

ORDINANCE NO. 100

Meeting
C Hall
3/20
7:30 PM

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas.

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on any premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permitee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

TERRITORIAL APPLICATION

(a) ✓ The provisions of this Ordinance shall apply only to businesses located in that district known and defined as the "Retail District" by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas, which delineate said district.

(b) ✓ Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole² or in part, for which a license, or permit is required by any law or ordinance of this City, without a license, or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

DUTIES OF

✓ SECTION 5. A CITY LICENSE OFFICER. ~~The "City License Officer" shall be the City Clerk of Westwood Hills, Kansas.~~

(a) Issue Licenses. The City License Officer shall

collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) ~~Good Moral Character~~ Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history

of the applicant, whether such person in previously operating in this or another State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

reg. letters - capitalise 2

(c) Expiration of LICENSES. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, businesses for which licenses are required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

- (1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.
- (2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.
- (3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health morals or welfare.
- (4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof,

without regard to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.	\$ 50.00
500 -	999 sq. ft.	65.00
1,000 -	1,499 sq. ft.	80.00
1,500 -	1,999 sq. ft.	95.00
2,000 -	2,499 sq. ft.	110.00
2,500 -	2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each ^{additional} 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the ~~Retail~~ District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct

and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this ____ day of _____, 1975.

APPROVED by the Mayor this ____ day of _____, 1975.

Jerry D. Foster, Mayor

ATTEST:

Ora M. Amberg, City Clerk

ORA AMBERG

CITY OF WESTWOOD HILLS, KANSAS

5008 State Line

SHAWNEE MISSION, KANSAS 66205

April 18, 1975

Mr. Bill Service
J. C. Nichols Company
310 Ward Parkway
Kansas City, Missouri 64112

Dear Mr. Service:

At a special meeting of the City Council of the City of Westwood Hills, Kansas, held on Thursday March 20, 1975, Ordinance No. 100 was passed. This ordinance contains all general licensing provisions for the City, requiring compliance by persons required to obtain licenses, establishing a uniform system for issuance of licenses, setting forth the authority for the City License Officer and prescribing penalties for the violation of its provision. This ordinance was published on March 26, 1975 and is now effective.

In order that this may be implemented for the tenants of the commercial property located at 50th and State Line, I have enclosed a supply of application forms with a copy of the ordinance and fee schedules for distribution to your tenants. The City will require a pro-rated fee of one-half ($\frac{1}{2}$) the full calendar year fee for 1975.

Application forms are to be completed and returned to the City Clerk, Mrs. Ora Amberg, 2105 West 50th Street, Westwood Hills, Kansas 66205, on or before May 31, 1975, in order that licenses may be issued. A check or money order for total amount of tax due should accompany the application.

I would also appreciate a description of the leased property from your office, to enable verification of the square footage.

Your cooperation with this matter will be appreciated. If you have any questions, please let me know.

Very truly yours,

Jerry D. Foster
Mayor

JDF:fw

enclosure

APPLICATION FOR OCCUPATION LICENSE

City of Westwood Hills, Kansas
5008 State Line
Westwood Hills, Kansas 66205

Date _____

Name of Business _____

Business Address _____ Phone _____

Type of Business _____

Home Occupation _____

Professional Office _____

Retail Establishment _____

Other _____

License Fee

Square Feet

First Floor Space Regardless of Use			
Basement Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	_____
Second Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	_____
Exterior Sales Area	_____	x $\frac{1}{2}$ =	_____

TOTAL SQUARE FEET _____

Total License Fee (Refer to Schedule - Ordinance 100) \$ _____

Describe Nature of Business _____

List All Persons Connected With Business (i.e. Manager, Stockholder, Officers)

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

Applicant's Signature _____

Make check or money order for total amount of tax due, payable to the City of Westwood Hills, Kansas and mail to City Clerk, 5008 State Line, Westwood Hills, Kansas 66205.

LICENSE EFFECTIVE FROM _____ TO _____

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES.

Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use: except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s. Jerry D. Foster

Jerry D. Foster, Mayor

ATTEST:

s. Ora M. Amberg

Ora M. Amberg, City Clerk

(SEAL)

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday March 26, 1973)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

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

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
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SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
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personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
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purposes of this Ordinance, the following
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not inconsistent with the context, words used
in the present tense include the singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
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of vocations, occupations, professions, enter-
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activities and matters, together with all
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either directly or indirectly, on the premises
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Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(5) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permittee", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(6) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(7) "Premises" is meant to include all
lands, structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

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(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or in-
directly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
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the prescribed sum pursuant to this or-
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shall be approved by the City Attorney. Prior
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by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

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necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
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officials for their endorsements thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility of
any applicant for a license as prescribed
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(4) Give Notice. Notify any applicant of the
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City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person is
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

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person required to procure a license under
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(2) Contents of Application. Require the
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Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

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the full amount of the fees chargeable for
such license.

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Officer shall, upon payment to him or her of
the charge of any license, give a receipt
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copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(d) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
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mencing after the last day of June of the
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occupational license fee as set forth herein.

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(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License Officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF

LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use, except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$ 50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s. Jerry D. Foster

Jerry D. Foster, Mayor

ATTEST:

s. Ora M. Amberg

Ora M. Amberg, City Clerk

(SEAL)

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

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

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
greater restriction upon persons, premises or
personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
this Ordinance shall control.

SECTION 3. 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 singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
directory.

(1) "Business" is meant to include all kinds
of vocations, occupations, professions, enter-
prises, establishments, and all other kinds of
activities and matters, together with all
devices, machines, vehicles and ap-
purtenances used therein, any of which are
conducted for private profit, or benefit,
either directly or indirectly, on the premises
in this City or anywhere else within its
jurisdiction.

(2) "City" is the City of Westwood Hills,
Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(5) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permittee", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(6) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(7) "Premises" is meant to include all
lands, structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or in-
directly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
be made until the applicant applying for a
license shall have paid the License Officer
the prescribed sum pursuant to this or-
dinance for such license. The license forms
shall be approved by the City Attorney. Prior
to issuance of any license, it shall be signed
by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

(1) Make Rules. Promulgate and enforce
all reasonable rules and regulations
necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
plications, in a proper case, to interested City
officials for their endorsements thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility of
any applicant for a license as prescribed
herein.

(4) Give Notice. Notify any applicant of the
acceptance or rejection of his application.

(5) Record Licenses Issued. The City
License Officer shall keep a book containing
a complete and perfect record of all licenses
issued, showing the nature of the license; its
date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF AP- PLICANTS.

(a) General Standards to Be Applied. The
general standards herein set out relative to
the qualifications of every applicant for a
City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person in
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every
person required to procure a license under
the provisions of any ordinance or law of the
City shall submit an application for such
license to the City License Officer. The ap-
plication shall:

(1) Form of Application. Be a written
statement upon forms provided by the City
License Officer.

(2) Contents of Application. Require the
disclosure of all information necessary to
compliance with Section 6 above and of any
other information which the City License
Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by
the full amount of the fees chargeable for
such license.

(b) Issuance of Receipts. The License
Officer shall, upon payment to him or her of
the charge of any license, give a receipt
stating the amount paid, the nature of the
license, its duration and to whom issued. A
copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(d) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
calendar year, and any business com-
mencing after the last day of June of the
calendar year shall pay one-half (1/2) of the
occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s. Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:
s. Ora M. Amberg
Ora M. Amberg, City Clerk
(SEAL)

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED
BY THE GOVERNING BODY OF THE CITY
OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
greater restriction upon persons, premises or
personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
this Ordinance shall control.

SECTION 3. 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 singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
directory.

(1) "Business" is meant to include all kinds
of vocations, occupations, professions, enter-
prises, establishments, and all other kinds of
activities and matters, together with all
devices, machines, vehicles and ap-
purtenances used therein, any of which are
conducted for private profit, or benefit,
either directly or indirectly, on the premises
in this City or anywhere else within its
jurisdiction.

(2) "City" is the City of Westwood Hills,
Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(5) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permittee", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(6) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(7) "Premises" is meant to include all
lands, structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or in-
directly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
be made until the applicant applying for a
license shall have paid the License Officer
the prescribed sum pursuant to this or-
dinance for such license. The license forms
shall be approved by the City Attorney. Prior
to issuance of any license, it shall be signed
by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

(1) Make Rules. Promulgate and enforce
all reasonable rules, and regulations
necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
plications, in a proper case, to interested City
officials for their endorsements thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility of
any applicant for a license as prescribed
herein.

(4) Give Notice. Notify any applicant of the
acceptance or rejection of his application.

(5) Record Licenses Issued. The City
License Officer shall keep a book containing
a complete and perfect record of all licenses
issued, showing the nature of the license, its
date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF AP- PLICANTS.

(a) General Standards to Be Applied. The
general standards herein set out relative to
the qualifications of every applicant for a
City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person in
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every
person required to procure a license under
the provisions of any ordinance or law of the
City shall submit an application for such
license to the City License Officer. The ap-
plication shall:

(1) Form of Application. Be a written
statement upon forms provided by the City
License Officer.

(2) Contents of Application. Require the
disclosure of all information necessary to
compliance with Section 6 above and of any
other information which the City License
Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by
the full amount of the fees chargeable for
such license.

