ORDINANCE NO. 10

beting 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 SYS-TEM FOR THE ISSUANCE OF LICENSES, SETTING FORTH THE AUTHORITY OF THE CITY LICENSE OFFICER, PRESCRIBING PENALTIES FOR THE VIO-LATION 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annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Ordinance.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.

"City License Officer" or "License Officer" is (3)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. TERMITORIAL APPLE ATION

(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) <u>Compliance Required</u>. 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 whol² 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. $\Im u_{T/E^{\leq}} O_{F}$

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) <u>Make Rules</u>. 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) <u>General Standards to Be Applied</u>. 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 Of-

(i) License history. The license history

-3- .

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) <u>General personal history</u>. 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) <u>Compliance with Zoning Regulations</u>. 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.

-4-

(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.

creg. letters - capitalise

2

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

(4) <u>Cease Business</u>. 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 licensée 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) <u>Persons Authorized</u>. 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) <u>Reports by Inspectors</u>. 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) <u>Nature of Notice</u>. 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) <u>Period for Compliance</u>. 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,

-7-

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:

for businesses having square footage in excess of 2,999 square additional feet, the fee shall be \$125.00 plus \$30.00 for each 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 ketail 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 _____

APPROVED by the Mayor this ____ day of _____

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:

1.00

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

	I	Date	
Name of Business			
Business Address		- Pho	one
Type of Business			
Home Occupation	n		
Professional Of	ffice		
Retail Establis	shment	· · · · · · · · · · · · · · · · · · ·	
	·····		
License Fee			Square Feet
Basement Floor	ace Regardless of Use Space Open to General Pub bace Open to General Publi Area	lic x ½ c x ½ x ½	=
. *	TOTA	L SQUARE FEET	
Total License Fee (R	lefer to Schedule - Ordinar	nce 100)	\$
	Business		•
· · · · · ·			
		······································	·····
List All Persons Con	nected With Business (i.e.	Managar Staal	1
Name	Address		
Name	· · · · · · · · · · · · · · · · · · ·		ne
Truine .	Address	T 1	
		Pho	1e
	Address	Pho	ne
	Address	Pho	16
Name Make check or money of	Address Applicant's Signature_ order for total amount of ls, Kansas and mail to Cit	Phor	1e

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. business.

business.
(3) Operate Property. 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.

suspended.

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) Insertions:

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 investidations reasonably necessary to the enforcement of this Or-dinance

It cassery to the children to the construction of the construction

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 is required; (iii) for those for which a license is required; (iii) hose for which a license is required; (iii) hose for which a license is required; (iii) hose 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 chall 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 this specific violations. In the absence of the person af-fected or his agent or employee, a copy of such notice Stalls enditived to some structure on the premises. Depositing such notice in the United States mail shall constitute service thereot. (2) Period for Compliance. The provisional order shall require compliance with save

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

(7) Period or 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 prosectution for each and every violation of this Ordinance.
SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, loint stock company or association, partnership or person, their lesses, frustees or receivers appointed by any court whatsoever, engaged in any ususines, occupation, partnership or part a cit cass therefor from the City, and such license tessifial be in the reapertive 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 resent 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 act and display area, shall upon such inferior area, add one-half (b) of the square footage interior the display area, shall upon such addition to the main floor (main floor shall be that floor with the largest square footage interior area, add one-half (b) of the square footage interior area.

۰.

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.	499 SQ. 11	\$ 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

Ľ

tirm 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 (S100.00) 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 be punishable as such hereunder. SECTION 13. SEPARABILTY. 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 in-dependent provision and such holding shall 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. PASED by the Coverning Body this 20th day of March, 1975. APROVED by the Mayor this 20th day of March, 1975. Jerry D. Foster, Jerry D. Foster, Jerry D. Foster,

-s. Jerry D. Foster Jerry D. Foster, Mayo

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

WESTWOOD HILLS (First published in Johnson County Heraid Wednesday March 24, 1973) ORDINANCE NO, 100 ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF FIGURE CONTAINING ALL GENERAL LICENSING PROVISIONS OF FRESONS REQUIRED TO OBTAIN SAS, REQUIRED TO OBTAIN SYSTEM FOR THE ISSUANCE OF LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF AUTHORITY OF THE CITY LICENSE OPENALTIES 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 clied as the "General Licensing Ordinance of the City OF WESTWOOD HILLS, KANSAS. SECTION 2. SCOPE. II is not Intended by this Ordinance to repeal, abrogale, annul or in any way impair or interfere with existing provisions of other faws or ordinance, the ordinance, where this Ordinance in provisions of the ordinance, where this Ordinance in the singular provisions of other faws or ordinance, the propose of this Ordinance in the singular provisions of Other Johnson, premises or in any way impair or interfere with existing provisions of other faws or ordinance, where on this Ordinance, the following the present tense include the singular shall have the meaning given herein. Whenever on the present tense include the singular in the present tense include the singular is always mandatory and not merein. 10 "Business" is meant to include all kinds of vocinone, optionion, professions, enter

cc a. ۰. ·- .

. directory. (1) "Business" is meant to include all kinds

.41

(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.

(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.

Similar provision of this Ordinance or other law or ordinance.
(6) "Person" is meant to include individual natural persons, partnerships, joint adventures, societies,, associations, clubs, trustes, trusts, rustes, trust, or corporations; or any olficers, agents, employees, factors, or any olficers, agents, employees, factors, or any hereof, 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 apportenances 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.

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-

SECTION 5. DUTIES OF CITY LICENSE

(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 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 torms 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 resonable rules and regulations necessary to the operation and enforcement of this Ordinance.
(2) Obtain Encorsement. 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.

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.

PLICANTS.

PLICANTS. (a) General Standards to Be Applied. The general standards herein set out relative to we the qualifications of every applicant for a fir-City license shall be considered and applied by the City License Officer: The applicant for balls. shall: ۰.

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

12.0

(1) be or good moral character. In making such determination the City License Officen shall consider:

(1) 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 the or she shall find necessary to a fair determination of the elipibility of the applicant.
(2) No Oblighations 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 Weshwood Hills.
SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.
(a) Formal Application Required. Every person required to procure a ficense under the City shall submit an application for such license of the City License Officer. The application shall:
(1) Form of Applicaton. Be a written statement upon forms provided by the City ender the city License Officer.

plication shalt: (1) Form of Applicaton. 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.

