TABLE OF CONTENTS CITY OF WESTWOOD HILLS, KANSAS ORDINANCES **RECODIFIED AND ADOPTED JULY 2012**

CHAPTER 1. ADMINISTRATION

1-302.	Introduction of Ordinances
1-303.	Classes of Ordinances
1-304.	Passage of Ordinances
1-305.	Signing or Veto of Ordinances; Exceptions
1-306.	Subject and Title of Ordinance: Amendment
1-307.	Style or Ordaining Clause
1-308.	Numbering
1-309.	Publication: Effective Date
1-310.	Ordinance Books; Certification By City Clerk; Numbering
1-311.	Preparation of Supplements to the Codification
1-312.	Distribution of Codification and Supplement Thereto
1-313.	Preparation of Individual Ordinances
1-314.	Recodification of Ordinances
Article	4. City Officers: Appointments and Duties
1-401.	Officers Appointed: Date of Appointment
1-402.	Deputies and Assistants: Pro Tem Judge
1-403.	Term of City Officers
1-404.	Qualifications of Appointed Officials
1-405.	Oath of Office
1-406	Removal from Office
1 1 00.	Removal from Office
	Vacancy, How Filled
1-407.	
1-407. 1-408.	Vacancy, How Filled

Municipal Administration

1-107. Committees and Commissions, Duties of; General

1-202. Designation of Official City Newspaper or Newspapers

1-102. Compelling Attendance of Absentees

Publication 1-201. Publication in Official City Newspaper

Ordinances

Article 1.

Article 2.

Article 3.

1-101. Meetings

1-103. Order of Business 1-104. Organizational Meeting 1-105. Robert's Rules, Revised 1-106. Standing Committees

1-301. City Ordinances.

1-411. Duties of Police Officers

- 1-412. Duties of City Attorney
- 1-413. Duties of Municipal Judge
- 1-414. Compensation of Certain Appointed City Officers

Article 5. Governing Body

- 1-501. Definition
- 1-502. Vacancy in Offices of Mayor or Councilperson; President of Council
- 1-503. Compensation to Mayor and Council
- 1-504. Powers of Mayor
- 1-505. President of Council
- 1-506. Reimbursement of Expenses of City Officials
- 1-507. Emergency Government

Article 6. Code of Ethics

- 1-601. Code of Ethics: Declaration of Policy
- 1-602. Responsibilities of Public Office
- 1-603. Public Official or Employee and Local Governmental Officer or Employee Defined
- 1-604. Substantial Interest Defined
- 1-605. Participation in City Contracts
- 1-606. Participation in Other Matters
- 1-607. Disclosure of Substantial Interests
- 1-608. Restriction on Former Public Officials or Employees in Matters Connected with Their Former Duties
- 1-609. Restriction on Former Public Officials or Employees In Selling to the City
- 1-610. Sanctions

Article 7. Claims Against the City

- 1-701. Definitions
- 1-702. Presentment of Claims
- 1-703. Auditing of Claims
- 1-704. Authorization of Use of Warrant Checks
- 1-705. Signatures on Warrant Checks
- 1-706. Record of Warrant Checks
- 1-707. Duties of Treasurer; Signature
- 1-708. Record of Moneys; Contracts and Indebtedness; Notice to Public
- 1-709. Unlawful Acts
- 1-710. Designation of Depositories for Municipal and Quasi- Municipal Funds; Payment of Interest, When
- 1-711. Securities for Deposits of Public Funds; Expenses
- 1-712. Deposit of Bonds and Securities; Custody Receipts

Article 8. Temporarily Idle Moneys

- 1-801. Definitions
- 1-802. Investment of Idle Funds
- 1-803. Procedure and Restrictions
- 1-804. Custody and Safekeeping
- 1-805. Sale or Transfer
- 1-806. Earnings and Records
- 1-807. Proceeds from Sale; Use of