(b) Issuance of Receipts. The License
Officer shall, upon payment to him or her of
the charge of any license, give a receipt
stating the amount paid, the nature of the
license, its duration and to whom issued. A
copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(d) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
calendar year, and any business com-
mencing after the last day of June of the
calendar year shall pay one-half (1/2) of the
occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF

LICENSE FEES: Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

-s- Jerry D. Foster

Jerry D. Foster, Mayor

ATTEST:

-s- Ora M. Amberg
Ora M. Amberg, City Clerk
(SEAL)

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED
BY THE GOVERNING BODY OF THE CITY
OF WESTWOOD HILLS, KANSAS,

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
greater restriction upon persons, premises or
personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
this Ordinance shall control.

SECTION 3. 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 singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
directory.

(1) "Business" is meant to include all kinds
of vocations, occupations, professions, enter-
prises, establishments, and all other kinds of
activities and matters, together with all
devices, machines, vehicles and ap-
purtenances used therein, any of which are
conducted for private profit, or benefit,
either directly or indirectly, on the premises
in this City or anywhere else within its
jurisdiction.

(2) "City" is the City of Westwood Hills,
Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(4) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permittee", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(5) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(6) "Premises" is meant to include all
lands, structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or in-
directly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
be made until the applicant applying for a
license shall have paid the License Officer
the prescribed sum pursuant to this or-
dinance for such license. The license forms
shall be approved by the City Attorney. Prior
to issuance of any license, it shall be signed
by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

(1) Make Rules. Promulgate and enforce
all reasonable rules and regulations
necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
plications, in a proper case, to interested City
officials for their endorsements thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility of
any applicant for a license as prescribed
herein.

(4) Give Notice. Notify any applicant of the
acceptance or rejection of his application.

(5) Record Licenses Issued. The City
License Officer shall keep a book containing
a complete and perfect record of all licenses
issued, showing the nature of the license, its
date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF AP- PLICANTS.

(a) General Standards to Be Applied. The
general standards herein set out relative to
the qualifications of every applicant for a
City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person in
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every
person required to procure a license under
the provisions of any ordinance or law of the
City shall submit an application for such
license to the City License Officer. The ap-
plication shall:

(1) Form of Application. Be a written
statement upon forms provided by the City
License Officer.

(2) Contents of Application. Require the
disclosure of all information necessary to
compliance with Section 6 above and of any
other information which the City License
Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by
the full amount of the fees chargeable for
such license.

(b) Issuance of Receipts. The License
Officer shall, upon payment to him or her of
the charge of any license, give a receipt
stating the amount paid, the nature of the
license, its duration and to whom issued. A
copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(d) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
calendar year, and any business com-
mencing after the last day of June of the
calendar year shall pay one-half (1/2) of the
occupational license fee as set forth herein.

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES.

Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by a court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor, and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s. Jerry D. Foster

Jerry D. Foster, Mayor

ATTEST:

s. Ora M. Amberg

Ora M. Amberg, City Clerk

(SEAL)

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WESTWOOD HILLS

(First published in Johnson County Herald Wednesday March 26, 1975)

ORDINANCE NO. 100
CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KANSAS,
REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED
BY THE GOVERNING BODY OF THE CITY
OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on the premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permittee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

and equipping of school buildings, architectural expenses incidental thereto, and the acquisition of school building sites within the school district governed by said board; and

WHEREAS, K.S.A. 71-501, provides for the raising of such a fund by an annual tax levy for a period of not to exceed five years in an amount not to exceed one half (1/2) mill on all taxable tangible property in such district all as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of The Johnson County Community Junior College, Johnson County, Kansas, on this 24th day of February, 1975, that a special building fund be created in an aggregate amount of \$1,603,150 by levying not to exceed one half mill each year for a period of five years commencing with taxes to be levied in 1975 on all taxable tangible property within the said school district governed by said board, all as provided by law; and

BE IT FURTHER RESOLVED that said board shall annually certify such mill levy with other levies to the County Clerk of Johnson County, Kansas, as provided by law; and BE IT FURTHER RESOLVED that this notice as required by law shall be published once a week for three (3) successive weeks in the Herald and The Daily News, papers having a general circulation within said district; and

BE IT FURTHER RESOLVED that such levy may be made unless a petition in opposition to the same, signed by not less than ten percent (10 percent) of the qualified electors of such community junior college district is filed with the clerk of such community junior college within ninety (90) days following the last publication of the resolution. In the event such a petition is filed, such levy shall not be made unless the Board of Trustees submits the question to the voters at an election called for such purpose or at the general election in which case the levy may be made if a majority of those voting at such election on the proposition vote in favor thereof.

BOARD OF TRUSTEES, THE JOHNSON COUNTY COMMUNITY JUNIOR COLLEGE, JOHNSON COUNTY, KANSAS

-s. John R. Price
John R. Price, Trustee and Chairman of the Board of Trustees

-s. Joyce Smith
Joyce Smith, Trustee and Vice Chairman of the Board of Trustees

-s. Wilbur T. Billington
Wilbur T. Billington, Trustee and Treasurer of the Board of Trustees

City of Olathe, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said petition.

-s. Elaine F. Leifer
Elaine F. Leifer, Administratrix
Petitioner

Abraham Jacob Gorelick,
5908 W. 101 Place
Overland Park, Kansas 66207
642-9451 36-37-38

COOK ESTATE

(First published in Johnson County Herald Wednesday March 19, 1975)

IN THE PROBATE COURT OF
JOHNSON COUNTY, KANSAS
In the Matter of the Estate of
FLORA V. COOK, Deceased. No. 1449

NOTICE OF HEARING
THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a petition has been filed in said court by Marjorie Carter as one of the heirs-at-law of Flora V. Cook deceased, praying for the determination of the descent of the following described real estate in Johnson County, Kansas, to-wit:

All of Lot 20, Block 13 of Prairie Village, a subdivision now in the City of Prairie Village, Johnson County, Kansas, as shown by the recorded plat thereof; and all other property, real and personal, or interests therein, owned by the said Flora V. Cook at the time of her death, and you are hereby required to file your written defenses thereto on or before the 10th day of April, 1975, at 9:30 o'clock A.M., of said day, in said court, in the City of Olathe, in Johnson County, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon said petition.

MARJORIE CARTER, Petitioner
STEINERGER AND REID
Attorneys for Petitioner
Suite 201, Two Gateway Center
Kansas City, Kansas 66101
321-9000 36-37-38

PETERS ESTATE

(First published in Johnson County Herald Wednesday March 19, 1975)

IN THE PROBATE COURT OF
JOHNSON COUNTY, KANSAS
In the Matter of the Estate of:
DELMAR R. PETERS, Deceased. NO. 14492

NOTICE OF APPOINTMENT
OF EXECUTOR
TO THE CREDITORS, HEIRS, DEVISEES
AND LEGATEES OF DELMAR R.
PETERS, DECEASED AND ALL OTHERS
CONCERNED:

You and each of you will take notice that on the 12th day of March, 1975, Leonard Harvey was appointed Executor of the Estate of Delmar R. Peters, deceased, qualified as such, and Letters Testamentary were granted to him on March 12, 1975, by the Probate Court of Johnson County, Kansas. All parties interested in the Estate will take notice and govern themselves accordingly. All creditors are notified to exhibit their demands against the Estate within six months from the date of the first publication of this notice as provided by law, and if their demands are not thus exhibited, they shall be forever barred.

LEONARD HARVEY,
EXECUTOR
WALTER FULLER, JR.
428 Brotherhood Building
Kansas City, Kansas 66101
Phone: 321-7100
ATTORNEY FOR EXECUTOR 36-37-38

ELECTION

(First published in the Johnson County Herald Wednesday, March 12, 1975)

NOTICE OF ELECTION
WATER DISTRICT NO. 1 OF
JOHNSON COUNTY

Notice is hereby given pursuant to K.S.A. 19-3507(a) Article 35 that a general election will be held on the 1st day of April 1975 in the Water District No. 1 of Johnson County, State of Kansas, for the election of one (1) board member to position number one (1) and one (1) board member to position number two (2) for a term beginning on the thirtieth day of April, 1975, and ending on the thirtieth day of April, 1979.

Notice is hereby further given that all qualified electors residing in such water district are eligible to vote for the following candidates:

Position No. 1
Lawrence J. Brennan, 6009 W. 90,
Overland Park

P. Clifford Sharp, 5209 W. 68, Prairie
Village

Position No. 2
Roberta Chittenden, 8705 W. 90 Terr.,
Overland Park

Murry W. Maxwell, 5423 Riggs, Mission
The polls will be open from and between the
hours of 7:00 A.M. to 7:00 P.M. at the
following places:

OVERLAND PARK CITY

WARD 1 - Pct. 1, Shawnee Mission North High
School, 7401 Johnson Drive

WARD 1 - Pct. 2, Shawnee Mission North High
School, 7401 Johnson Drive

WARD 1 - Pct. 3, Arrowhead School, 6601 Santa
Fe Drive

WARD 1 - Pct. 4, TWA Breech Training
Academy, 6300 Lamar

WARD 1 - Pct. 5, Milburn Junior High School,
8200 W. 71st

WARD 1 - Pct. 6, Santa Fe Trail School, 7100
Lamar

WARD 1 - Pct. 7, Santa Fe Trail School, 7100
Lamar

WARD 1 - Pct. 8, Overland Park Christian
Church, 7600 W. 75th

WARD 1 - Pct. 9, East Antioch School, 7342
Lowell

WARD 1 - Pct. 10, Santa Fe Trail School, 7100
Lamar

WARD 1 - Pct. 11, Antioch School, 9120 W. 75th
St.