In full amount of the tees 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 of each year. That on or before December 31st of each year in which a license is required shall have made-application for its license for the coming year. (d) Protated Fee for NewsBusiness. Pro-rate for the balance of any license period the

(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 (5) months of the catendar 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. OUTLES 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 limes comply with all laws and regulations applicable to such licensed business. business.

business.
(3) Oberate Property. 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. 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 if 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:
(b) 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.

dinance

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

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) hose for which the license has been révoked 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

(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 thered.

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

(7) 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 ludgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosectution for each and every violation of this Ordinance.
SECTION 10. DETERMINATION OF LICENSE FEES. Every corporation, company, association, joint stock company or association, point stock company or association, point stock company or court whatsoever, engaged in any business, occupation, partnership or person, their lessees, trustees or receiver appointed by any court whatsoever, engaged in any subusiness, occupation, partnership of citession, 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 area, add one-halt (5) of the square footage thereof, without regard

A 4 2 4 1 4 1 4 1

U •	499 SQ. 11.	\$ 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

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

WEST WOOD HILLS (First published in Johnson County Herald Wednesday March 24, 1975) 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 PRESCRIAING 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 of in any way impair or interfere with existing provisions of other laws or ordinances. ex-dinance. Where this Ordinance imposes a greater acstriction upon persons, premises or personal property than. is imposed 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 meening given therein. 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 mandalory and not merety. lis always mandatory and not merely directory. (1) "Business" is meant to include all kinds

(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,

(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 "permite", 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-

provision of this Ordinance or other law or-ordinance. (d) "Person" is meant to include individual-natural persons, partnerships, joint ad-ventures, societies,, associations, clubs, trustees, trusts, or corporations; or any kind of personal representatives of any hereof, 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 SECTION 4. APPLICATION OF REGULATIONS. (a) Territorial Application. The provisions

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.

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-profil 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. City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

SECTION 5. DUTIES OF CITY LICENSE OFFICER. (a) Issue Licenses. The City License Of-ficer shall collect all license less 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 regulations necessary to the operation and enforcement of this Ordinance. (2) Othain Endorrement Submit all co

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.

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. OI ICANTS.

PLICANTS.

and the same

72

2

(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 uch determination the City License Officen

such determination the City License Officen shall consider: (1) 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 subsecuent to such action.

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 elibibility of the applicant. (2) No Oblighations to City. Not be in default under the provisions of this Or-dinance or indebted or obligated in any manner to the City. 6 (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 shalt:

plication shalt: (1) Form of Applicaton. Be a written (1) Form of Applicaton. 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 ites chargeable for such license.

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 to 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 business commenced and applying for a license during the first six (d) months of the catendar year, and any business commencing after the last day of June of the occupational license fee as set forth herein.

55.96 21.2

· · · · · · · · ·

1.75

Sec. Car

·. . .

.*!..:

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. business.

business.
(3) Oberate 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. suspended.

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 Or-

(ii) Officials having duties. The License (ii) Officials having duties. The License Officer shall have the authority to order the inspection of licenses, 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

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 lissued and which, at the time of inspection, are operating under such license;
(iii) those for which the license has been revoked or suspended.
(j) Reports by Inspectors. Persons inspecting licenses, 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 chall 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.

(c) Action by City Attorney. The City At-torney shall, at the direction of the License Officer and with the consent of the Governing

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 lees. (d) City Judgment No Bar. No civil ludgment or any act by the City Attorney, the License Officer or the violator shall bar or prevent a criminal prosectution 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, trustness 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 ticense 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 wim the largest square footage) and-or have an ex-terior sales and display area, shall upon such terior sales and display area, shall upon such interior and exterior area, add one-halt (½) of the square footage thereof, without regard

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

0-	499 sq. ft.	\$ 50.00
500 -	999 SQ. 11.	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

square feet, or any part thereot, 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 hereat, 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. this Ordinance. SECTION 12. PENALTIES. Any person,

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 (S100.00) or be imprisoned in the county jail for a period not, exceeding thirty (30) days or be bolh so fined and imprisoned. Each day such violation is committed or permitted to continue, shall be punishable as such hereunder. SECTION 13. SEPAPABILITY, 16 any

punishable as such hereunder. SECTION 13. SEPARABILTY. 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 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.

provided by law. PASSED by the Coverning Body this 20th day of March, 1975. APPROVED by the Mayor this 20th day of March 1975.

March, 1975. -s. Jerry D. Foster Jerry D. Foster, Mayor

ATTEST:

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

37

WESTWOOD HILLS (First published in Johnson County Herald Wednesday March 24, 1973) ORDINANCE NO. 100 ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF HE CITY OF WESTWOOD HILLS, KAN-SAS, REQUIRIED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR" THE ISSUANCE OF LICENSES, SETABLISHING A UNIFORM SYSTEM FOR" THE ISSUANCE OF AUTHORITY OF THE CITY LICENSE ORDINANCE FORE, BE IT ORDAINED DYNE GOVERNING BODY OF THE CITY LICENSES STOTION 1. SHORT TITLE. This Or-dinance shall be known and may be cited as the "General Licensing Ordinance of the City ORDINALS, KANSAS. SECTION 2. SCOPE. It is not Intended by this Ordinance to repeal, abrogate, annul or provisions of other laws or ordinances, ex-citiance, where this Ordinance imposed or required by such existing provisions of other SECTION 3. DEFINITIONS, For the provisions of other laws or ordinance, sex-ofinance, words, and their derivations SECTION 3. DEFINITIONS, For the provisions of othis Ordinance invosions or SECTION 3. DEFINITIONS, For the provisions of other laws or ordinance, sex-ordinance, contract or deed, the following provisions of other laws or ordinance, the SECTION 3. DEFINITIONS, For the provisions of other laws or ordinance, sex-provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of other laws or ordinance, the signate restriction upon persons, premises or provisions of the breat laws or ordinance, the following personal property that context, words used in the present tense include the singular number and words in the singular number. The words in the protest, words were always mandatory

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 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.

(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 provision of this Ordinance or other law or ordinance.

Similar 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 officers, agents, employees, factors, or 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 appurtnances 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.

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-(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 theretor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this Ordinance or other law or ordinance of this City.