Article 9. Capital Improvements Fund

- 1-901. Establishment of Fund
- 1-902. Policy
- 1-903. Plan of Operation Aad Fund Transfers
- 1-904. Use of Funds
- 1-905. Investment of Fund

Article 10. Open Records

- 1-1001. Policy
- 1-1002. Record Custodians
- 1-1003. Local Freedom of Information Officers
- 1-1004. Public Request for Access
- 1-1005. Facilities for Public Inspection
- 1-1006. Procedures for Inspection
- 1-1007. Appointment of Official Custodians
- 1-1008. Appointment of Local Freedom of Information Officer
- 1-1009. Designation of Additional Record Custodians
- 1-1010. Requests to Be Directed to Custodians
- 1-1011. Fee Administration
- 1-1012. Inspection Fee
- 1-1013. Copying Fee
- 1-1014. Prepayment of Fees
- 1-1015. Payment

Article 11. Recall

1-1101. Recall

Article 12. Newsletter

- 1-1201. Publication and Distribution of Newsletter
- 1-1202. Content of Newsletter

Article 13. General Penalty

1-1301. General Penalty

CHAPTER 2. ANIMAL CONTROL AND REGULATION

Article 1. Animals and Fowl Generally

- 2-201. Definitions
- 2-102. Cruelty to Animals
- 2-103. Animals and Fowl: Running at Large; Abandoning
- 2-104. Dangerous, Vicious or Exotic Animals
- 2-105. Animal Nuisances
- 2-106. Animals and Fowl: Offensive Quarters
- 2-107. Keeping of Livestock or Fowl Prohibited

Article 2. Dogs and Cats

- 2-201. Dogs and Cats; Licensing and Registration
- 2-202. License Fee Exemptions
- 2-203. Certificate of Immunization, Essential to Register
- 2-204. Unlicensed or Unregistered Dog or Cat; Taken by Humane Officer

2-205.	Examination and Quarantine
2-206.	Destruction of Animals
2-207.	Running at Large

2-208. Captured Dog or Cat

2-209. Chief of Police Proclamation

2-210. Redeeming Dogs and Cats

2-211. Limit on Number of Dogs and Cats

Article 3. Northeast Animal Control Commission

2-301. Findings

2-302. Purpose and Objectives

2-303. Agreement Incorporated

Article 4. Bees

2-401. Keeping of Bees

2-402. License Required

2-403. Definitions

2-404. Certain Conduct Declared Unlawful

2-405. Hives

2-406. Fencing of Flyways

2-407. Distance of Apiary

2-408. Water

2-409. General Maintenance

2-410. Queens

2-411. Colony Densities

2-412. Marking Hives; Presumption of Beekeeping

2-413. Inspection

2-414. Severability and Enforceability

2-415. Public Nuisance

Article 5. Animal Nuisances

2-501. Nuisance Prohibited

2-502. Animals; Noise, Disturbance of Peace; Prohibited

2-503. Excrement

2-504. Female in Heat

2-505. Diseased Animals

2-506. Damage to Property

Article 6. Penalty

2-601. Penalty

CHAPTER 3. ELECTIONS

Article 1. City Officers; Election and Duties

3-101. Officers Elected; Term; Qualifications

CHAPTER 4. PUBLIC SAFETY

Article 1. Fire Protection - Offenses

- 4-101. Interfering with the Fire Department
- 4-102. Running over Hose
- 4-103. Disturbing Fire Alarm Wires
- 4-104. Blocking Streets at Fires
- 4-105. Blocking Streets; Breaking Through
- 4-106. Fireplugs and Hydrants
- 4-107. Liquefied Petroleum Gas
- 4-108. Fires or Oil on Paved Streets
- 4-109. Outside Fires Prohibited
- 4-110. Permitted Fires; Permits
- 4-111. Permitted Fires; Conditions
- 4-112. Paint Removal
- 4-113. Ash and Cinder Storage
- 4-114. Hazardous Accumulation
- 4-115. Combustible Materials: Handling, Storage
- 4-116. Decorative Materials: Flame Proofing
- 4-117. Open Flame; Restrictions
- 4-118. Marking of Shaftways
- 4-119. Trapdoors
- 4-120. Penalty