WARD 1 - Pct. 12, Overland Park Lutheran
Church, 79th & Lowell

WARD 2 - Pct. 1, Santa Fe Trail School, 7100
Lamar

WARD 2 - Pct. 2, Overland Park Lutheran
Church, 79th & Lowell

WARD 2 - Pct. 3, Tomahawk School, 6301 W.
78th St.

WARD 2 - Pct. 4, Shawnee Mission West High
School, 8800 W. 85th Street

WARD 2 - Pct. 5, Shawnee Mission West High
School, 8800 W. 85th Street

WARD 2 - Pct. 6, Overland Park City Hall, 8500
Santa Fe Drive

WARD 2 - Pct. 7, Overland Park Intermediate
Bldg., 8200 Santa Fe

WARD 2 - Pct. 8, Overland Park Primary
School, 8155 Santa Fe

WARD 2 - Pct. 9, Broadmoor Junior High
School, 6701 W. 83rd St.

WARD 2 - Pct. 10, Broadmoor Junior High
School, 6701 W. 83rd St.

WARD 2 - Pct. 11, Sequoyah School, 6201 W.
83rd St.

WARD 3 - Pct. 1, King Louie West Bowl, 8788
Metcalf

WARD 3 - Pct. 2, King Louie West Bowl, 8788
Metcalf

WARD 3 - Pct. 3, Round Hill Bath & Tennis
Club, 8930 Maple Circle

WARD 3 - Pct. 4, Pawnee School, 9501 W. 91st
St.

WARD 3 - Pct. 5, Valley View Methodist
Church, 94th & Woodward

WARD 3 - Pct. 6, Bethany Lutheran Church,
91st & Lamar

WARD 3 - Pct. 7, Knox United Presbyterian
Church, 9595 W. 95th

WARD 3 - Pct. 8, Valley View School, 8101 W.
95th

WARD 5 - Pct. 10, North Oxford School, 5901 W.
111th St.

PRAIRIE VILLAGE CITY

WARD 1 - Pct. 1, Indian Hills Junior High
School, 6400 Mission Rd.

WARD 1 - Pct. 2, Prairie School, 67th & Mission
Rd.

WARD 1 - Pct. 3, Southminster Presbyterian
Church, 6306 Roe Avenue

WARD 2 - Pct. 1, Faith Lutheran Church, 670
Roe Blvd.

WARD 2 - Pct. 3, Asbury Methodist Church
5400 W. 75th St.

WARD 2 - Pct. 4, Asbury Methodist Church
5400 W. 75th St.

WARD 3 - Pct. 2, Belinder School, 723
Belinder Rd.

WARD 3 - Pct. 3, Belinder School, 723
Belinder Rd.

WARD 3 - Pct. 4, St. Ann's Church, 723
Mission Rd.

WARD 4 - Pct. 1, Shawnee Mission East High
School, 7500 Mission Rd.

WARD 4 - Pct. 2, Shawnee Mission East High
School, 7500 Mission Rd.

WARD 4 - Pct. 3, Ridgeview School, 79th & Roe

WARD 4 - Pct. 4, Ridgeview School, 79th & Roe

WARD 5 - Pct. 1, Sequoyah School, 6201 W. 83rd
St.

WARD 5 - Pct. 2, Briarwood School, 5300 W.
86th

WARD 5 - Pct. 3, Meadowbrook Junior High
School, 8500 Mission Rd.

WARD 5 - Pct. 4, Lutheran Church of the
Resurrection, 91st & Mission Rd.

WARD 6 - Pct. 1, Corinth School, 83rd &
Mission Rd.

WARD 6 - Pct. 2, Prairie Village Community
Center, 2900 W. 79th

WARD 6 - Pct. 3, Zion Lutheran Church, 7501
Belinder Rd.

WARD 6 - Pct. 4, Somerset School, Somerset
Dr. & Belinder

WARD 6 - Pct. 5, Corinth School, 83rd &
Mission Rd.

OLATHE CITY

WARD 3 - Pct. 4, Santa Fe Trail Junior High
School, 1100 Ridgeview

SHAWNEE CITY

WARD 1 - Pct. 1, Bluejacket School, 11615 W.
49th Ter.

WARD 1 - Pct. 2, Bluejacket School, 11615 W.
49th Ter.

WARD 1 - Pct. 3, Bluejacket School, 11615 W.
49th Ter.

WARD 1 - Pct. 4, Marsh School, 5642 Rosehill

WARD 2 - Pct. 1, Flint School, 5705 Flint

WARD 2 - Pct. 2, Shawnee Township Building,
12321 Johnson Dr.

WARD 2 - Pct. 3, Hocker Grove Junior High
School, 10400 Johnson Dr.

WARD 2 - Pct. 4, Shawnee Fire Station No. 1,
5835 Barton

WARD 3 - Pct. 1, Nieman School, 67th &
Nieman Rd.

WARD 3 - Pct. 2, Shawnee Mission N.W. High
School, 12701 W. 67th St.

WARD 3 p Pct. 3, Greenwood School, 16000 W.
65th St.

WARD 3 - Pct. 4, Nieman School, 67th &
Nieman Rd.

WARD 4 - Pct. 1, Shawnee School, 11230 W.
75th

WARD 4 - Pct. 2, Shawnee Mission N.W. High
School, 12701 W. 67th St.

WARD 4 - Pct. 3, Shawnee Presbyterian
Church, 6837 Nieman Rd.

WARD 4 - Pct. 4, Shawnee School, 11230 W.
75th

FAIRWAY CITY

WARD 1 Fairway City Hall
5244 Norwood

WARD 2, Old Mission Methodist Church, State
Park Rd. & Johnson Dr.

WARD 3, George W. Lee Residence, 5711
Windor

WARD 4, Indian Hills Junior High School, 6400
Mission Rd.

LEAWOOD CITY

WARD 1 - Pct. 1 & 2, Leawood Baptist Church,
83rd & State Line

WARD 2 - Pct. 1 & 2, Cure of Ars, 9403 Mission
Rd.

WARD 3 - Pct. 1 & 2, Brookwood School, 103rd
& Wenonga

WARD 3 - Pct. 3, Leawood South Country Club,
127th & Overbrook

WARD 4 - Pct. 1 & 2, Police Court Complex,
9617 Lee Blvd.

LENEXA CITY

WARD 1 - Pct. 1, Trailridge School, 7500
Quivira Rd.

WARD 1 - Pct. 2, Lakeview Village, 9100 Park

WARD 2 - Pct. 2, Donald Bonjour School, 9400
Pflumm Rd.

WARD 3 - Pct. 1, Trailridge School, 7500
Quivira Rd.

WARD 4 - Pct. 1, Assembly of God Activity
Center, 10113 Lenexa Dr.

MERRIAM CITY

WARD 1 - Pct. 1 & 2, South Park School, 8715
W. 49th Terr.

WARD 2 - Pct. 1 & 2, Johnson County Water
Dist. No. 1, 65th & Carter, Service Center

WARD 3 - Pct. 1 & 2, Georgetown Apartments,
7200 Eby

WARD 4 - Pct. 1 & 2, Crestview School, 6200
Craig

MISSION CITY

WARD 1 - Pct. 1 & 2, Rushton School, 6001 W.
51st Terr.

WARD 2 - Pct. 1 & 2, Mission City Hall, 6090
Woodson

WARD 3 - Pct. 1 & 2, Hickory Grove School,
5900 Lamar

WARD 4 - Pct. 1, Highlands School, 6200 Roe

WARD 4 - Pct. 2, Mohawk School, 6649 Lamar

ROELAND PARK CITY

WARD 1 - Pct. 1 & 2, Roeland Park United
Methodist Church, 5110 Cedar

WARD 2 - Pct. 1 & 2, Roeland Grade School,
5001 Clark Dr.

WARD 3 - Pct. 1 & 2, Roeland Park Grade
School, 5527 Juniper

WARD 4 - Pct. 1 & 2, Bishop Mieghe High
School, 5041 Reinhardt

COUNTRYSIDE CITY

Precinct 1, Trinity Lutheran Church, No. 50
Highway & Nell Ave.

MISSION HILLS CITY

Precinct 1 & 2, Mission Hills Town Hall, 6300
State Line

Precinct 3 & 4, Indian Hills Country Club,
Cherokee Lane & Tomahawk Rd.

MISSION WOODS CITY

Precinct 1, Westwood American Lutheran
Church, 5035 Rainbow

WESTWOOD CITY

Precinct 1 & 2, Westwood View School, 2511
W. 50th St.

Johnson County
Herald

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

M. H. CLINGAN being first duly sworn,
Deposes and says: That he is the editor of the Johnson
County Herald, a weekly newspaper printed in the
State of Kansas, and published in and of general circu-
lation in Johnson County, Kansas, with a general paid
circulation on a weekly basis in Johnson County,
Kansas, and that said newspaper is not a trade, religious
or fraternal publication.

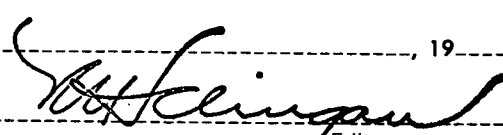
Said newspaper is a weekly, published at least
weekly 50 times a year; has been published continu-
ously and uninterruptedly in said county and state for
a period of more than five years prior to the first
publication of said notice; and has been admitted at the
post office of Shawnee Mission, in said County as
second class matter.

