeaters and related equipment, and will include other equipment as technology evolves, in a configuration and at locations to be filed and identified through the City permit process ("Facility" or "Facilities").

D. Certain systems of JMZ which are specific parts or types of the Facilities may be located on streetlights, stand-alone poles, third party utility poles, and other structures located on or within the Public ROW or City owned property as permitted under this Agreement.

E. JMZ desires to obtain from City as permitted by law, City is willing to grant JMZ as required by law, the right to access the Public ROW to locate, place, attach, install, bury underground, operate, use, control, repair, replace, upgrade, enhance and maintain the Facilities in a manner consistent this Agreement.

In consideration of the Recitals set forth above, the terms and conditions of this Agreement and other valuable consideration, the adequacy of which is hereby acknowledged, the parties agree as follows:

SECTION 1 – INSTALLATION OF THE NETWORK

1.1 **Permitted Installation.** JMZ may at JMZ's sole cost and expense and during the term of the Agreement, locate, construct, place, attach, install, bury underground, operate, use, control, repair, replace, upgrade, enhance and maintain the Facilities subject to the terms and conditions of this Agreement. JMZ shall undertake and perform work authorized by this Agreement in a skillful and workmanlike manner.

1.1.1 **Installation Specifications.** The installation of the Facilities shall be made in accordance with plans and specifications as may be approved by the City and after obtaining all necessary permits for all work in the ROW and/or on City property. Such approval review shall be made no later than forty-five (45) days from application date, and under exceptional circumstances the time may be extended an additional forty-five (45) days upon agreement of the Parties. The Parties understand and agree that Facilities outside of the Public ROW may require additional easements for underground fiber to connect to Network within Public ROW. Such additional easements shall be located so as not to interfere with the City's use of its property. For each installation of Facilities, JMZ shall provide to the City plans, specifications, a construction work breakdown, and anticipated construction time frames for the installation of Facilities no later than forty-five (45) days prior to the planned start of the installation. JMZ shall, at the written request of the City, attend a planning session regarding any installation proposed by JMZ. The location, depth of the fiber underground, and any other requirements shall be approved in writing by the City prior to construction of the Facilities at the specific location, approval of which shall not be unreasonable withheld, conditioned or delayed. Approval of plans and specifications and the issuance of any permits by the City shall not release JMZ from the responsibility for, or the correction of, any errors or omissions that may be contained in the plans, specifications or permits. JMZ shall be responsible for notifying the City and all other relevant parties immediately upon discovery of such errors or omissions and obtaining any amendments for corrected City-approved permits as may be necessary. JMZ shall be responsible for all costs associated with the permitting process, including, but not limited to, repairs and replacement of City ROW. Such permits and approval requirements detailed in this section shall not be unreasonably withheld, conditioned or delayed by the City and any conditions or requirements shall be in accordance with federal, state, and local laws.

1.1.2 **Temporary Construction.** The installation of the Facilities shall be performed in accordance with traffic control plans for temporary construction work that are approved by the City, which approval shall not unreasonably be withheld, conditioned or delayed.

1.1.3 **Construction Schedule.** If requested by the City, at least then (10) days prior to the installation of the Facilities, JMZ shall deliver to the City a schedule for the proposed work related to the construction of the Facilities, as well as a list of the names of all JMZ agents and contractors authorized to access the City ROW and City owned property on JMZ's behalf.

1.1.4 **Coordination of Work.** JMZ shall be responsible for coordination of work to avoid any interference with existing utilities, substructures, facilities and/or operations within the City's ROW. JMZ shall be the City's point of contact and all communications shall be through JMZ. JMZ shall be solely responsible for communication with Kansas One-Call.

using the New Poles.

1.5.2 City-Owned Lights. Except for the installation of the lights and ancillary equipment on or in the New Poles and/or as set forth in section 1.5.3 below, JMZ shall not be responsible for maintenance, repair, or replacement of City-owned lights, light bulbs and equipment or equipment owned by third parties authorized by the City on the New Poles.