Article 2. Fireworks

- 4-201. Definitions
- 4-202. Manufacturing of Fireworks
- 4-203. Sale or Use of Fireworks
- 4-204. Supervised Public Display of Fireworks by City, Homes Association or Other Organizations
- 4-205. Disposal of Unfired Fireworks
- 4-206. Exceptions
- 4-207. Seizure of Fireworks
- 4-208. Penalty

Article 3. Tree Board; Trees and Shrubbery

- 4-301. Definitions.
- 4-302. Creation of City Tree Board
- 4-303. Term of Office
- 4-304. Compensation
- 4-305. Duties and Responsibilities
- 4-306. Operation
- 4-307. Tree Species to be Planted
- 4-308. Spacing and Distances for Planting
- 4-309. Tree Care and Tree Removal
- 4-310. Preventive Measures or Treatment by City, When; Costs
- 4-311. Clearances over Streets and Walkways
- 4-312. Trees and Shrubs Bordering Sidewalks and Streets
- 4-313. Traffic Hazard
- 4-314. Abatement of Nuisances; Assessment of Costs
- 4-315. Nuisance Per Se.

- 4-316. Weeds, Destruction; Special Assessment
- 4-317. Tree Topping
- 4-318. Removal of Stumps
- 4-319. Access
- 4-320. Injuring Trees and Shrubs
- 4-321. Penalty

Article 4. Unsafe or Dangerous Structures

- 4-401. Repair or Removal of Unsafe or Dangerous Structures; Definitions
- 4-402. Powers of Governing Body
- 4-403. Removal of Unsafe Structures; Filing Statement; Notice and Hearing; Requirements
- 4-404. Findings; Resolution; Contents; Notice
- 4-405. Duties of Owner After Removal of Structure
- 4-406. Removal of Structure, When; Certification; Salvage, Sale; Removal Costs on Tax Rolls; No-Fund Warrants; Tax Levies
- 4-407. Immediate Hazard; Action to Protect Public; Notice Not Required; Cost
- 4-408. Penalty

Article 5. Solid Waste Collection

- 4-501. Definitions
- 4-502. Regulation of Solid Waste Collection, Hours
- 4-503. Penalty

CHAPTER 5. BUILDING AND CONSTRUCTION

Article 1. Building Codes Adopted by Reference; Fees; Board of Code Appeals

- 5-101. Applicable Codes
- 5-102. Incorporating the International Building Code
- 5-103. Revised, Amended, or Deleted Sections of the International Building Code
- 5-104. Incorporating the International Residential Code for One and Two Family Dwellings
- 5-105. Revised, Amended, or Deleted Sections of the International Residential Code For One and Two Family Dwellings
- 5-106. Incorporating the International Mechanical Code
- 5-107. Revised, Amended, or Deleted Sections of the International Mechanical Code
- 5-108. Incorporating the International Fire Code
- 5-109. Revised, Amended, or Deleted Sections of the International Fire Code
- 5-110. Incorporating the International Plumbing Code
- 5-111. Revised, Amended, or Deleted Sections of the International Plumbing Code
- 5-112. Incorporating the International Fuel Gas Code
- 5-113. Revised, Amended, or Deleted Sections of the International Fuel Gas Code
- 5-114. Incorporating the National Electrical Code
- 5-115. Deleting References to the International Property Maintenance Code
- 5-116. Provisions Concerning Moving of Structures
- 5-117. Fees
- 5-118. Penalties
- 5-119. Board of Code Appeals Established
- 5-120. Board of Code Appeals; Membership
- 5-121. Same; Powers and Duties
- 5-122. Building Official