That the attached notice is a true copy thereof and
was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first
publication thereof being made as aforesaid on the

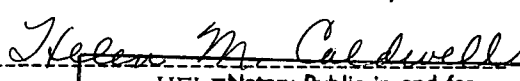
26th day of March, 19 75, with
subsequent publications being made on the following
dates:

-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----
-----, 19-----



Editor

Subscribed and sworn to before me this 26th
day of March, 19 75.



HELEN M. CALDWELL, Notary Public in and for
Johnson County, Kansas
NOTARY PUBLIC
JOHNSON COUNTY, KANSAS
My commission expires AUG. 28, 1975

Notary Fee - - - - - \$-----
Printer's fee - - - - - \$ 69.96
Additional copies - - - - - \$-----
Total Charge - - - - - \$ 69.96

IN THE ----- COURT OF
JOHNSON COUNTY, KANSAS
State of Kansas, Johnson County, ss:

-----, 19-----
The within Proof of Publication approved by

Johnson County Herald—Fully Qualified to
Publish Legal Notices
Since 1924

Case No. -----

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

Johnson County
Herald

AFFIDAVIT OF PUBLICATION

State of Kansas, Johnson County, ss:

M. H. CLINGAN being first duly sworn,
Deposes and says: That he is the editor of the Johnson
County Herald, a weekly newspaper printed in the
State of Kansas, and published in and of general circu-
lation in Johnson County, Kansas, with a general paid
circulation on a weekly basis in Johnson County,
Kansas, and that said newspaper is not a trade, religious
or fraternal publication.

Said newspaper is a weekly, published at least
weekly 50 times a year; has been published continu-
ously and uninterruptedly in said county and state for
a period of more than five years prior to the first
publication of said notice; and has been admitted at the
post office of Shawnee Mission, in said County as
second class matter.

That the attached notice is a true copy thereof and
was published in the regular and entire issue of said

newspaper for 1 consecutive weeks, the first
publication thereof being made as aforesaid on the

9th day of July, 1975, with
subsequent publications being made on the following
dates:

-----, 19-----

-----, 19-----

-----, 19-----

-----, 19-----

-----, 19-----

-----, 19-----

M. H. Clingan
Editor

Subscribed and sworn to before me this 9th

day of July, 1975

Helen M. Caldwell
Notary Public in and for
Johnson County, Kansas
JOHNSON COUNTY, KANSAS
MY COMMISSION EXPIRES AUG. 28, 1975
My commission expires: _____

Notary Fee - - - - - \$-----

Printer's fee - - - - - \$ 78.61

Additional copies - - - - - \$-----

Total Charge - - - - - \$ 78.61

IN THE ----- COURT OF

JOHNSON COUNTY, KANSAS

State of Kansas, Johnson County, ss:

-----, 19-----

The within Proof of Publication approved by

Johnson County Herald—Fully Qualified to
Publish Legal Notices

Since 1924

Case No. -----

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

WESTWOOD HILLS

(First published in Johnson County Herald Wednesday July 9, 1975)

ORDINANCE NO. 101

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS TO PAY THE ANNUAL INSTALLMENT AND INTEREST ON BONDS TO BE ISSUED TO PAY THE COST OF CONSTRUCTING CERTAIN SIDEWALK, CURB AND GUTTER REPAIR AND REPLACEMENT IMPROVEMENTS THROUGHOUT THE ENTIRE CITY OF WESTWOOD HILLS, KANSAS, EXCEPT THAT PART WHICH HAS BEEN OFFICIALLY DESIGNATED "RETAIL DISTRICT" BY THE GOVERNING BODY AND EXCEPT ON AND NEXT TO THE STREET DESIGNATED 50TH TERRACE IN SAID CITY.

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

Section 1. For the purpose of providing funds for the payment of the annual principal and semiannual interest installments on bonds to be issued by the City of Westwood Hills, Kansas, to pay the cost of constructing certain sidewalk, curb and gutter repair and replacement improvements through the entire City of Westwood Hills, Kansas, except that part which has been officially designated "Retail District" by the governing body and except on and next to the street designated 50th Terrace in said City as authorized by the resolution passed by the governing body of said City January 7, 1974, there is hereby charged against the lots and parcels of ground liable therefor, upon which the special assessments shall remain unpaid, the amounts as hereinset out:

PROPERTY OWNER	ADDRESS	FRONT FOOTAGE	AMOUNT
Diedrich, W M & B J	1901 W. 48th Terr.	59	\$ 1,292.47
Wetzel, Fredric R	1905 W. 48th Terr.	50	1,095.32
Whitehead, Danny C	1909 W. 48th Terr.	50	1,095.32
Miller, Dwight F	1913 W. 48th Terr.	50	1,095.32
Richmond, Winifred H	1917 W. 48th Terr.	50	1,095.32
Fraleigh, Gerry A	1921 W. 48th Terr.	55	1,204.85
Gandy, L E & W F	2001 W. 48th Terr.	60	1,314.38
Wiberg, C L & H M	2005 W. 48th Terr.	50	1,095.32
Burkhead, Harlan D	2013 W. 48th Terr.	85	1,862.04
Waller, John W	2017 W. 48th Terr.	50	1,095.32
Upson, James P	2021 W. 48th Terr.	50	1,095.32
Burley, Donald L	2025 W. 48th Terr.	50	1,095.32
Waugh, Ward J Et Al	2101 W. 48th Terr.	60	1,314.38
Roberts, Y R & G B	2105 W. 48th Terr.	50	1,095.32
Howe, Robert W	2111 W. 48th Terr.	50	1,095.32
Bugbee, S I & S P.	2119 W. 48th Terr.	50	1,095.32
Hanson, V E & M C	2121 W. 48th Terr.	65	1,423.91

Win, M J & C C	2123 W. 48th Terr.	85	1,423.91
Littrell, M L & W F	2205 W. 48th Terr.	90	1,971.57
Adams, Vernon & W F	2213 W. 48th Terr.	120	2,628.76
Stewart, H M & W F	1900 W. 48th Terr.	120	2,628.76
Kirkendoll, James R	1908 W. 48th Terr.	45	985.78
Keith, Cecil G	1914 W. 48th Terr.	90	1,971.57
Marsh, Helen H.	2000 W. 48th Terr.	41	898.16
Rosberg, Gustave	2002 W. 48th Terr.	42	920.06
Hardin Stockton Corp.	2006 W. 48th Terr.	41	898.16
Allard, Dean C & W F	2114 W. 49th Terr.	75	1,642.97
Vetter, R R & B A	2110 W. 49th Terr.	50	1,095.32
Finks, Earl G	2106 W. 49th Terr.	60	1,314.38
Arnold, Wilfred N	2104 W. 49th Terr.	55	1,204.85
Hale, D Bob & C R	2100 W. 49th Terr.	80	1,752.50
Snead, Phyllis R	2024 W. 49th Terr.	60	1,314.38
Johnson, A Severin	2018 W. 49th Terr.	60	1,314.38
Nelson, Stanley R & A	2012 W. 49th Terr.	65	1,423.91
Shapiro, William J	2008 W. 49th Terr.	77	1,686.79
Alvord, Jack R	2000 W. 49th Terr.	105	2,300.16
Mills, Marion S	2001 W. 49th Terr.	75	1,642.97
Larson, Robert H	2007 W. 49th Terr.	50	1,095.32
Stark, William P Jr	2011 W. 49th Terr.	65	1,423.91

PROPERTY OWNER	ADDRESS	FRONT FOOTAGE	AMOUNT
Pudiak, Karl & Parja	2019 W. 49th Terr.	85	\$ 1,862.04
Rivard, E V Et Al	2101 W. 49th Terr.	78	1,708.69
Harper, Gary L & J A	2107 W. 49th Terr.	67	1,467.72
Staples, L & W F	2113 W. 49th Terr.	75	1,642.97
Scearce, Gwendolyn M	2117 W. 49th Terr.	60	1,314.38
Aslin, Malcolm M	2121 W. 49th Terr.	50	1,095.32
Univ. of Kansas, KU Endowment	2201 W. 49th Terr.	50	1,095.32
Vernon, Donald L	2205 W. 49th Terr.	65	1,423.91
Hollowell, Joseph	2213 W. 49th Terr.	70	1,533.44
Odel, Norma J	2217 W. 49th Terr.	65	1,423.91
TOTAL		1,767	