1.5.3 Damage to New Poles. If a new Pole falls or is damaged such that there is an imminent threat of harm to persons or property, then the City may cause the New Pole to be removed to the side of the street or a location that City believes reasonably eliminates the right of such imminent threat or harm to persons or property. JMZ shall, after written notice from the City that any New Pole has been damaged or removed, cause the New Pole to be repaired or replaced within thirty (30) days after the City's written notice. The cost to repair and/or replace any New Pole, including the replacement City streetlight, bulb and ancillary equipment shall be paid by JMZ; provided, however, that if the New Pole is damaged or destroyed by the City or a third party user that the City has given the right to use the New Pole, then the City and/or its third party user shall pay the cost to repair and/or replace the New Pole. To the extent that JMZ seeks reimbursement from a third party either directly or through applicable insurance, the City shall assign JMZ any rights the City may have against such third party for such claims.

1.6 Franchise Fee; Audit. During the term of this Agreement, JMZ agrees to pay the City a franchise fee each month for each JMZ fiber optic Customer who receives services within the City limits of Le Roy, Kansas (no franchise fee is due when the point of service is outside the City limits of Le Roy; mailing address alone does not determine City residency); during the first year the franchise fee is \$0.75 (*seventy-five cents*), and during the second year and each year thereafter the franchise fee is \$1.00 (*one dollar zero cents*). The franchise fee will be based on who is shown on JMZ books as a City resident fiber optic Customer on the last day of each calendar month, with no pro-rate for a partial month Customer or adjustment for uncollectable accounts, and shall be paid to the City by the 15th day of the second month thereafter. Any payment not timely paid shall accrue interest at ten percent (10%) per annum until paid. JMZ agrees to keep accurate books for the purpose of determining the franchise fee, and no more than once per year, the City may, at the cost of the City and during regular business hours on thirty (30) days notice, inspect JMZ's books relative to calculation of the franchise fees, but only to the extent necessary to confirm the accuracy of payments due. The City agrees to hold in confidence any non-public information it learns from JMZ to the fullest extent permitted by Law.

1.7 Access to the Facilities. The City shall allow JMZ reasonable access to each of the Facilities in the City ROW or City owned property for purposes of installation, repair, maintenance or removal of Facilities. If any such maintenance activities have the potential to result in an interruption of any City services at the Facility, JMZ shall provide the City with a minimum of three (3) days prior notice of such maintenance activities. Such maintenance activities shall, to the extent feasible, be done with minimal impairment, interruption, or interference to City services. JMZ shall allow a representative of the City to observe any repair, maintenance or removal work performed at the Facilities.

1.1.5 Inspection by City. The City shall have commercially reasonable access to inspect any work conducted by JMZ during the installation, maintenance and/or repairs of the Facilities.

1.1.6 Other Utility Providers. When necessary, JMZ shall coordinate with other utility providers for other needed utility services. JMZ and the City will reasonably cooperate with the other utilities providers regarding the location of any meter, pole, and other apparatuses required for each Site.

1.1.7 Existing Utility Poles. JMZ may attach its Facilities to an existing City utility pole, or to a third-party utility pole, pursuant to an agreement with the utility pole owner, provided, however that any necessary replacement of the pole in order to accommodate the attachment shall be subject to the proper exercise of the City's police powers, and in no instance shall JMZ erect a new pole within an existing aerial pole line absent the City's prior authorization. There shall be no charge to JMZ associated with its use of an existing City utility pole.

1.1.8 Compliance with Law. This Agreement is subject to the terms and conditions of all applicable federal, state and local laws, regulations and ordinances ("Laws").

1.2.1 Zoning Regulations. Zoning regulations shall not apply to installations within the City ROW.

1.2.3 Permits. JMZ shall obtain any necessary encroachment permits from the City for the installation of the Network and for any other work within the City's ROW or other real property of the City, as required by the Code or State Law at K.S.A. 17-1902(N), as amended.

1.3 Compliance with Permits. All work within the City's ROW or other real property of the City shall be performed in strict compliance with all applicable permits and all applicable regulatory requirements.

1.4 Placement of JMZ Facilities. JMZ shall coordinate the placement of its Facilities in the Public ROW in a manner that minimizes adverse impact on public improvements, as reasonably determined by the City Engineer.