Article 2. **Permits, Applications and Procedures** 5-201. Permit Required 5-202. Separate Permits 5-203. Minor Alterations 5-204. No Permit Required to Initiate Emergency Repair 5-205. Permits Required for Demolition, Moving Structures 5-206. Applications for Permits 5-207. Issuance or Denial of Permit 5-208. Appeal to Board of Zoning Appeals 5-209. Fees for Building Permits 5-210. Revocation of Permits 5-211. Expiration of Permits 5-212. Posting of Building Permit Required 5-213. Failure to Obtain Permit 5-214. Penalty for Violations **Architectural Standards for All Structures** Article 3. 5-301. Purposes of this Article 5-302. Architectural Standards for New Construction 5-303. Architectural Standards for New Additions 5-304. Rehabilitation Standards for Existing Structures 5-305. Architectural Standards for Front Porch Additions 5-306. Rehabilitation Standards for Existing Porch Structures 5-307. Architectural Standards for New Detached Garage Construction 5-308. Driveway Repair, Replacement and Alteration 5-309. Excavation in Public Right-of-Way Article 4. **Solar and Other Alternative Energy Systems** 5-401. Purpose 5-402. Regulation of Alternative Energy Systems 5-403. Solar Energy Systems; Standards and Conditions 5-404. Permit Required 5-405. Contents of Application 5-406. Planning Commission Determination; Permit Issuance 5-407. Penalty Article 5. **Minimum Standards for Property** 5-501. Purposes of Article 5-502. Definitions 5-503. Applicability of this Article 5-504. Interpretation 5-505. Minimum Standards for Exteriors of All Buildings and Premises 5-506. Minimum Standards for Dwelling Units 5-507. Accessory Structures 5-508. Egress 5-509. Enforcement 5-510. Buildings Unfit for Human Habitation

5-511. Broken Glass and Boarding Up

5-512. Prosecution of Violation5-513. Emergency Measures5-514. Judicial Review of Decisions

5-515. Penalties

Article 6. Clearing and Cleaning of Streets During and After Construction

- 5-601. Clearing and Cleaning of Streets During Construction
- 5-602. Clearing and Cleaning of Streets Following Construction

Article 7. Use and Excavation of the Public Right-of-way

- 5-701. General
- 5-702. Purpose
- 5-703. Definitions
- 5-704. Policy
- 5-705. Administration
- 5-706. Requirements of Service Provider
- 5-707. Mapping Requirements of Service Provider
- 5-708. Service Provider's Right to Sell, Transfer, Lease, Assign, Sublet or Dispose
- 5-709. Use of the Right-of-Way
- 5-710. Facility Relocation
- 5-711. Protection of the Public
- 5-712. Right-of-Way Vacation
- 5-713. Abandonment and Unusable Facilities
- 5-714. Permit Requirement
- 5-715. Permit Applications
- 5-716. Liability Insurance, Performance and Maintenance Bond Requirement
- 5-717. Right-of-Way Permit Fees and Costs
- 5-718. Issuance of Permit
- 5-719. Permitted Work
- 5-720. Right-of-Way Repair and Restoration
- 5-721. Joint Applications
- 5-722. Supplementary Applications
- 5-723. Other Obligations
- 5-724. Denial of Permit
- 5-725. Revocation of Permit
- 5-726. Work Requirements and Inspections
- 5-727. Appeals Process
- 5-728. Indemnification
- 5-729. Force Majeure
- 5-730. Federal, State and City Jurisdiction
- 5-731. Severability
- 5-732. City's Failure to Enforce
- 5-733. Penalties
- 5-734. Reservation of Rights
- 5-735. Repeal of Other Ordinances

Article 8. Penalty

5-801. Penalty

CHAPTER 6. LICENSES AND BUSINESS REGULATIONS

Article 1. General Provisions

6-101. Definitions

- 6-102. Application
- 6-103. Exemptions
- 6-104. Prohibitions
- 6-105. Issuance of License
- 6-106. Record of License
- 6-107. Display of License
- 6-108. Powers and Inspections
- 6-109. Persons Liable
- 6-110. Actions to Collect Fee
- 6-111. Disturbing the Peace
- 6-112. Refunds