SECTION 5. DUTIES OF CITY LICENSE OFFICER.

SECTION 5. DUTIES OF CITY LICENSE OFFICER. (a) issue Licenses. The City License Of-ficer shall collect all license tees 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 Encorsement. 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

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

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 alticenses, its issued, showing the nature of the license, its date, expiration and to whom issued. SECTION 6. QUALIFICATIONS OF AP-PLICANTS. PLICANTS.

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:

shall consider: Interpretence 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 elibibility of the applicant.
(2) No Oblighations 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 after the the the provisions of this. SECTION 7. PROCEDURE FOR ISSUANCE OF LICENSE.
(a) Formal Application Required, Every person required to procure a license under the provisions of any ortinance or she y of the control periodication for such license to the City License Officer. The application shelt: (i) License history. The license history of the applicant, whether such associated

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

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 in the year in which a license to read business for which a license is required shall have made application for its license for the coming year. coming year. (d) Prorated Feetfor New Business, Pro-

(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 (a) months of the calendar year, and any business com-mencing after the last day of June of the Calendar year, and any business com-mencing after the last day of June 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. business.

business.
(3) Oberate Property. 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 pariod his license is compared as

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 if 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 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. (b) Display of License and Insignia. Every

dinance

necessary to the entorcement 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; (iii) hose for which the license has been revoked or suspended. (2) Beorts by Unspectors Percent in

are operating under such license; (iii) those for which the license has been revoked or suspended. (a) Reports by Inspectors. Persons in-specting licensees, their businesses, or premises as here in authorized shall report all violations of this Ordinance or of other laws or ordinances to the License Officer and chall 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 this 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 on the premises. Depositing such notice in the United States mail shall constitute service thereof

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

(1) 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.
(a) 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, partnership or person, their lessees, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establisment, article, unlity or commodity, in this Section and Oroinance specified, shall procure and pay for a license therefor from the City, and such license to the ses which have a second floor and the specified pushines induct on a dowing or assection and interior square footage occupied by said business without regard to use; except that stores which have a second floor inte general public in addition to the main floor (main floor shall be that floor with the largest square footage hereof, without regard of use.

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:

U -		\$ 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 -	7,499 sq. ft.	110.00
2,500 -	2.999 sq. ft.	125.00

2.000 2.1979 Sq. ff. 110:00 for businesses having square footage in excess of 2.099 square teet, the fee shall be \$135.00 plus \$30.00 for each additional 500 square feet, or any part thereot, 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 hereaf 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,

effective date of this Ordinance shall have thirty (30) days within which to comply with this Ordinance. SECTION 12. PENALTIES. Any person, lirm 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 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. SEPARABILTY. 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 holding 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. . Ser or M. Amberg Days the count of senter

ATTEST:

ATTEST. S. Ora M. Amberg Ora M. Amberg, City Clerk (SEAL)

37

WESTWOOD HILLS (First published in Johnson County Herald Wednesday March 24, 1975) 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

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, contractor deed, the provisions of this Ordinance shall control. SECTION 3. DEFINITIONS. For the purposes of this Ordinance, the Iollowing terms, phrases, words, and their derivations shall have the meaning given herein. When mot-inconsistent with the context, words used in the present tense include the singular number and words. In the singular number and words. In the word "shall" is always mandatory and not merely.

directory. (1) "Business" is meant to include all kinds (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 inerein, 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. jurisdiction. (2) "City" is the City of Westwood Hills,

(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

(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 hereof, in any capacity, acting either for himself, or for any other person, under either personal appointments or pursuant to law, (1):"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 Ordnance, shall apply only to

(a) Territorial Application. The provisions of this Ordinance shall apply only to businesses localed 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, Vansas Kansas.

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. 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.

SECTION 5. DUTIES OF CITY-LICENSE OFFICER. (a) Issue Licenses. The City License Of-ficer shall collect all license tees 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 egulations which they have the duty of enforcing. (3) Investigate. Determine the eligibility of any applicant. for a license as prescribed herein.

.....

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. PI (CANTS.

PLICANTS. 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

Be of good moral character. In making such determination the City License Officen shall consider:

 License history. The license history of the applicant, whether such person lin 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 es he or she shall find necessary to a datar determination of the elibibility of the applicant.
 (2) No Oblighations 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.
 (bliation 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 Zoning Regulations of the City of Westwood Hills.
 (b) Formal Application Required. Every person required to procure a license under the provisions of any ordinance or liaw of the group and the application Required.
 (c) Formal Application Required. Every person required to procure a license under the provisions of any ordinance of liaw of the city License Officer. The application shalt:
 (b) Form of Applicaton. Be a written

license to the City License Officer. The ap-plication shall: (1) Form of Applicaton. 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

such license. (b) Issuance of: Receipts. The 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 in the 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 have made application for its license for the

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 lirst six (d) months of the catendar 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.



WESTWOOD HILLS. (First published in Johnson County Herald Wednesday March 26, 1975) OR DINANCE YO. 100 ORDINANCE YO. 100 ORDINANCE YO. 100 ORDINANCE YO. 100 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 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. II is not intended by this Ordinance to repeal, abrogale, annul or in any way impair or interfree with existing provisions of other laws or ordinances, ex-cept those specifically repealed by this Or-dinance. Where this Ordinance, the following terms, property than is imposed or required by such existing provisions of law, ordinance shall be knoth. SETION 3. DEFINITIONS. For the proposes of this Ordinance, the following terms, prases, words, and their derivations shall have the meaning given herein. When the present, tense include the singular number and words in the singular number indude the plural number. The word "shall" is always mandatory and not merely

is always mandatory and nor meter, directory. (1) "Business" is meant to include all kinds of vocations, occupations, professions, enter-prises, establishments, and all other kinds of activities and matters, tögether 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.

(2) "City" is the City of Westwood Final, 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.

noider tor 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 officers, agents, employees, factors, or 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.
(b) Compliance Required. It shall be un-

(b) Compliance Required. It shall be un-tawful for any person, either directly or in-(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 theretor being first procured and kept in effect at all such times as required by this Ordinance or other law or ordinance of this City.

in effect at an additionance of an additionance or other law or ordinance of additionance or other law or ordinance of additionance of the City. SECTION 5. DUTIES OF CITY LICENSE OFFICER. (a) Issue Licenses. The City License officer shall collect all license fees and shall save 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 orther prescribed sum pursuant to this orther the 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 encoders to their 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 applicant for a license as prescri any reir he

Arein, (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.