1.5 New Streetlight Poles and Existing Streetlight Poles. JMZ may build new streetlight poles or other such facilities required for the installation of the Facilities which would comply with all encroachment and building permits, applicable City, state and federal specifications, and Laws ("New Poles"). In areas where there are existing poles, JMZ will work with the owner of that existing pole to collocate the Facility, but only when the pole owner is willing to allow such attachment and where such attachment is feasible from a safety, technical, and engineering (structural and radio frequency coverage) perspective.

1.5.1 City Use of New Poles. The City may use any New Poles for City purposes, including but not limited to streetlights and other lighting so long as such use does not interfere with JMZ's use of its Network or Facilities. JMZ shall reasonably cooperate with the City when

SECTION 2 – TERM AND TERMINATION

2.1 **Term.** This Agreement shall be effective for an initial term of five (5) years from the effective date of this ordinance. This Agreement will automatically renew for additional five (5) year terms thereafter unless either party notifies the other party of its intent to non-renew at least ninety (90) days prior to termination of the then current term. The additional term(s) shall be deemed a continuation of this ordinance and not as a new ordinance or amendment. Under no circumstances shall this ordinance exceed twenty (20) years from the effective date of the franchise ordinance. At the conclusion of the twenty (20) year period the parties agree to negotiate a new franchise in good faith in the event JMZ is still providing services hereunder.

2.2 **90 Day Remedy Period.** If the Agreement is breached by JMZ, then the provisions of Section 8 (Default) shall govern the parties hereto.

2.3 **Termination of Use.** Notwithstanding Section 2.1 above, JMZ may terminate its use of any or all of the Network by providing the City with ninety (90) days prior written notice, and in such event, JMZ's payment obligations to the City shall terminate simultaneously with the termination of use.

SECTION 3 – REMOVAL AND RELOCATION

3.1 **Removal due to Public Project.** Upon receipt of a written demand from the City pursuant to this Section 3, JMZ, at its sole cost and expense, shall remove and relocate any part of the Network constructed, installed, used and/or maintained by JMZ under this Agreement, whenever the City reasonably determines that removal and/or relocation is needed for any of the following purposes: (a) due to any work proposed to be done by or on behalf of the City or any other governmental agency, including, but not limited to, any change of grade, alignment or width of any street, sidewalk or other public facility, installation of curbs, gutters or landscaping and installation, construction, maintenance or operation of any underground or aboveground facilities used as sewers, water mains, drains, storm drains, pipes, gas mains, poles, power lines, telephone lines, cable television lines and tracks; (b) because any part of the Network is interfering with or adversely affecting the proper operation of City-owned light poles, traffic signals, or other City facilities or operations; or (c) to protect or preserve the public health and safety. The City shall cooperate with JMZ in relocating any portion of the Network removed pursuant to this Section 3.1 in a manner that allows JMZ to continue providing service to Customers, including, but not limited to, expediting approval of any necessary permits required for the relocation of that portion of the Network relocated under this Section 3.1. No permitting or other fees may be charged by the City for a removal occurring under this Section.

3.2 **Removal Due to Termination.** No later than one-hundred and eighty (180) days after termination of this Agreement, JMZ shall, at its sole cost and expense, remove the Network or the terminated portion thereof and, if such removal disturbs the locations or adjacent property (including City ROW, City facilities added under Section 1.4.1, or City real property), restore each Facility and its adjacent property to its original condition, reasonable wear and tear excepted, and further excepting landscaping and related irrigation equipment, or other aesthetic

improvements made by JMZ to the Facility or adjacent property, or as otherwise required by the City. For New Poles, JMZ shall install a new streetlight or facility as directed by City's Public Works Director, or his or her designee. Alternatively, JMZ shall abandon the Network, or any part thereof, in place and convey it to the City if either the City or JMZ elects to do so.