Article 2. Retail Licenses

- 6-201. Retail License Required
- 6-202. Retail License Application
- 6-203. Retail License Fee Levied
- 6-204. Issuance of License
- 6-205. Retail License Period
- 6-206. Right to Inspect Business Property

Article 3. Solicitors

- 6-301. Statement of Purpose
- 6-302. Definitions
- 6-303. Solicitation Permits Required
- 6-304. Exceptions
- 6-305. Solicitation Permit Applications
- 6-306. Prohibited Acts
- 6-307. Standards for Issuance
- 6-308. Fees
- 6-309. Contents of Permit
- 6-310. Term of Permit
- 6-311. Permits Nontransferable
- 6-312. Suspension or Revocation of Permits
- 6-313. Uniformity of Administration of Article
- 6-314. Penalties

Article 4. Advertising Matter

- 6-401. Definition of Advertising Matter
- 6-402. Distribution of Advertising Matter
- 6-403. Handbills, Posters, Etc.

Article 5. Rental Property Licenses

- 6-501. Scope
- 6-502. Application for Rental Property License Required
- 6-503. Renewal of Rental Property License
- 6-504. License Fee and Inspection Fees
- 6-505. License Required for Occupancy of Habitable Building Used for Rental Purposes
- 6-506. Licensing Standards; Compliance with the City's Building and Property Maintenance Codes
- 6-507. Inspection of Rental Units
- 6-508. Denial and Revocation of Rental Property License

- 6-509. Registration of Agents
- 6-510. Expiration of Rental Property License
- 6-511. Revocation of License
- 6-512. Suspended Rental Property License
- 6-513. License Non-Transferable
- 6-514. Request for Inspection by Tenant or Occupant
- 6-515. Right of Entry; Unlawful Interference; Penalty
- 6-516. Failure to Obtain a Rental Property License; Failure to Maintain a Current Valid Rental Property License; Occupying a Habitable Building Offered for Rental Purposes for which a Valid Rental Property License Is Not in Effect; Penalties

Article 6. Home Occupations And Licenses

- 6-601. Definitions
- 6-602. Permitted Conditions
- 6-603. Permitted Occupations
- 6-604. Prohibited Occupations
- 6-605. Conditional Uses
- 6-606. License Required
- 6-607. Issuance of License
- 6-608. License Fee; Non-Transferable
- 6-609. Garage Sales

Article 7. Penalty

6-701. Penalty

CHAPTER 7. CITY BOUNDARIES

Article 1. Boundary Lines

7-101. Boundary of Westwood Hills

CHAPTER 8. ZONING REGULATIONS

Article 1. Definitions

8-101. Definitions

Article 2. Zoning Regulations

- 8-201. Purpose
- 8-202. Use District and Area Regulations
- 8-203. Residential District.
- 8-204. Retail District
- 8-205. Uses Prohibited
- 8-206. Penalty

Article 3. Non-Conforming Uses

8-301. Non-Conforming Uses

Article 4. Variances and Exceptions

8-401. Variances and Exceptions

Article 5. Planning and Zoning

- 8-501. Creation of Commission
- 8-502. City Planning Commission; Membership; Terms; Vacancies
- 8-503. Meetings; Chairman; Record
- 8-504. Powers and Duties of Commission
- 8-505. Construction of Public Facility or Utility in Conformance with Comprehensive Plan; Approval or Disapproval of Planning Commission; Effect
- 8-506. Regulations Governing Subdivision of Land; Adoption and Amendment; Notice and Hearing; Approval by City Council
- 8-507. Exceptions
- 8-508. Grounds for Rezoning

Article 6. Board of Zoning Appeals

- 8-601. Board of Zoning Appeals; Membership; Appointment; Terms, Vacancies, Officers; Rules, Records, Fees
- 8-602. Powers and Duties of Board; Hearings; Appeals; Variances and Exceptions