Haynes, J D & T M	1917 W. 50th Street	64	\$ 1,402.00
Foster, Jerry D & B	1919 W. 50th Street	70	1,532.93
Benton, Duane C & N C	2001 W. 50th Street	81	1,774.41
Pratt, Donald T	2005 W. 50th Street	100	2,190.63
Ragan, W J & G R	2013 W. 50th Street	50	1,095.32
Hennigh, Earl L	2017 W. 50th Street	50	1,095.32
Brainard, M H	2021 W. 50th Street	50	1,095.32
Wilson, Sloan R	2101 W. 50th Street	50	1,095.32
Amberg, O M Et Al	2105 W. 50th Street	50	1,095.32
Robertson, M D & D M	2109 W. 50th Street	50	1,095.32
Franz, Louise C	2113 W. 50th Street	50	1,095.32
Bliss, Peter M	2117 W. 50th Street	80	1,752.50
Aspelin, Lola E	2201 W. 50th Street	70	1,533.44
Plum, David N	2205 W. 50th Street	50	1,095.32
Taplin, Adah K	2209 W. 50th Street	50	1,095.32
Azarnoff, D L & J	2217 W. 50th Street	100	2,190.63
Martindale, T R & D M	1900 W. 50th Street	125	2,738.29
Hayes, Sam E & B J	1918 W. 50th Street	125	2,738.29
Glennon, James W	2000 W. 50th Street	55	1,204.85
McCann, G E & H M	2004 W. 50th Street	105	2,300.16
Shapiro, Robert L	2012 W. 50th Street	65	1,423.91
Dengel, F I	2016 W. 50th Street	50	1,095.32
Goodman, J D & W F	2018 W. 50th Street	65	1,423.91
Lorenz, Mary A	2100 W. 50th Street	60	1,314.38
Reiff, Charles S	2108 W. 50th Street	112	2,453.51
Couch, N E & D A	2112 W. 50th Street	65	1,423.91
Fein, Gary K	2116 W. 50th Street	53	1,161.03
Brittain, R E & N K	2200 W. 50th Street	50	1,095.32
Ragland, John C	2204 W. 50th Street	50	1,095.32
Long, John C	2208 W. 50th Street	50	1,095.32
Stevens, G & M	2216 W. 50th Street	80	1,752.50
TOTAL		2,125	

Wagner, John M	2008 W. 48th Terr.	40	876.25
McCarthy, T L & W F	2012 W. 48th Terr.	40	876.25
Martin, Betsy R	2016 W. 48th Terr.	40	876.25
Anderson, William A Jr	2022 W. 48th Terr.	80	1,752.50
Johnson, R W & R	2100 W. 48th Terr.	40	876.25
Mott, Philip G	2102 W. 48th Terr.	80	1,752.50
Watts, R R & W F	2212 W. 48th Terr.	80	1,752.50
Stewart, Edmond	2116 W. 48th Terr.	40	876.25
Landers, A L & A R	2118 W. 48th Terr.	40	876.25
Denton, Steven P	2122 W. 48th Terr.	40	876.25
Law, Sylvia	2200 W. 48th Terr.	40	876.25
Ford, W R & O	2202 W. 48th Terr.	40	876.25
Lilleston, C M Et Al	2206 W. 48th Terr.	85	1,862.04
Frakes, H S & W F	2212 W. 48th Terr.	120	2,628.76
TOTAL		2,393	

Weaver, Allen J	4807 Rainbow Blvd.	37	\$ 810.53
Carter, Robert E	4809 Rainbow Blvd.	37	810.53
TOTAL		74	

PROPERTY OWNER	ADDRESS	FRONT FOOTAGE	AMOUNT
McNees, J W & W F	2216 W. 49th Street	75	\$ 1,642.97
Butcher, Leslie E	2208 W. 49th Street	75	1,642.97
Robinson, Spencer T	2204 W. 49th Street	50	1,095.32
Welty, D A & L M	2200 W. 49th Street	56	1,226.75
Summerville, W W & F J	2120 W. 49th Street	70	1,533.44
Vannocker, Larry R	2116 W. 49th Street	65	1,423.91
Hindman, David B	2108 W. 49th Street	60	1,314.38
Snyder, Barbara B	2104 W. 49th Street	60	1,314.38
Sneystad, D A & T H	2100 W. 49th Street	80	1,752.50
Kindell, B F & W F	2020 W. 49th Street	80	1,752.50
Custer, Jerry H	2012 W. 49th Street	70	1,533.44
Coldsnow, Roger D	2008 W. 49th Street	65	1,423.91
Fritson, L D & J L	2004 W. 49th Street	125	2,738.29
Alexander, W C & W F	1912 W. 49th Street	115	2,519.22
Berlin, Larry K	1908 W. 49th Street	50	1,095.32
Biddle, Barry A	1900 W. 49th Street	107	2,343.97
Almon, Alice S	1901 W. 49th Street	120	2,628.76
Berg, James A	1911 W. 49th Street	70	1,533.44
Young, C W & W F	1915 W. 49th Street	80	1,752.50
Terry, Alvin C & W F	2015 W. 49th Street	70	1,533.44
Van Auker, W L & A A	2019 W. 49th Street	85	1,862.04
Hecker, R L & W F	2105 W. 49th Street	65	1,423.91
Tikwart, Al W	2109 W. 49th Street	60	1,314.38
Dallam, J P Jr & A A	2117 W. 49th Street	80	1,752.50
Koehn, Hans E & W F	2125 W. 49th Street	55	1,204.85
Guignon, Paul	2201 W. 49th Street	100	2,190.63
Gurley, Katherine B	2209 W. 49th Street	51	1,117.22
Rath, Joel	2213 W. 49th Street	49	1,073.41
Stapleton, Thomas	2217 W. 49th Street	50	1,095.32
TOTAL		2,128	

Robinson, Ralph G	2216 W. 49th Terr.	94	\$ 2,059.19
Fincke, Julius & W F	2208 W. 49th Terr.	56	1,226.75
Bachofer, Edward F II	2204 W. 49th Terr.	75	1,642.97

PROPERTY OWNER	ADDRESS	FRONT FOOTAGE	AMOUNT
Gibson, Robert N Jr	4906 State Line	50	\$ 1,095.32
Nichols, John D	4910 State Line	50	1,095.32
Greenall, R L — M M	4914 State Line	50	1,095.32
Epstein, Robert W II	4918 State Line	50	1,095.32
Moore, Jack D	4922 State Line	50	1,095.32
McLean, Paul A	4926 State Line	50	1,095.32
Krause, Bryan L	4930 State Line	60	1,314.38
Jurgensen, Ruth R	4934 State Line	75	1,642.97
Carlson, B O & E L	4940 State Line	80	1,752.50
TOTAL		515	
Richard, Barry	4938 Glendale Road	90	\$ 1,971.57
Lewis, Steven M	4934 Glendale Road	75	1,642.97
Nilsson, Howard M	4910 Glendale Road	101	2,212.54
Winslow, Mary L	4908 Glendale Road	60	1,314.38
Kennedy, Alex S & W F	4904 Glendale Road	65	1,423.91
Brown, H M & D	4900 Glendale Road	65	1,423.91
Anderson, Douglas K	4945 Glendale Road	80	1,752.50
Foster, Gertrude P	4941 Glendale Road	60	1,314.38
Sandy, H D & W B	4937 Glendale Road	60	1,314.38
Burge, B & M S	4933 Glendale Road	65	1,423.91
Griggs, Robert A	4929 Glendale Road	60	1,314.38
Kane, Chester L	4925 Glendale Road	65	1,423.91
Winthrop Williams, Trustee	4917 Glendale Road	65	1,423.91
Cook J R & L B	4905 Glendale Road	100	2,190.63
Cohen, Byron C & E E	4901 Glendale Road	125	2,738.29
TOTAL		1,136	

Section 2. The City Clerk is hereby directed to certify annually to the County Clerk of Johnson County, Kansas to be placed on the tax rolls for collection in twenty equal installments and until all of the assessments so apportioned have been certified paid, a full list of such lots and parcels of ground liable for such special assessments as determined by this ordinance, together with the respective amounts due on each of such lots or parcels of ground, which amount shall include the annual installments of principal and semiannual installments of interest on each unpaid balance for one year, each of such lots and parcels of ground with the total amounts properly chargeable against them respectively having been fully set out in Section 1 of this ordinance.

Section 3. Notwithstanding the provisions of Section 2 of this ordinance, if any owner of property liable for such special assessment shall pay the same in full within thirty days of the mailing of the notice of such assessment by the City Clerk, the property shall be removed from the list to be sent annually to the County Clerk and no further assessment as provided herein shall be collected.

Section 4. The City Clerk is hereby authorized and directed to mail notice of the assessment levied against the property benefited in accordance with the provisions of this ordinance and advise such property owners that they may pay such assessment in cash to the City Clerk on or before a day certain which shall be approximately thirty days from the date such notice is mailed.

Section 5. This ordinance shall take effect and be in force from and after its passage by the City Council of Westwood Hills, Kansas, its approval by the Mayor of said City and its publication as provided by law.

PASSED by the governing body of the City of Westwood Hills, Kansas this 7th day of July, 1975.

APPROVED by the Mayor of the City of Westwood Hills, Kansas this 7th day of July, 1975.
s. Jerry D. Foster
Mayor

ATTEST:
s. Ora M. Amberg
City clerk

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF

LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s: Jerry D. Foster

Jerry D. Foster, Mayor

ATTEST:

s: Ora M. Amberg

Ora M. Amberg, City Clerk

(SEAL)

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED
BY THE GOVERNING BODY OF THE CITY
OF WESTWOOD HILLS, KANSAS,

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
greater restriction upon persons, premises or
personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
this Ordinance shall control.

SECTION 3. 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 singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
directory.

(1) "Business" is meant to include all kinds
of vocations, occupations, professions, enter-
prises, establishments, and all other kinds of
activities and matters, together with all
devices, machines, vehicles and ap-
purtenances used therein, any of which are
conducted for private profit, or benefit,
either directly or indirectly, on the premises
in this City or anywhere else within its
jurisdiction.

(2) "City" is the City of Westwood Hills,
Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(5) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permittee", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(6) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(7) "Premises" is meant to include all
lands; structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or in-
directly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
be made until the applicant applying for a
license shall have paid the License Officer
the prescribed sum pursuant to this or-
dinance for such license. The license forms
shall be approved by the City Attorney. Prior
to issuance of any license, it shall be signed
by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

(1) Make Rules. Promulgate and enforce
all reasonable rules and regulations
necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
plications, in a proper case, to interested City
officials for their endorsements thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility of
any applicant for a license as prescribed
herein.