3.3 Abandonment. In the event JMZ ceases to operate and abandons the Network, or any part thereof, for a period of ninety (90) days or more, then JMZ shall, at its sole cost and expense and within the time period specified in Section 3.2, vacate and remove the Network or the abandoned part thereof. If such removal disturbs the Facility or adjacent property (including City ROW, City facilities added under Section 1.4.1 or City real property), JMZ shall also, at its sole cost and expense, restore the Facility or adjacent property to its original condition, reasonable wear and tear excepted, and further excepting landscaping and related irrigation equipment, or other aesthetic improvements made by JMZ to the Facility or adjacent property. Alternatively, JMZ shall abandon the Network, or any part thereof, in place and convey it to the City if either the City or JMZ elects to do so.

3.4 No Relocation Compensation. The City and JMZ are not entitled to compensation for any relocation of its Network that may be required under Section 3.1. JMZ is not entitled to relocation assistance or any other compensation or benefits under the Uniform Relocation Assistance Act or any other applicable provision of law upon termination of this Agreement.

SECTION 4 – MAINTENANCE AND REPAIR

4.1 Electricity Use. JMZ shall pay for the electricity and other utilities services it consumes in its operations at the rate charged by the servicing utility company.

4.2 Maintenance and Repair. JMZ shall, at JMZ's sole cost and expense, perform all maintenance and repairs reasonably needed to maintain the Network in good condition and neat and orderly appearance, and in compliance with all applicable Laws. In the event any part of the Network requires replacement because such part cannot be repaired, then JMZ shall, at JMZ's sole cost and expense, replace the irreparable part of the Network. JMZ shall not cause rubbish, garbage or debris on or around its Network or the Facilities and shall not permit rubbish, garbage or debris to accumulate on or around any enclosed areas around the Facilities. If the City gives JMZ written notice of a failure by JMZ to maintain the Facilities, JMZ shall use its best efforts to remedy such failure within forty-eight (48) hours after receipt of such written notice.

4.3 Appearance. JMZ shall cooperate with the City on all issues of aesthetics and appearance. JMZ shall follow all legally binding City policies, state and local ordinances with respect to aesthetics, including but not limited to, historic site and/or locations of significant importance. All locations of systems must be aesthetically approved by the City Engineering Department in a manner consistent with other approvals within these Restrictions.

4.4 Repair of ROW. JMZ shall be responsible for any damage, ordinary wear and tear excepted, to street pavement, existing facilities and utilities, curbs, gutters, sidewalks,

landscaping, and all other public or private facilities, to the extent caused by JMZ's construction, installation, maintenance, access, use, repair, replacement, relocation, or removal of the Network in the City's ROW. JMZ shall promptly repair such damage and return the City's ROW and any affected adjacent property to a safe and satisfactory condition to the City in accordance with the City's applicable street restoration standards. JMZ's obligations under this Section 4.4 shall survive for one (1) year past the completion of such reparation and restoration work and return of the affected part of the City's ROW by JMZ to the City.

SECTION 5 – TAXES

5.1 **Taxes.** JMZ is responsible for payment of any taxes, fees and assessments levied on its ownership, use and maintenance of the Network. Pursuant to K.S.A. 79-5a01 *et. seq* of the Kansas Revenue and Taxation Code, the City hereby advises, and JMZ recognizes and understands, that JMZ's use of the City's ROW, the New Poles, and/or other non-ROW City property and facilities may create a possessory interest subject to real property taxation and that JMZ may be subject to, and responsible for, the payment of real property taxes levied on such interest. JMZ will cooperate with the Coffey County Assessor in providing any information necessary for the Assessor to make a property tax determination. JMZ reserves the right to challenge any such assessment, and the City agrees to cooperate with JMZ in connection with any such challenge.

SECTION 6- INDEMNIFICATION

6.1 **Indemnity.** JMZ shall indemnify, defend, and hold harmless the City, its council members, officers and employees, agents, and contractors, from and against liability, claims, demands, losses, damages, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, and the costs and expenses incurred in connection therewith, including reasonable attorneys' fees and costs of defense to the extent resulting from activities undertaken by JMZ pursuant to this Agreement, except to the extent arising from or caused by the negligence or willful misconduct of the City, its council members, officers, employees, agents or contractors. The City shall promptly notify JMZ of any claim, action or proceeding covered by this Section 6.1.