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

 Be of good moral ch aracter. IN C determination the City License Officer consider: shall

a) consider: (i) License history. The license history of e applicant, whether such person in eviously operating in this or another City, unty or State under a license has had such n City, such the

The opprovide of the second of the

A conservery and the second statement of the second statement upon forms provided by the City (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 sector back of the sector

(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 states of the charge of any license, give a receipt stating the amount paid, the nature of the charge of any license, give a receipt stating the amount paid, the nature of the charge of any license, give a receipt stating the amount paid, the nature of the charge of any license, give a receipt stating the amount paid, the nature of the charge of any license, give a receipt stating the amount paid, the nature of the charge of any license 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 of each year. That on or before December 31st of each year. In which a license period the license for the balance of any license period the license 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 shall pay one-half (½) 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 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 licenses.

regulations applicable to down any frequiations applicable to down any 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.

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. remises, if any. SECTION 9, ENFORCEMENT. (a) Inspections: (1) Persons

(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.

shall make all investigations reasonably pnecessary to the enforcement of this Ordinance.
(ii) Officials having duties. The License Officer shall have the authority to order the inspection of licenses, 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 jur/sdictions 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, has been revoked or suspended.
(3) Reports by Inspectors. Persons in specting licensees, their businesses, or premises as the License Officer and shall submit such other reports as the License Officer shall order.
(b) Provisional Order. When an inspector

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.

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

(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 of recover any such unpaid fees. (d) City Judgment No Bar. No civil judgment or any act by the City Attorney, the License Officer on the violator shall bar or prevent a criminal prosectution 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 usiness, occupation, pursuit, profession, institution, establishment, article, utility or a license shall be in the respective amounts set out in this article on the basis of the following schedule of interior square foltaged floor with the main floor (main floor shall be that floor with the diargest square footage) and or have an exterior sales and display area, shall upon such interior and exterior sales and display area, shall upon such

to use , to the square toola and the total square footage as thus com-puted shall determine the tax in accordance with the following schedule:

0.	499 sq. ft	\$ 50.00
	999 sq. ft.	65.00
	1,499 sq. ft	80.00
		95.00
2.000 -	2,499 sq. ft	110.00
2,500	2,999 sq. ft	125.00
inesses	having square foo	tage in
of 2.999	square feet, the fee	shall be

37

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

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

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

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, 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 said board shall annually certify such mill ney with other levies to the County Clerk of Johnson County, Kansas, as provided by law; and BE IT FURTHER RESOLVED that such levy may be made unless a petition in op-position to the same, signed by not less than 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 op-position to the same, signed by not less than the percent (10 percent) of the qualified electors of such community lunior college district is field with the clerk of such com-munity lunior college within ninety (90) days following the last publication of the re-solution. In the event such a petition is field, 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 it a majority or those voting at such election on the proposition vote in favor thereof.

Nereof. BOARD OF TRUSTEES, THE JOHNSON OUNTY COMMUNITY JUNIOR OLLEGE, JOHNSON COUNTY, KANSAS -5 John R. Price, Trustee and Chairman of COUNTY COLLEGE,

City of Olathe, Kansas, at which time and place said cause will be heard. Should you fail therein, iudgment and decree will be entered in due course upon said petition. -5. Elaine F. Leifer, Administratrix Petitioner Abraham, Jacob Constick

Perintoner Abraham Jacob Gorelick, 5908 W. 101 Place Overland Park, Kansas 66207 642-9451 36-37-31

COOK ESTATE

COOK ESTATE (First published in Johnson County Herat Wednesday March 19, 1973) IN THE PROBATE COURT OF JOHNSON COUNTY, KANSAS IN THE PROBATE COURT OF JOHNSON COUNTY, KANSAS IN THE OF HE STATE OF MARSAS TO ALL PER SONS CONCERNED THE STATE OF KANSAS TO ALL PER SONS CONCERNED Warjorie Carted as one of the heirs at law of Flora V. Cook deceased, praying for the determination of the descent of the following described rea-estate in Johnson County, Kansas, towit: All of Lot 20, Block 13 of Prairie Village, a subdivision now in the City of Prairie Village, Johnson County, Kansas, as and all other property, real and personal, of interesits therein, owned by the said Flora V. Cook at the time of her death, and you arg hereby required to file your written detenses thereto on or before the 10th day of April, 1975, all 30 ociock A.M., of said day, in said fourt, Kansas, at which time and place said count, Mansas, at which time on there do there in Johnson County, Kansas, at which time on there death, and you arg hereby required to file your written detenses therebo on or before the 10th day of April, 1975, all 30 ociock A.M., of said day, in said fourt, Kansas, at which time and place said county, Kansas, at which time and place said county, Kansas, at which time and place said thorneys for Petilioner Suite 201, Two Gateway Center Kansas City, Kansas Golto 31 9000 363730

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.

In the Matter of the Estate of: DELMAR R. PETERS, Deceased. NO. 1492 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 wilhin 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. forever bar

arred. 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. S07(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 wo (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

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

district are engine to vote for the fortune candidates: Position No. 1 Lawrence J. Brennan, 6009 W. 90, Overland Park P. Clifford Sharp, 5209 W. 68, Prairie

Vertaind Park P. Clifford Sharp, 5209 W. 68, Prairie Village Position No. 2 Roberts Chiftenden, 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 — PCT. POLLING PLACE Ward 1 - Pct 1, Shawnee Mission North High School, 7401 Johnson Drive Ward 1 - Pct 3, Arrowheed School, 6601 Santa Fe Drive e Drive Fe Drive Ward 1 - Pct. 4, TWA Breech Training Academy, 6300 Lamar Ward 1 - Pct. 5, Milburn Junior High School, Ward 1 - Pct. 5, Milburn Junior High School, 8200 W. 71st Ward 1 - Pct. 6, Santa Fe Trail School, 7100 Ward 1 - Pct. 7, 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 Lama 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 Ward 2 - Pct. 1, Santa Per Train Science, Hear 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 Santa Fe Drive Ward 2 - Pct. 7, Overland Park City Hall, 8500 Santa Fe Drive Ward 2 - Pct. 7, Overland Park Intermediate Bidg., 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 & Teach Club, 8930 Maple Circle Nard 3 - Pct. 3, Round Hill Bath & Tennis lub, 8930 Maple Circle Aard 3 - Pct. 4, Pawnee School, 9501 W. 91st St

vist & Lamar Ward 3 - Pct. 7, Knox United Presbyterian Church, 9595 W. 95th Ward 3 - Pct. 8, Valley View School, 8101 W. 95th

Ward S - Pct. 10, North Oxford School, 5901 W 111th St. PRAIRIE VILLAGE CITY Ward 1 - Pct. 1, Indian Hills Junior Hig School, 6400 Mission Rd. Ward 1 - Pct. 2, Prairie School, 67th & Missio Ward 1 - Pct. 3, Southminster Presbyteria Church, 6306 Roe Avenue Ward 2 - Pct. 1, Faith Lutheran Church, 670 Roe Blvd.