CHAPTER 9. MUNICIPAL COURT

Article 1. Municipal Court

- 9-101. Municipal Court
- 9-102. Municipal Judge
- 9-103. Same; Powers and Duties
- 9-104. Same; Salary
- 9-105. Court Clerk
- 9-106. Costs
- 9-107. Municipal Court Courtroom
- 9-108. Practice and Procedure

CHAPTER 10. PUBLIC OFFENSES

Article 1. Uniform Public Offense Code

10-101. Incorporating Uniform Public Offense Code

Article 2. Additional Public Offenses

- 10-201. Trash
- 10-202. Tree, Bush and Lawn Trimmings
- 10-203. Penalty for Violation of Article 2

Article 3. Civil Disturbances

- 10-301. Proclamation of Emergency
- 10-302. Effective Period
- 10-303. Expiration or Extension of Emergency
- 10-304. Penalty for Violation of Article 3
- 10-305. No Release of Civil Damages

Article 4. Drugs

10-401. Controlled Substances; Incorporation by References

Article 5. Alarm Systems

- 10-501. Permit Required; Unlawful Acts; Exception
- 10-502. Application for Permit; Non-Transferability; Exceptions
- 10-503. Regulations; Requirements and Duties
- 10-504. Nuisance Alarm Systems Prohibited
- 10-505. Direct Alarm Systems to Be Disconnected
- 10-506. Disturbing Alarms to Be Disconnected or Modified
- 10-507. Notification of Nuisance Alarms
- 10-508. Responsible Party
- 10-509. False Alarms; Fees Required
- 10-510. Appeals
- 10-511. Designation of Alarm Coordinator; Duties
- 10-512. Chief of Police, Defined
- 10-513. Penalty

Article 6. Noise

- 10-601. Unnecessary Noises
- 10-602. Unnecessary Noises Enumeration
- 10-603. Penalty

CHAPTER 11. TRAFFIC OFFENSES

Article 1. Traffic Regulations: Standard

- 11-101. Incorporating Standard Traffic Ordinance
- 11-102. Speed Limitations and Restrictions

Article 2. Traffic Regulations: Local

- 11-201. Designation of Through Street or Highway and Requiring Vehicles to Stop Before Entering Same
- 11-202. Vehicle Stops at Certain Times and Places
- 11-203. Regulation of All Turns at Intersections and Prohibiting Such Turns at Certain Intersections and Times
- 11-204. Unauthorized Rides
- 11-205. Molesting Vehicles
- 11-206. Regulation of Truck Traffic
- 11-207. Pushing Vehicles
- 11-208. Bridge Weight Restrictions
- 11-209. Projecting Loads on Passenger Vehicles
- 11-210. Prohibited Driving Areas

Article 3. Parking Regulations

- 11-301. Parking Prohibited at Certain Places
- 11-302. Commercial Vehicle or Truck Parking
- 11-303. Temporary Storage Container Parking
- 11-304. Parking Prohibited on Grass
- 11-305. Bus Stops
- 11-306. Parking and Standing of Buses
- 11-307. Obedience by Drivers of Other Vehicles
- 11-308. Removal of Vehicles from City Streets to Facilitate Snow Removal from Said Streets

- 11-309. Removal of Vehicles from City Streets to Facilitate Cleaning of or Leaf Removal from Said Streets
- 11-310. Prohibited Parking of Certain Vehicles
- 11-311. Towing of Vehicles

Article 4. Towing

11-401. Towing

Article 5. Penalties

11-501. Penalties

CHAPTER 12. CITY PROPERTY

Article 1. The Green

- 12-101. Definitions
- 12-102. Uses Prohibited
- 12-103. Uses Permitted
- 12-104. Hours Open
- 12-105. Use During Other Hours Prohibited

Article 2. Use of City Property

12-201. Acts Prohibited

Article 3. Policy on Memorials

- 12-301. Statement of Purpose
- 12-302. Definitions
- 12-303. Policy Statement

Article 4. Penalties

12-401. Penalty