(4) Give Notice. Notify any applicant of the
acceptance or rejection of his application.

(5) Record Licenses Issued. The City
License Officer shall keep a book containing
a complete and perfect record of all licenses
issued, showing the nature of the license, its
date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF AP- PLICANTS.

(a) General Standards to Be Applied. The
general standards herein set out relative to
the qualifications of every applicant for a
City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person in
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every
person required to procure a license under
the provisions of any ordinance or law of the
City shall submit an application for such
license to the City License Officer. The ap-
plication shall:

(1) Form of Application. Be a written
statement upon forms provided by the City
License Officer.

(2) Contents of Application. Require the
disclosure of all information necessary to
compliance with Section 6 above and of any
other information which the City License
Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by
the full amount of the fees chargeable for
such license.

(b) Issuance of Receipts. The License
Officer shall, upon payment to him or her of
the charge of any license, give a receipt
stating the amount paid, the nature of the
license, its duration and to whom issued. A
copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(d) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
calendar year, and any business com-
mencing after the last day of June of the
calendar year shall pay one-half (1/2) of the
occupational license fee as set forth herein.

APPLICATION FOR OCCUPATION LICENSE

City of Westwood Hills, Kansas
5008 State Line
Westwood Hills, Kansas 66205

Date May 15, 1975

Name of Business Creative Corner

Business Address 5000 State Line Phone 362-9693

Type of Business _____

Home Occupation _____

Professional Office _____

Retail Establishment arts and crafts

Other _____

License Fee Square Feet

First Floor Space Regardless of Use 1409

Basement Floor Space Open to General Public _____ x $\frac{1}{2}$ = _____

Second Floor Space Open to General Public _____ x $\frac{1}{2}$ = _____

Exterior Sales Area _____ x $\frac{1}{2}$ = _____

TOTAL SQUARE FEET 1409

for half of 1975

Total License Fee (Refer to Schedule - Ordinance 100) \$ 40.00

Describe Nature of Business retail arts and crafts, classes and gallery

List All Persons Connected With Business (i.e. Manager, Stockholder, Officers)

Name Faye Anthony Address 5000 State Line Phone 396-9693

Name Jack Friedman Address 8800 Blue Ridge Blvd Phone 765-7400

Name _____ Address _____ Phone _____

Applicant's Signature

Make check or money order for total amount of tax due, payable to the City of Westwood Hills, Kansas and mail to City Clerk, 5008 State Line, Westwood Hills, Kansas 66205.

LICENSE EFFECTIVE FROM _____ TO _____

WESTWOOD HILLS

(First published in Johnson County Herald, Wednesday March 25, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

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

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appliances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on the premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permittee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this Ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES.

Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED BY the Governing Body this 20th day of March, 1975.

APPROVED BY the Mayor this 20th day of March, 1975.

s. Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:
s. Ora M. Amberg
Ora M. Amberg, City Clerk
(SEAL)

APPLICATION FOR OCCUPATION LICENSE

City of Westwood Hills, Kansas
5008 State Line
Westwood Hills, Kansas 66205

Date May 8, 1975

Name of Business VOYAGEUR TRAVEL SERVICE

Business Address 1907 West 50th Street Phone 722-2400

Type of Business Travel Agency

Home Occupation _____

Professional Office _____

Retail Establishment Airline, railroad tickets

Other _____

License Fee

Square Feet

First Floor Space Regardless of Use			<u>794</u>
Basement Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	<u>none</u>
Second Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	<u>none</u>
Exterior Sales Area	_____	x $\frac{1}{2}$ =	<u>none</u>
TOTAL SQUARE FEET			<u>794</u>

Total License Fee (Refer to Schedule - Ordinance 100) \$ \$ 65.00.

Describe Nature of Business Providing travel arrangements for the public.

List All Persons Connected With Business (i.e. Manager, Stockholder, Officers)

Name Mrs& Mrs. J. E. Deweese Address 2335 Drury Lane Phone 362-0456

Name Mrs. Mildred Greene Address 5416 Brookside Blvd. Phone 816-523-7010

Name Ms. Mildred Patterson Address 1030 W 56th Phone 333-3297

Applicant's Signature

Jeanette T. Dwyer

Make check or money order for total amount of tax due, payable to the City of Westwood Hills, Kansas and mail to City Clerk, 5008 State Line, Westwood Hills, Kansas 66205.

LICENSE EFFECTIVE FROM _____ TO _____

WESTWOOD HILLS

(First published in Johnson County Herald, Wednesday March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

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

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appliances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on the premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permittee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31st in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or be authorized to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES.

Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard

to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

s. Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:
s. Ora M. Amberg
Ora M. Amberg, City Clerk
(SEAL)

APPLICATION FOR OCCUPATION LICENSE

City of Westwood Hills, Kansas
5008 State Line
Westwood Hills, Kansas 66205

Date May 13, 1975

Name of Business Westwood Beauty Salon

Business Address 1903 W. 50th Phone 262-2255

Type of Business Beauty Salon

Home Occupation _____

Professional Office _____

Retail Establishment _____

Other _____

License Fee

Square Feet

First Floor Space Regardless of Use	_____	x $\frac{1}{2}$ =	<u>345</u>
Basement Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	_____
Second Floor Space Open to General Public	_____	x $\frac{1}{2}$ =	_____
Exterior Sales Area	_____	x $\frac{1}{2}$ =	_____

TOTAL SQUARE FEET _____

Total License Fee (Refer to Schedule - Ordinance 100) \$ 50.00

Describe Nature of Business Complete Beauty
Services

List All Persons Connected With Business (i.e. Manager, Stockholder, Officers)

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

Applicant's Signature Myrene Park

Make check or money order for total amount of tax due, payable to the City of Westwood Hills, Kansas and mail to City Clerk, 5008 State Line, Westwood Hills, Kansas 66205.

LICENSE EFFECTIVE FROM May 31st TO May 31st 1976

WESTWOOD HILLS

(First published in Johnson County Herald
Wednesday, March 26, 1975)

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL
GENERAL LICENSING PROVISIONS OF
THE CITY OF WESTWOOD HILLS, KAN-
SAS, REQUIRING COMPLIANCE BY
PERSONS REQUIRED TO OBTAIN
LICENSES, ESTABLISHING A UNIFORM
SYSTEM FOR THE ISSUANCE OF
LICENSES, SETTING FORTH THE
AUTHORITY OF THE CITY LICENSE
OFFICER, AND PRESCRIBING
PENALTIES FOR THE VIOLATION OF ITS
PROVISIONS.

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

SECTION 1. SHORT TITLE. This Or-
dinance shall be known and may be cited as
the "General Licensing Ordinance of the City
of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by
this Ordinance to repeal, abrogate, annul or
in any way impair or interfere with existing
provisions of other laws or ordinances, ex-
cept those specifically repealed by this Or-
dinance. Where this Ordinance imposes a
greater restriction upon persons, premises or
personal property than is imposed or
required by such existing provisions of law,
ordinance, contract or deed, the provisions of
this Ordinance shall control.

SECTION 3. 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 singular
number and words in the singular number
include the plural number. The word "shall"
is always mandatory and not merely
directory.

(1) "Business" is meant to include all kinds
of vocations, occupations, professions, enter-
prises, establishments, and all other kinds of
activities and matters, together with all
devices, machines, vehicles and ap-
purtenances used therein, any of which are
conducted for private profit, or benefit,
either directly or indirectly, on the premises
in this City or anywhere else within its
jurisdiction.

(2) "City" is the City of Westwood Hills,
Kansas.

(3) "City License Officer" or "License
Officer" is the City Clerk of the City of
Westwood Hills, Kansas.

(4) "License" or "licensee", as used
generally herein, shall include respectively
the words "permit", or "permitter", or the
holder for any use or period of time of any
similar privilege, wherever relevant to any
provision of this Ordinance or other law or
ordinance.

(5) "Person" is meant to include individual
natural persons, partnerships, joint ad-
ventures, societies, associations, clubs,
trustees, trusts, or corporations; or any
officers, agents, employees, factors, or any
kind of personal representatives of any
thereof, in any capacity, acting either for
himself, or for any other person, under either
personal appointments or pursuant to law.

(6) "Premises" is meant to include all
lands, structures, places, and also the
equipment and appurtenances connected or
used therewith in any business, and also any
personal property which is either affixed to,
or is otherwise used in connection with any
such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions
of this Ordinance shall apply only to
businesses located in that district known as
the "Retail District" as defined and
delineated by the Zoning Ordinances of the
City of Westwood Hills, Kansas, and by
recorded plats of the City of Westwood Hills,
Kansas.

(b) Compliance Required. It shall be un-
lawful for any person, either directly or
indirectly, to conduct any business or non-
profit enterprise, or to use in connection
therewith any vehicle, premises, machine or
device, in whole or in part, for which a
license, or permit is required by any law or
ordinance of this City, without a license or
permit therefor being first procured and kept
in effect at all such times as required by this
Ordinance or other law or ordinance of this
City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-
ficer shall collect all license fees and shall
issue licenses in the name of the City to all
persons qualified under the provisions of this
Ordinance. Issuance of any license shall not
be made until the applicant applying for a
license shall have paid the License Officer
the prescribed sum pursuant to this Or-
dinance for such license. The license forms
shall be approved by the City Attorney. Prior
to issuance of any license, it shall be signed
by the Mayor, attested by the City Clerk and
the corporate seal shall be affixed thereto.
The City License Officer shall:

(1) Make Rules. Promulgate and enforce
all reasonable rules and regulations
necessary to the operation and enforcement
of this Ordinance.