Ward 2 - Pct. 1, Faith Lutheran Church, 670 Roe Bivd. 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. 3, Ridgeview School, 79th & Rot Ward 4 - Pct. 3, Ridgeview School, 79th & Rot Ward 4 - Pct. 1, Sequeyah School, 79th & Rot Ward 4 - Pct. 1, Sequeyah School, 79th & Rot Ward 5 - Pct. 1, Sequeyah School, 5201 W. 837c St.

Ward 5 - Pct. 2, Briarwood School, 5300 W

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. 1, Carinth 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. 4, Somerset School, 83rd & Mission Rd. OLATHE CITY Ward 1 - 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. 3, Bluejacket School, 11615 W. 49th Ter. Ward 1 - Pct. 3, 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. 4, Shawnee Township Building, 12321 Johnson Dr. Ward 2 - Pct. 4, Shawnee Fire Station No. 1, 535 Barton Ward 3 - Pct. 1, Nieman School, 67th & Nieman Rd. Ward 3 - Pct. 3, Greenwood School, 16000 W. 65th St. Ward 3 - Pct. 4, Nieman School, 67th &

Ward 3 p Pct. 3, Greenwood School, 16000 W. 65th St. Ward 3 - Pct. 4, Nieman School, 67th & Nieman Rd Ward 4 - Pct. 1, Shawanoe 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, Shawanoe School, 11230 W. 75th FairWay CITY

FAIRWAY CITY Ward 1 Fairway City Hall

Ward 1 5244 Norwood Ward 2, Old Mission Methodist Church, State Park Rd. & Johnson Dr. Ward 3, George W. Lee Residence, 5711 Ward 3, George W. Lee Residence, 5711 Windsor Ward 4, Indian Hills Junior High School, 6400

Ward 1. Pct. 1 & 2, Leawood Baptist Church, Bard 2. State Line Ward 2. Pct. 1 & 2, Cure of Ars, 9403 Mission

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

Ward 2 - Pct. 1, Donata Bonjour School, 9400 Pflumm Rd. Ward 3 - Pct. 1, Traiiridge 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 2 - Pct. 1 & 2, Georgetown Apartments, 7200 Eby Ward 4 - Pct. 1 & 2, Crestview School, 6200 Craig

Ward No. , Craig MISSION CITY Ward 1. - Pct. 1 & 2, Rushton School, 6001 W. Sist Terr. Det 1 & 2, Mission City Hall, 6090

Pct. 1 & 2, Hickory Grove School, Ward 3 -

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, 6449 Lamar ROELAND PARK CITY Ward 1 - Pct. 1 & 2, Roeland Park United Methodist Church, 5110 Cedar Ward 2 - Pct. 1 & 2, Roeland Park Grade School, 5327 Juniper Ward 3 - Pct. 1 & 2, Roeland Park Grade School, 5327 Juniper Ward 4 - Pct. 1 & 2, Bishop Miege High School, 5041 Reinhardt COUNTRYSIDE CITY Precinct 1, Trinity Lutheran Church, No. 50 Highway & Nall Ave. MISSION HILLS CITY Precinct 1 & 2, Mission Hills Town Hall, 6300 State Line

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.

Ward 3 - Pct. 5, Valley View Methodist Church, 94th & Woodward Ward 3 - Pct. 6, Bethany Lutheran Church, 91st & Lamar

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



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 circulation 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 continuously 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 _____ consecutive weeks, the first publication thereof being made as aforesaid on the

<u>26th</u> day of <u>March</u>, 1975, with subsequent publications being made on the following dates:

, 19
, 19
, 19
, 19
, 19
My Cempu
/Editor Subscribed and sworn to before me this26th
doy of March, 19_75
Helen Manal for HELENotery Public invand for Noticison Couply Konsos
JOHNSON COUNTY, KANSAS JOHNSON COUNTY, KANSAS My commission Woifer Mussion Expires Aug. 28, 1925
Notary Fee \$
Printer's fee \$ 69.96
Additional copies \$
69.96 Total Charge \$
IN THE COURT OF JOHNSON COUNTY, KANSAS
State of Kansas, Johnson County, ss:

4

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

		Case	No		÷	
						· • • • • •
				<u></u>		
			•			Plaintiff.
			,	/5.		
<u>.</u>						
						Defendant.
	PR	OOF	OF P	UBLIC	CATIC	Ж

.

Burns Pub. Co., Olathe, Kans.



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 circulation 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 continuously 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
Bet Ceingen Editor
1004 Climpul
Editor
Subscribed and sworn to before me this $-9th$
Te 3 75
day of 19_12
Yes an a second
Sellen In Caldwell
day of July 19_5
Jonnson County / Ransas
JOHNSON COUNTY, KANSAS
My commission expires:
Notary Fee \$
_
Printer's fee \$ 78.61
······································
Additional copies \$
29 (1
Total Charge
•
IN THE COURT OF
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.	PROOF OF PUBLICATION		Burns Pub. Co., Olsthe, Kana.
	•		

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

ORDINANCE NO. 101

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS TO PAY THE ANNUAL IN-STALLMENT AND INTEREST ON BONDS TO BE ISSUED TO PAY THE COST OF CON-STRUCTING 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 SOTH 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 "Rétail District" by the governing body and except on and next to the street designated 30th 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:

			FRONT	
	PROPERTY OWNER	ADDRESS	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
;	Fraley, Gerry A	1921 W. 48th Terr.	55	1,204.85
	Gandy, L-E & W F	2001 W. 48th Terr.	.60	1,314.38
	Wiberg, CL&HM	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, SI& SP.	2119 W. 48th Terr.	50	1,095.32
	Hanson, VE&MC	2121 W. 48th Terr.	65	1,423.91

Irwin, MJ&CC Littrell, ML&WF Adams, Vernon & WF	2123 W. 48th Terr. 2205 W. 48th Terr. 2213 W. 48th Terr.	85 90 120 120	1,423.91 1,971.57 2,628.76 2,628.76
Stewart, H M & WF Kirkendoll, James R Keith, Cecil G Marsh, Helen H.	1900 W. 48th Terr. 1908 W. 48th Terr. 1914 W. 48th Terr. 2000 W. 48th Terr.	45 90 41	985.78 1,971.57 898.16
Rosberg, Gustave Hardin Stockton Corp. Allard, Dean C & WF	2002 W. 48th Terr. 2006 W. 48th Terr. 2114 W. 49th Terr.	42 41 75	920.06 898.16 1.642.97
Vetter, R R & B A Finks, Earl G Arnold, Wilfred N	2110 W. 49th Terr. 2106 W. 49th Terr. 2104 W. 49th Terr.	50 60 55	1,095.32 1,314.38 1,204.85
Hale, D Bob & C R Snead, Phyllis R Johnson, A Severin	2100 W. 49th Terr. 2024 W. 49th Terr. 2018 W. 49th Terr.	80 60 60	1,752.50 1,314.38 1,314.38
Nelson, Stanley R & A Shapiro, William J Alvord, Jack R	2012 W. 49th Terr. 2008 W. 49th Terr. 2000 W. 49th Terr.	65 77	1,423.91 1,686.79 2,300.16
Mills, Marion S	2001 W. 49th Terr. 2007 W. 49th Terr. 2011 W. 49th Terr.	75 50 65 FRONT	1,642.97 1,095.32 1,423.91
PROPERTY OWNER Pudiak, Karl & Parja	ADDRESS 2019 W. 49th Terr. 2101 W. 49th Terr.	FOOTAGE 85 78	AMOUNT \$ 1,862.04 1,708.69
Harper, Gary L & J A Staples, L & WF	2107 W. 49th Terr. 2107 W. 49th Terr. 2113 W. 49th Terr. 2117 W. 49th Terr.	67 75	1,467.72 1,642.97
Asilin, Malcolm M Univ of Kansas, KU Endowment	2121 W. 49th Terr. 2201 W. 49th Terr.	50 50 65	1,095.32 1,095.32 1,423.91
Vernon, Donald L Hollowell, Joseph Odell, Norma J	2205 W. 49th Terr. 2213 W. 49th Terr. 2217. W. 49th Terr. TOTAL	70 65 1,767	1,533.44
Haynes, J D & T M Foster, Jerry D & B	1917 W: Soth Street	64 70	\$ 1,402.00
Benton, Duane C & N C Pratt, Donald T Ragan, W J & G R	2001 W. 50th Street 2005 W. 50th Street 2013 W. 50th Street 2017 W. 50th Street	81 100 50	1,774.41 2,190.63 1,095.32
Hennigh, Earl L Brainard, M H Wilson, Sloan R	2021 W. 50th Street 2101 W. 50th Street	50 50 50	1,095.32 1,095.32 1,095.32
Amberg, O M Et Al Robertson, M D & D M Franz, Louise C	2105 W. 50th Street 2109 W. 50th Street 2113 W. 50th Street	50 50 50	1,095.32 1,095.32 1,095.32
Bliss, Peter M Aspelin, Lola E Plum, David N	2117 W. 50th Street 2201 W. 50th Street 2205 W. 50th Street	80 70 50	1,752.50 1,533.44 1,095.32
Taplin, Adah K Azarnoff, D L & J Martindale, T R & D M	2209 W. 50th Street 2217 W. 50th Street 1900 W. 50th Street	50 100 125	1,095.32 2,190.63 2,738.29 2,738.29
Hayes, Sam E & B J Glennon, James W McCann, G E & H M	1918 W. 50th Street 2000 W. 50th Street 2004 W. 50th Street	125 -55 A 105	2,300.16
Shapiro, Robert L Dengel, F I Goodman, J D & WF	2012 W. 50th Street 2016 W. 50th Street 2018 W. 50th Street	65 - 50 - 65	1,423.91 7,095.32 1,423.91 1,314.38
Lorenz, Mary A Reiff, Charles S	2100 W. 50th Street 2108 W. 50th Street -2112 W. 50th Street	60 112 65	1,314.38 2,453.51 1,423.91
Fein, Gary K Britain R F & N K	2116 W. 50th Street	53 50 50	1,161.03 1,095.32 1,095.32
Long, John C Stevens, G & M	2204 W. 50th Street 2208 W. 50th Street 2216 W. 50th Street TOTAL	50 80 2,125	1,095.32 1,752.50
Wagner, John M McCarthy, T L & WF	2008 W. 48th Terr.	40 40	876.25 876.25
Martin, Betsy R Anderson, William A Jr Johnson, R W & R	2016 W. 48th Terr. 2022 W. 48th Terr. 2100 W. 48th Terr.	40 80 40	876.25 1,752.50 876.25
Mott, Philip G Watts, R R & WF Stewart, Edmond	2102 W. 48th Terr. 2212 W. 48th Terr. 2116 W. 48th Terr.	80 80 40	1,752.50 1,752.50 876.25
Landers, A L & A R Denton, Steven P Law, Sylvia Ford, W R & O	2116 W. 48th Terr. 2118 W. 48th Terr. 2122 W. 48th Terr. 2000 W. 48th Terr.	40 40 40	876.25 876.25 876.25
Ford, W R & O Lilleston, C M Et Al Frakes, H S & WF	2202 W. 48th Terr: 2206 W. 48th Terr. 2212 W. 48th Terr. TOTAL	40 85 120 2,393	876.25 1,862.04 2,628.76
Weaver, Allen J Carter, Robert E	4807 Rainbow Blvd. 4809 Rainbow Blvd. TOTAL	37 37 74	\$ 810.53 810.53
PROPERTY OWNER McNees, J W & WF	ADDRESS 2216 W. 49th Street 2208 W. 49th Street	FRONT FOOTAGE 75	AMOUNT \$1,642.97
Butcher, Leslie E	2208 W. 49th Street 2204 W. 49th Street 2200 W. 49th Street	75 50 56	1,642.97 1,095.32 1,226.75
Summerville, W W & F J Vannocker, Larry R Hindman, David B	2120 W. 49th Street	70 65 60	1,533.44 1,423.91 1,314.38
Snyder, Barbara B Nepstad, DA&TH Kindell, BF&WF	2204 W. 49th Street 2120 W. 49th Street 2120 W. 49th Street 2116 W. 49th Street 2108 W. 49th Street 2104 W. 49th Street 2000 W. 49th Street 2012 W. 49th Street 2012 W. 49th Street 1912 W. 49th Street 1908 W. 49th Street	60 80 80	1,314.38 1,752.50 1,752.50
Custer, Jerry H Coldsnow, Roger D Fritson, L D & J L Alexander, W C & WF	2012 W. 49th Street 2008 W. 49th Street 2004 W. 49th Street	70 65 125	1,533.44 1,423.91 2,738.29 2,519.22
Biddle, Barry A	1900 W 49th Street	115 50 107	1,095.32 2,343.97
Almon, Alice S	1901 W. 49th Street 1911 W. 49th Street 1915 W. 49th Street	120 70 80	2,628.76 1,533.44 1,752.50
Terry, Alvin C & WF Van Auken, W L & A A Hecker, R L & WF	1915 W. 49th Street 2015 W. 49th Street 2019 W. 49th Street 2109 W. 49th Street 2109 W. 49th Street 2109 W. 49th Street 2117 W. 49th Street	70 85 65	1,533.44 1,862.04 1,423.91
'Tikwart, Al W Dallam, J P Jr & A A Koehn, Hans E & WF	2109 W. 49th Street 2117 W. 49th Street 2125 W. 49th Street	60 80 55	1,314.38 1,752.50 1,204.85
Gulgnon, Paul Gurley, Katherine B Rath, Joel	2125 W. 49th Street 2201 W. 49th Street 2209 W. 49th Street 2213 W. 49th Street 2217 W. 49th Street	100 51 49	2,190.63 1,117.22 1,073.41
	TUTAL 7	50 2,128	1,095.32
Robinson, Ralph G Fincke, Julius & WF Bachofer, Edward F 11	2216 W. 49th Terr. 2208 W. 49th Terr. 2204 W. 49th Terr.	94 - 56 75	\$ 2,059.19 1,226.75 1,642.97
PROPERTY OWNER Gibson, Robert N Jr	ADDRESS 4906 State Line	FRONT FOOTAGE 50	AMOUNT \$ 1,095.32
Nichols, John D Greenall, R L — M M Epstein, Robert W II	4910 State Line 4914 State Line 4918 State Line	50 50 50 50	1,095.32 1,095.32 1,095.32
Moore, Jack D McLean, Paul A Krause, Bryan L	4922 State Line 4926 State Line 4930 State Line 4934 State Line	50 50 60	1,095.32 1,095.32 1,314.38
Jurgensen, Ruth R Carlson, B O & E L	4934 State Line 4940 State Line TOTAL	75 80 515	1,642.97 1,752.50
Richard, Barry Lewis, Steven M Nilsson, Howard M	4938 Glendale Road 4934 Glendale Road 4910 Glendale Road	90 75 101	\$ 1,971.57 1,642.97 2,212.54
Wilsson, Howard M Winslow, Mary L Kennedy, Alex S & WF Brown, H M & D	4910 Glendale Road 4908 Glendale Road 4904 Glendale Road 4900 Glendale Road 4945 Glendale Road 4941 Glendale Road 4941 Glendale Road	60 65 65	1,314.38 1,423.91
Anderson, Douglas K Foster, Gertrude P Sandy, H D & W B	4945 Glendale Road 4941 Glendale Road 4937 Glendale Road	- 80 60 60	1,423.91 1,752.50 1,314.38 1,314.38
Burge, B & M S Griggs, Robert A Kane, Chester L	4933 Glendale Road 4929 Glendale Road 4929 Glendale Road	65 60 65	1,314.38 1,423.91 1,314.38 1,423.91
Winthrop Williams, Trustee Cook J R & L B Cohen, Byron C & E E	4917 Glendale Road 4905 Glendale Road 4901 Glendale Road	65 100 125	1,423.91 2,190.63
	TOTAL	1,136	2,738.29