6.2 **Waiver of Claims.** JMZ waives all claims, demands, causes of action, and rights it may assert against the City on account of any loss, damage, or injury to any portion of the Network, or any loss or degradation of the services provided by the Network, resulting from any event or occurrence except for any loss, damage, or injury resulting from the gross negligence or willful misconduct of the City, its council members, officers, employees, agents or contractors.

6.3 **Limitation of City's Liability.** The City will be liable, if at all, only for the cost of repair to damaged portions of the Facilities arising from the negligence or willful misconduct of City, its employees, agents, or contractors. The City, its council members, officers, employees, agents or contractors, shall not be liable for any damage from any cause whatsoever to the Facilities, specifically including, without limitation, damage, if any, resulting from the City's maintenance operations adjacent to the Facilities or from vandalism or unauthorized use of the Facilities, except to the extent such damage is caused by the negligence or willful misconduct

of City, its council members, officers, employees, agents or contractors. The City will in no event be liable for indirect or consequential damages.

6.4 **Limitation of JMZ's Liability.** In no event shall JMZ be liable for indirect or consequential damages in connection with or arising from this Agreement, or its use of the Network, New Poles, and ROW or other City real property.

SECTION 7 – INSURANCE

7.1 **Minimum Insurance Requirements.** JMZ shall obtain and maintain at its sole cost and expense for the duration of this Agreement insurance pursuant to the terms and conditions described in this Section.

- a. Comprehensive General Liability Insurance, with minimum limits of \$2,000,000 combined per occurrence for bodily injury, personal injury, death, loss and property damage resulting from JMZ's wrongful or negligent acts.
- b. Comprehensive Vehicle Liability Insurance covering personal injury and property damage, with minimum limits of \$1,000,000 combined single-limit per accident for bodily injury and property damage covering any vehicle utilized by JMZ in performing the work covered by this Agreement.
- c. Workers' compensation limits as required by the Labor Code, and Employer's Liability limits of \$1,000,000 per accident.

7.2 **Other Insurance Provisions.** The insurance policies shall contain, or be endorsed to contain, the following provisions:

- a. **General Liability and Automobile Liability Coverage.**
 - (1) The City, and its elected and appointed council members, board members, commissioners, officers and officials (the "Insureds") shall be named as additional insureds on all required insurance policies, except for Workers' Compensation and Employers' Liability policies.
 - (2) JMZ's insurance coverage shall be primary insurance with respect to the matters covered by this Agreement. Any insurance or self-insurance maintained by the Insureds shall be in excess of JMZ's insurance and shall not contribute with it.
 - (3) Any failure of JMZ to comply with reporting provisions of the policies shall not affect coverage provided to the Insureds.
 - (4) JMZ's insurance shall apply separately to each of the Insureds against whom a claim is made or suit is brought, except with respect to the limits of the insurer's liability. Each of the Insureds is subject to all policy terms and conditions and has an obligation, as an Insured, to report claims made

against them to the insurance carrier.

- b. **Workers' Compensation and Employers' Liability Coverage.** The insurer shall agree to waive all rights of subrogation against the Insureds for losses arising from work performed by JMZ in the City's ROW.
- c. **All Coverages.** Except for non-payment of premium, each insurance policy required by this clause shall be endorsed to state that coverage shall not be cancelled or reduced in coverage or limits by the insurer except after thirty (30) days' prior written notice has been given to the City. If for any reason insurance coverage is canceled or reduced in coverage or in limits, JMZ shall within two (2) business days of receipt of notice from the Insurer, notify the City by phone or fax of the changes to or cancellation of the policy and shall confirm such notice via certified mail, return receipt requested.

7.3 Verification of Coverage. JMZ shall furnish the City with certificates of insurance required by this Section 7. The certificates for each insurance policy are to be signed by a person, either manually or electronically, authorized by that insurer to bind coverage on its behalf. All certificates are to be received and approved by the City before work commences.

7.4 Secondary Parties. In the event JMZ hires any subcontractors, independent contractors or agents ("Secondary Parties") to locate, place, attach, install, operate, use, control, replace, repair or maintain the Network, JMZ shall require the Secondary Parties to obtain and maintain insurance commensurate to the work such Secondary Parties perform.