(2) Obtain Endorsement. Submit all ap-
plications, in a proper case, to interested City
officials for their endorsement thereon as to
compliance by the applicant with all City
regulations which they have the duty of
enforcing.

(3) Investigate. Determine the eligibility
of any applicant for a license as prescribed
herein.

(4) Give Notice. Notify any applicant of the
acceptance or rejection of his application.

(5) Record Licenses Issued. The City
License Officer shall keep a book containing
a complete and perfect record of all licenses
issued, showing the nature of the license, its
date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF AP- PLICANTS.

(a) General Standards to Be Applied. The
general standards herein set out relative to
the qualifications of every applicant for a
City license shall be considered and applied
by the City License Officer. The applicant
shall:

(1) Be of good moral character. In making
such determination the City License Officer
shall consider:

(i) License history. The license history of
the applicant, whether such person in
previously operating in this or another City,
County or State under a license has had such
license revoked or suspended, the reasons
therefor, and the demeanor of the applicant
subsequent to such action.

(ii) General personal history. Such other
facts relevant to the general personal history
of the applicant as he or she shall find
necessary to a fair determination of the
eligibility of the applicant.

(2) No Obligations to City. Not be in
default under the provisions of this Or-
dinance or indebted or obligated in any
manner to the City.

(3) Compliance with Zoning Regulations.
Obtain and present a certificate from the City
Planning Commission to the effect that the
proposed or continued use of any premises is
not a violation of the Zoning Regulations of
the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every
person required to procure a license under
the provisions of any ordinance or law of the
City shall submit an application for such
license to the City License Officer. The ap-
plication shall:

(1) Form of Application. Be a written
statement upon forms provided by the City
License Officer.

(2) Contents of Application. Require the
disclosure of all information necessary to
compliance with Section 6 above and of any
other information which the City License
Officer shall find to be reasonably necessary
to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by
the full amount of the fees chargeable for
such license.

(4) Issuance of Receipts. The License
Officer shall, upon payment to him or her of
the charge of any license, give a receipt
stating the amount paid, the nature of the
license, its duration and to whom issued. A
copy of all such receipts shall be delivered by
the License Officer to the City Treasurer.

(5) Expiration of Licenses. All licenses,
except as otherwise specifically provided for
by ordinance, shall expire on December 31st
of each year. That on or before December 31
in the year in which a license expires, a
business for which a license is required shall
have made application for its license for the
coming year.

(6) Prorated Fee for New Business. Pro-
rate for the balance of any license period the
license fee of any business commenced after
the beginning of the license period. Any
business commenced and applying for a
license during the first six (6) months of the
calendar year shall pay a fee based on the full
calendar year, and any business com-
mencing after the last day of June of the
calendar year shall pay one-half (1/2) of the
occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every
licensee under this Ordinance shall:

(1) Permit Inspection. Permit all
reasonable inspections of his business by
public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain
and at all times comply with all laws and
regulations applicable to such licensed
business.

(3) Operate Properly. Avoid all forbidden,
improper or unnecessary practices or con-
ditions which do or may affect the public
health, morals or welfare.

(4) Cease Business. Refrain from
operating the licensed businesses on
premises after expiration of his license and
during the period his license is revoked or
suspended.

(5) Display of License and Insignia. Every
licensee under this Ordinance shall post and
maintain such license upon the licensed
premises in a place where it may be seen at
all times and shall affix any insignia
delivered for use in connection with business
premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following
persons are authorized to conduct inspections
in the manner prescribed herein:

(i) License officer. The License Officer
shall make all investigations reasonably
necessary to the enforcement of this Or-
dinance.

(ii) Officials having duties. The License
Officer shall have the authority to order the
inspection of licensees, their businesses and
premises, by all City officials having duties
to perform with reference to such licenses or
businesses.

(iii) Police officers. All police officers
shall inspect and examine businesses located
within their respective jurisdictions or beats
to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons
authorized herein to inspect licenses and
businesses shall have the authority to enter,
with or without search warrant, at all
reasonable times, the following premises:

(i) those for which a license is required;

(ii) for those for which a license was
issued and which, at the time of inspection,
are operating under such license;

(iii) those for which the license has been
revoked or suspended.

(3) Reports by Inspectors. Persons in-
specting licensees, their businesses, or
premises as herein authorized shall report all
violations of this Ordinance or of other laws
or ordinances to the License Officer and shall
submit such other reports as the License
Officer shall order.

(b) Provisional Order: When an inspector
has reported the violation of this Ordinance
or of any law or ordinance the License Officer
shall issue to the affected person a
provisional order to comply.

(1) Nature of Notice. The provisional or-
der, and all other notices issued in com-
pliance with this Ordinance, shall be in
writing, shall be personally served and shall
apprise the person affected of his specific
violations. In the absence of the person af-
fected or his agent or employee, a copy of
such notice shall be affixed to some structure
on the premises. Depositing such notice in the
United States mail shall constitute service
thereof.

(2) Period for Compliance. The provisional
order shall require compliance within seven
(7) days of personal service on the affected
person.

(c) Action by City Attorney. The City At-
torney shall, at the direction of the License
Officer and with the consent of the Governing
Body, institute a civil suit in the name of the
City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil
judgment or any act by the City Attorney, the
License Officer or the violator shall bar or
prevent a criminal prosecution for each and
every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES.

Every corporation,
company, association, joint stock company
or association, partnership or person, their
lessees, trustees or receivers appointed by
any court whatsoever, engaged in any
business, occupation, pursuit, profession,
institution, establishment, article, utility or
commodity, in this Section and Ordinance
specified, shall procure and pay for a license
therefor from the City, and such license fees
shall be in the respective amounts set out in
this article on the basis of the following
schedule of interior square footage occupied
by said business without regard to use; ex-
cept that stores which have a second floor
and/or basement open in whole or in part to
the general public in addition to the main
floor (main floor shall be that floor with the
largest square footage) and/or have an ex-
terior sales and display area, shall upon such
interior and exterior area, add one-half (1/2)
of the square footage thereof, without regard

to use, to the square footage of the main floor
and the total square footage as thus com-
puted shall determine the tax in accordance
with the following schedule:

0 - 492 sq. ft.	\$50.00
500 - 999 sq. ft.	65.00
1,000 - 1,499 sq. ft.	80.00
1,500 - 1,999 sq. ft.	95.00
2,000 - 2,499 sq. ft.	110.00
2,500 - 2,999 sq. ft.	125.00

for businesses having square footage in
excess of 2,999 square feet, the fee shall be
\$125.00 plus \$30.00 for each additional 500
square feet, or any part thereof, in excess of
2,999 square feet.

SECTION 11. ALLOWANCE FOR COM- PLIANCE.

All businesses and persons af-
fected by this Ordinance shall have thirty
(30) days from the effective date hereof
within which to comply with the provisions of
this Ordinance. Businesses commencing
operation within the Retail District after the
effective date of this Ordinance shall have
thirty (30) days within which to comply with
this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not ex-
ceeding One Hundred Dollars (\$100.00) or be
imprisoned in the county jail for a period not
exceeding thirty (30) days or be both fined
and imprisoned. Each day such violation is
committed or permitted to continue, shall
constitute a separate offense and shall be
punishable as such hereunder.

SECTION 13. SEPARABILITY. If any
section, subsection, sentence, clause, phrase
or portion of this Ordinance for any reason
held invalid or unconstitutional by any court
of competent jurisdiction, such portion shall
be deemed a separate, distinct and in-
dependent provision and such holding shall
not affect the validity of the remaining
portions hereof.

SECTION 14. TAKE EFFECT. This Or-
dinance shall take effect and be in force from
and after its passage, approval and
publication in the official City newspaper as
provided by law.

PASSED by the Governing Body this 20th
day of March, 1975.

APPROVED by the Mayor this 20th day of
March, 1975.

S. Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:
S. Ora M. Amberg
Ora M. Amberg, City Clerk
(SEAL)

CITY OF WESTWOOD HILLS, KANSAS

5008 State Line

SHAWNEE MISSION, KANSAS 66205

April 18, 1975

Mr. Bill Service
J. C. Nichols Company
310 Ward Parkway
Kansas City, Missouri 64112

Dear Mr. Service:

At a special meeting of the City Council of the City of Westwood Hills, Kansas, held on Thursday March 20, 1975, Ordinance No. 100 was passed. This ordinance contains all general licensing provisions for the City, requiring compliance by persons required to obtain licenses, establishing a uniform system for issuance of licenses, setting forth the authority for the City License Officer and prescribing penalties for the violation of its provision. This ordinance was published on March 26, 1975 and is now effective.

In order that this may be implemented for the tenants of the commercial property located at 50th and State Line, I have enclosed a supply of application forms with a copy of the ordinance and fee schedules for distribution to your tenants. The City will require a pro-rated fee of one-half ($\frac{1}{2}$) the full calendar year fee for 1975.