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 rincipal, and semiannual installments of interest on each unpaid balance for one year, each of such lots and parcels of ground with the Section 1 of this ordinance. If any owner of property liable for such special assessment shall pay the same infull within thirty days of the mailing of the notice of such assessment shall pay the same infull within thirty days of the mailing of the notice of such assessment by the City Clerk, the property shall be removed from shell be collected. Section 4. The City Clerk is hereby authorized and directed to mail notice of the assessment by the City Clerk and no turther assessment as provided herein sahll be collected. Section 5. This ordinance shall be approximately thirty days from the date such notice is mailed. Section 5. This ordinance shall be the 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.

SECTION 8. DUTIES OF LICENSEE. (a) General Standards of Conduct. Every licensee under this Ordinance shail: (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. husiness

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.
(b) Display of License and Insignia. Every

(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

and thirds and alkin the second provided for use in connection with business premises, if any.
SECTION 9. ENFORCEMENT.
(a) Inspections:

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

(c) License officier. The License Officer shall make all investigations reasonably necessary to the enforcement of this Ordinance.
(c) Officials having duties. The License and premises, by all City officials having duties to perform with reference to such licenses of businesses.

b) enforces by end city unclus induction to be a consistent of the end of the e

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 or of any law or ordinance the License Officer shall order.
(c) Provisional Order. When an inspector 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. thereof

(2) Period for Compliance. The provisional (7) days of personal service on the affected

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 prosectution 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 lesses, trustees or receivers appointed by any court whatsoever, engaged in any business, occupation, pursuit, profession, institution, establisment, article, unlity 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 his 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 lootage) and/or have an ex-terior sales and display area, shall upon such interior and exterior area, add one-halt (1^{sh}) of the square lootage 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.	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 thereot, in excess of

excess of 2,599 square feet, the fee shall be 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. 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. Each days or be both so fined and imprisoned. Each days uch violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder. SECTION 13. SEPARABILTY. 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 jurisicition, such portion shall be deemed a separate, distinct and in-dependent provision and such holding shall not affect the validity of the remaining portions hereol. SECTION 14. TAKE EFFECT. This Or-dinance shall take effect and be in force from and affer its passage. approval and publication in the official City newspaper as provided by law.