SECTION 8 – DEFAULT

8.1.1 Defined. A "Default" shall be deemed to have occurred under this Agreement if a party fails to cure a breach of this Agreement within thirty (30) days after written notice specifying such breach, provided that if the breach is of nature that it cannot be cured within thirty (30) days, a default shall not have occurred so long as the breaching party has commenced to cure within said time period and thereafter diligently pursues such cure to completion.

8.1.2 Remedies. Upon the failure of a party to timely cure any breach after notice thereof from the other party and expiration of the above cure periods, then the non-defaulting party may, subject to the terms of Section 6.3 (Limitation of Liability), terminate this Agreement and pursue all remedies provided for in this Agreement and/or any remedies it may have under applicable law or principles of equity relating to such breach.

8.2 City Termination Right. In addition to the remedies set forth in Section 8.1.2, the City shall have the right to terminate this Agreement if (i) the City is mandated by law, a final court order or decision, or the federal or state government to take certain actions that will cause or require the removal of the Facilities from the public right of way, or (ii) if any licenses that JMZ may be required to hold to perform its obligations under this Agreement are terminated, revoked, expired, or otherwise abandoned. Such termination rights shall be subject to JMZ's right to just compensation, if any, for any taking of a protected property right.

8.3 **No waiver.** A waiver by either party at any time of any of its rights as to anything herein contained shall not be deemed to be a waiver of any breach of covenant or other matters subsequently occurring.

SECTION 9 – INTERFERENCE

9.1 **Non-Interference with Non-Public Safety Communications Systems.** JMZ shall operate the Network in a manner that will not cause interference with City non-public safety communications systems and to the services and facilities of other licensees or lessees of City property located at or near the Facilities that were in operation prior to the installation of the Network or that are in operation prior to any modifications JMZ may make to the Network.

9.2 **Non-Interference with Public Safety Communications Systems.** JMZ's Network and Facilities shall not cause interference with public safety communications systems operated by City or any other public agency, regardless of the date such systems or any Facilities cause interference with the City's use of the New Poles for their intended purpose as streetlights, traffic lights, and/or stand-alone light poles.

9.3 **Correction of Interference.** If interference with the Facilities described in Sections 9.1 and 9.2 should occur, JMZ shall, upon receipt of written notice thereof from the City, immediately commence commercially reasonable, diligent efforts to correct or eliminate such interference. If such interference cannot be corrected by JMZ to the reasonable satisfaction of City within the cure period set forth in the City's notice, which period shall not be less than ninety (90) days, such interference shall be deemed a material breach under this Agreement and City may terminate this Agreement. Interference caused by actions of JMZ's Customers remain the responsibility of JMZ. If the interference is an emergency or a danger to public health and safety, the City shall be entitled to require correction in a time period necessary to avoid the emergency or public health and safety issue.

SECTION 10 – MISCELLANEOUS PROVISIONS

10.1 **Nonexclusive Use.** JMZ acknowledges that this Agreement does not provide JMZ with exclusive use of the City's ROW or any municipal facility and that City retains the right to permit other providers of communications services to install equipment or devices in the City's ROW and on municipal facilities. The parties specifically agree that all such franchises issued to telecommunications providers shall be competitively neutral and not unreasonable or discriminatory in nature.

10.2 **Most Favored Nation.** All of the benefits and terms granted by the City herein are at least as favorable as the benefits and terms granted by the City to any future franchisee of the public ROW engaged in the same or similar business described in this Agreement. Should the City enter into any subsequent agreement of any kind no matter what nomenclature is attached with any other franchisee during the term of this Agreement, which other agreement provides for benefits or terms more favorable than those contained herein, then this Agreement shall be deemed to be modified effective as of the date of such more favorable agreement to

provide JMZ with those more favorable benefits and terms. The City shall notify JMZ promptly of the existence of such more favorable benefits and terms and JMZ shall have the right to receive the more favorable benefits and terms immediately. If requested in writing by JMZ, the City shall amend this Agreement to contain the more favorable benefits, terms and conditions.