Application forms are to be completed and returned to the City Clerk, Mrs. Ora Amberg, 2105 West 50th Street, Westwood Hills, Kansas 66205, on or before May 31, 1975, in order that licenses may be issued. A check or money order for total amount of tax due should accompany the application.

I would also appreciate a description of the leased property from your office, to enable verification of the square footage.

Your cooperation with this matter will be appreciated. If you have any questions, please let me know.

Very truly yours,



Jerry D. Foster
Mayor

JDF:fw

enclosure

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on any premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permitee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district

known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all

times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.	\$ 50.00
500 -	999 sq. ft.	65.00
1,000 -	1,499 sq. ft.	80.00
1,500 -	1,999 sq. ft.	95.00
2,000 -	2,499 sq. ft.	110.00
2,500 -	2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.

Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:
Ora M. Amberg
Ora M. Amberg, City Clerk

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on any premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permitee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district

known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all

times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.	\$ 50.00
500 -	999 sq. ft.	65.00
1,000 -	1,499 sq. ft.	80.00
1,500 -	1,999 sq. ft.	95.00
2,000 -	2,499 sq. ft.	110.00
2,500 -	2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

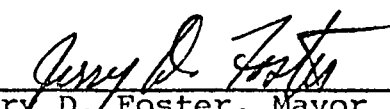
SECTION 12. PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.


Jerry D. Foster, Mayor

ATTEST:


Ora M. Amberg, City Clerk

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

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(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permitee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district

known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all

times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.	\$ 50.00
500 -	999 sq. ft.	65.00
1,000 -	1,499 sq. ft.	80.00
1,500 -	1,999 sq. ft.	95.00
2,000 -	2,499 sq. ft.	110.00
2,500 -	2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.


SECTION 12. PENALTIES. 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 in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

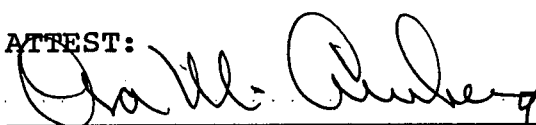
SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.



 Jerry D. Foster, Mayor

ATTEST:


 Ora M. Amberg, City Clerk

ORDINANCE NO. 100

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD HILLS, KANSAS.

SECTION 1. SHORT TITLE. This Ordinance shall be known and may be cited as the "General Licensing Ordinance of the City of Westwood Hills, Kansas."

SECTION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance. Where this Ordinance imposes a greater restriction upon persons, premises or personal property than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

SECTION 3. 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 singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Business" is meant to include all kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on any premises in this City or anywhere else within its jurisdiction.

(2) "City" is the City of Westwood Hills, Kansas.

(3) "City License Officer" or "License Officer" is the City Clerk of the City of Westwood Hills, Kansas.

(5) "License" or "licensee", as used generally herein, shall include respectively the words "permit", or "permitee", or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this Ordinance or other law or ordinance.

(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies, associations, clubs, trustees, trusts, or corporations; or any officers, agents, employees, factors, or any kind of personal representatives of any thereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law.

(7) "Premises" is meant to include all lands, structures, places, and also the equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to, or is otherwise used in connection with any such business conducted on such premises.

SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses located in that district

known as the "Retail District" as defined and delineated by the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Kansas.

(b) Compliance Required. It shall be unlawful for any person, either directly or indirectly, to conduct any business or non-profit enterprise, or to use in connection therewith any vehicle, premises, machine or device, in whole or in part, for which a license, or permit is required by any law or ordinance of this City, without a license or permit therefor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Officer shall collect all license fees and shall issue licenses in the name of the City to all persons qualified under the provisions of this Ordinance. Issuance of any license shall not be made until the applicant applying for a license shall have paid the License Officer the prescribed sum pursuant to this ordinance for such license. The license forms shall be approved by the City Attorney. Prior to issuance of any license, it shall be signed by the Mayor, attested by the City Clerk and the corporate seal shall be affixed thereto. The City License Officer shall:

(1) Make Rules. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) Obtain Endorsement. Submit all applications, in a proper case, to interested City officials for their endorsements thereon as to compliance by the applicant with all City regulations which they have the duty of enforcing.

(3) Investigate. Determine the eligibility of any applicant for a license as prescribed herein.

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.

(5) Record Licenses Issued. The City License Officer shall keep a book containing a complete and perfect record of all licenses issued, showing the nature of the license, its date, expiration and to whom issued.

SECTION 6. QUALIFICATIONS OF APPLICANTS.

(a) General Standards to Be Applied. The general standards herein set out relative to the qualifications of every applicant for a City license shall be considered and applied by the City License Officer. The applicant shall:

(1) Be of good moral character. In making such determination the City License Officer shall consider:

(i) License history. The license history of the applicant, whether such person in previously operating in this or another City, County or State under a license has had such license revoked or suspended, the reasons therefor, and the demeanor of the applicant subsequent to such action.

(ii) General personal history. Such other facts relevant to the general personal history of the applicant as he or she shall find necessary to a fair determination of the eligibility of the applicant.

(2) No Obligations to City. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

(3) Compliance with Zoning Regulations. Obtain and present a certificate from the City Planning Commission to the effect that the proposed or continued use of any premises is not a violation of the Zoning Regulations of the City of Westwood Hills.

SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.

(a) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or law of the City shall submit an application for such license to the City License Officer. The application shall:

(1) Form of Application. Be a written statement upon forms provided by the City License Officer.

(2) Contents of Application. Require the disclosure of all information necessary to compliance with Section 6 above and of any other information which the City License Officer shall find to be reasonably necessary to the fair administration of this Ordinance.

(3) Payment of Fees. Be accompanied by the full amount of the fees chargeable for such license.

(b) Issuance of Receipts. The License Officer shall, upon payment to him or her of the charge of any license, give a receipt stating the amount paid, the nature of the license, its duration and to whom issued. A copy of all such receipts shall be delivered by the License Officer to the City Treasurer.

(c) Expiration of Licenses. All licenses, except as otherwise specifically provided for by ordinance, shall expire on December 31st of each year. That on or before December 31 in the year in which a license expires, a business for which a license is required shall have made application for its license for the coming year.

(d) Prorated Fee for New Business. Prorate for the balance of any license period the license fee of any business commenced after the beginning of the license period. Any business commenced and applying for a license during the first six (6) months of the calendar year shall pay a fee based on the full calendar year, and any business commencing after the last day of June of the calendar year shall pay one-half (1/2) of the occupational license fee as set forth herein.

SECTION 8. DUTIES OF LICENSEE.

(a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit all reasonable inspections of his business by public authorities so authorized by law.

(2) Comply with Governing Law. Ascertain and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

(4) Cease Business. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) Display of License and Insignia. Every licensee under this Ordinance shall post and maintain such license upon the licensed premises in a place where it may be seen at all

times and shall affix any insignia delivered for use in connection with business premises, if any.

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein:

(i) License officer. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.

(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licensees, their businesses and premises, by all City officials having duties to perform with reference to such licenses or businesses.

(iii) Police officers. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises:

(i) those for which a license is required;

(ii) those for which a license was issued and which, at the time of inspection, are operating under such license;

(iii) those for which the license has been revoked or suspended.

(3) Reports by Inspectors. Persons inspecting licensees, their businesses, or premises as herein authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and shall submit such other reports as the License Officer shall order.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer shall issue to the affected person a provisional order to comply.

(1) Nature of Notice. The provisional order, and all other notices issued in compliance with this Ordinance, shall be in writing, shall be personally served and shall apprise the person affected of his specific violations. In the absence of the person affected or his agent or employee, a copy of such notice shall be affixed to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereof.

(2) Period for Compliance. The provisional order shall require compliance within seven (7) days of personal service on the affected person.

(c) Action by City Attorney. The City Attorney shall, at the direction of the License Officer and with the consent of the Governing Body, institute a civil suit in the name of the City to recover any such unpaid fees.

(d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosecution for each and every violation of this Ordinance.

SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establishment, article, utility or commodity, in this Section and Ordinance specified, shall procure and pay for a license therefor from the City, and such license fees shall be in the respective amounts set out in this article on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor and/or basement open in whole or in part to the general public in addition to the main floor (main floor shall be that floor with the largest square footage) and/or have an exterior sales and display area, shall upon such interior and exterior area, add one-half (1/2) of the square footage thereof, without regard to use, to the square footage of the main floor and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 -	499 sq. ft.	\$ 50.00
500 -	999 sq. ft.	65.00
1,000 -	1,499 sq. ft.	80.00
1,500 -	1,999 sq. ft.	95.00
2,000 -	2,499 sq. ft.	110.00
2,500 -	2,999 sq. ft.	125.00

for businesses having square footage in excess of 2,999 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square feet, or any part thereof, in excess of 2,999 square feet.

SECTION 11. ALLOWANCE FOR COMPLIANCE. All businesses and persons affected by this Ordinance shall have thirty (30) days from the effective date hereof within which to comply with the provisions of this Ordinance. Businesses commencing operation within the Retail District after the effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance.

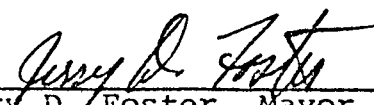
SECTION 12. PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the county jail for a period not exceeding thirty (30) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 13. SEPARABILITY. 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, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. TAKE EFFECT. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED by the Governing Body this 20th day of March, 1975.

APPROVED by the Mayor this 20th day of March, 1975.


Jerry D. Foster, Mayor

ATTEST:

Ora M. Amberg, City Clerk