10.2 **Notices.** All notices pursuant to this Agreement shall be in writing and sent by E-mail and by mailing a copy first class postage prepaid or by personal delivery to the following address or such other address of which a party may give written notice:

City: The City of Le Roy, Kansas
713 S Main St
Le Roy, Kansas 66857
Phone: 620-964-2245
Fax: 620-964-2702
Email: cityofleroyks@mchsi.com

JMZ: JMZ Corporation,
d/b/a KwiKom Communications
Attn: Zachery D Peres
800 W Miller Rd
Iola, Kansas 66749
Phone: 1-620-380-0068
Email: zperes@kwikom.com

with a copy to Kurt F Kluin
Attorney at Law
P.O. Box G
Chanute, Kansas 66720
Phone: 1-620-431-1601
Email: kurtk@kluinlaw.com

Notice sent as provided herein shall be deemed given on the date of the E-mail. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

10.4 **Sublease/Assignment.** If JMZ assigns, sublets, enters into a franchise license or concession agreement, or changes ownership of the Network, then JMZ will provide notice of a transfer within a reasonable time.

10.5 **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, legal representatives, successor, assigns and transferees.

10.6 **Entire Agreement; Modification; Waiver.** This Agreement constitutes the

entire Agreement between the parties relating to the subject matter hereof. All prior and contemporaneous agreements, representations, negotiations, and understandings of the parties, oral or written, relating to the subject matter hereof are merged into and superseded by this Agreement. Any modification or amendment to this Agreement shall be of no force and effect unless it is in writing and signed by the parties. No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any provisions, whether or not similar. No waiver or consent shall constitute a continuing waiver or consent or commit either party to provide a waiver in the future except to the extent specifically set forth in writing. No waiver shall be binding unless executed in writing by the party making the waiver.

10.7 Severability. If any one or more of the provisions of this Agreement shall be held by a court of competent jurisdiction in a final judicial action to be void, voidable, or unenforceable, such provision or provisions shall be deemed separable from the remaining provisions of this Agreement and shall in no way affect the validity of the remaining portions of this Agreement.

10.8 Governing Law. This Agreement shall be interpreted and enforced according to, and the parties' rights and obligations governed by the law of the State of Kansas or applicable federal law. Any proceeding or action to enforce this Agreement, or otherwise directly related to this Agreement, shall occur in the District Court of Allen County, Kansas.

10.9 Survival of Terms. All of the terms and conditions in this Agreement related to payment, removal due to termination or abandonment, indemnification, limits of City's liability, attorneys' fees and waiver shall survive termination of this Agreement.

10.10 Captions and Paragraph Headings. Captions and paragraph headings used herein are for convenience only and shall not be used in construing this Agreement.

10.11 Drafting. This Agreement is the project of joint draftsmanship and nothing herein shall be construed against a drafting party.

10.12 Execution in Counterparts. This Agreement may be executed in one or more identical counterparts and all such counterparts together shall constitute a single instrument for the purpose of the effectiveness of this Agreement.

10.13 Authority to Execute This Agreement. Each person executing this Agreement on behalf of a party warrants and represents that he or she has the full right, power, legal capacity and authority to execute this Agreement on behalf of such party and has authority to bind such party to the performance of its obligations under this Agreement without further approval or consent of any other person or entity.

10.14 No Warranty by the City. The City makes no representations or warranties regarding the suitability, condition or fitness of the locations for the installation, maintenance or use of the new Poles or Facilities.

10.15 No Abrogation of Legal Responsibilities. The City's execution of this

Agreement shall not abrogate, in any way, JMZ's responsibility to comply with all permitting requirements or to comply with all Laws respect to its performance of the activities permitted under this Agreement.

10.16 Contractual Interpretation. In the interpretation and application of its rights under this Agreement, the City will act in a reasonable, non-discriminatory, and competitively neutral manner in compliance with all applicable federal, state, and local laws and regulations.

10.18 Effective Date of Ordinance. This Ordinance shall be effective upon its final passage and publication as required by law.

ADOPTED AND PASSED by the Governing body of the City of Le Roy, Kansas, on this 1st day of July, 2019.

CITY OF LE ROY, KANSAS

by: Christine Williams

ATTEST: Nikki Houston
City Clerk

JMZ CORPORATION, doing business as
KwiKom Communications

by: _____
Zachery Peres
Vice President