Provided by law. PASSED by the Governing Body this 20th day of March, 1975. APPROVED by the Mayor this 20th day of

Arch, 1975. S. Jerry D. Foster Jerry D. Foster, Mayor ATTEST: S. Ora M. Amberg Ora M. Amberg, City Clerk (SEAL)

<text><text><text><text><text><text><text>

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-purlenances 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,

(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. ordinance. (δ) "Person" is meant to include individual

(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 wind 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. (1)="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

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. Kansa

(b) Compliance Required. It shall be un-(b) Compliance Required. It shall be un-lawful for any person, either directly or in-directly, to conduct any business or non-profil 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 theretor 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

OFFICER. (a) Issue Licenses. The City License Of-ficer shall collect all license fees and shall The state 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.

necessary to the operation and enforcement of this Ordinance.
 (2) Obtain Enclorsement. 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 AP. PLICANTS. (a) General Standards to Be Applied The

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

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

such determination the City License Officen 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 subseminent to such action.

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 elibibility of the applicant. (2) No Oblighations 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 shalt: (1) Form 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 information necessary to the fair administration of this Ordinance. (3) Payment of Fees. Be accompanied by the full amount of the Tees Chargeable for such license. (b) Issuance of: Receipts. The License Officer shall, upon payment to him or her of the chare of any license. olive a receipt

 b) issuance of: Receipts. The License
 (b) issuance of: Receipts. The License
 (b) issuance of: Receipts. The License
 (c) issuance 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 of each year. Indich a license is required shall have made application for its license for the coming year. coming year

coming year. (d) Prorated Fee for New Business, Pro-(d) Prorated Fee for New Business, Pro-rate for the balance of any license period. Any business commenced and applying for a license during the first six (d) months of the catendar year, and any business com-mencing after the last day of June of the catendar year shall pay one-half (%) 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 <u>May 15, 1975</u>	·····
Name of Business	Creative Corner		
Business Address	5000 State Line	Phor	ne <u>362-9693</u>
Type of Business			-
Home Occupation			
	fice		
	nment arts and crafts		
Other	*****		•
License Fee			Square Feet
First Floor Spac Basement Floor S Second Floor Spa Exterior Sales A	ce Regardless of Use Space Open to General Ace Open to General H Area	l Public x 불 = Public x 불 = x 불 =	
	for half of 1975	TOTAL SQUARE FEET	1409
Total License Fee (Re		rdinance 100)	\$ <u>40.00</u>
Describe Nature of Bu	lsiness <u>retail arts ar</u>	nd crafts, classes and g	allery
List All Persons Con	nected With Business	(i.e. Manager, Stockho	lder, Officers)
Name Faye Anthony	Address 5000) State Line Phor	ne_396-9693
Name Jack Friedman	Address 8800) Blue Ridge Blvd Phor	ne 765-7400
Name	Address	Phor	1e
	Applicant's Sign	ature A. Jupet	tubony
Make check or money of City of Westwood Hil Westwood Hills, Kans	ls, Kansas and mail		ole to the State Line,
LICENSE EFFECTIVE FR	ОМ	TO	

(First published in Lonnson Count Herald Wednesday March 25, 1991 ORDINANCE NO. 100 ORDINANCE CONTAINING ALL GENERAL LICEMING PROTISIONS OF THE CITY OF WESTWOOD HILLS, KAN-SAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF GENERAL LICENTING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KAN-ICENSES, ESTABLISHING A UNIFORM SAS, REQUIRED TO OBTAIN dinarce for such license The license forms LICENSES, ESTABLISHING A UNIFORM SYSTEM FOR THE ISSUANCE OF LICENSES, ESTABLISHING A UNIFORM AUTHORITY OF THE CITY LICENSE PROVISIONS. NOW, THEREFORE, BE IT ORDAINED NOW, THEREFORE, BE IT ORDAINED SECTION 1. SHORT TITLE, This Or-SECTION 1. SHORT TITLE, This Or-dinance to repeal, abrogate, annul of in any way impair or interfere with existing provisions of other laws or ordinances, ex-cept those specifically repealed by this Of-gersonal property than is imposed ordinance, contractor deed, the provisions of SECTION 3. DEFINITIONS. For the SECTION 4. DEFINITIONS. For the SECTION 5. DEFINITIONS OF ADD CIDENT SUBJECTIONS OF ADD CIDENT SUBJECTION 5. COLLECTION 5. COLLECTION 5. SUBJECTION 1. SHORT TITLE, THIS OF-provisions of other laws or ordinances, ex-cept those specifically repealed by this Of-dinance, contractor deed, the provisions of SECTION 3. DEFINITIONS. For the SECTION 4. DEFINITIONS. For the SECTION 5. DEFINITIONS OF ADD SECTION 6. QUALIFICATIONS OF ADD SECTION 5. DEFINITIONS OF ADD CIDENT SUBJECTIONS OF ADD SECTION 5. DEFINITIONS OF ADD SECTION 5. DEFINITIONS FOR the SECTION 5. DEF

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

directory. (1) "Business" is meant to include all kinds: shall consider: (1) "Business" is meant to include all kinds: shall consider: (1) "Business" is meant to include all kinds: shall consider: (1) License history. The license history of prises, establishments, and all other kinds of the applicant, whether such person in activities and matters. together with all previously operating in this or another City, devices, machines, vehicles and ap-county or State under a license has had such purtenances used therein, any of which are license revoked or suspended, the reasons conducted for private profit, or benefit, therefor, and the demeanor of the applicant either directly or indirectly, on the premises subsequent to such action. (1) "City" is the City of Westwood Hills, (1) "City" is the City of Westwood Hills, (1) "City" is the City of Westwood Hills, (3) "City" License Officer" or "License" (3) "City" is the City of the City of (4) "Compliance or indepted or obligated in any generally herein, shall include respectively the words "permit", or "permiter", or the license or other law or (4) "Censon" is meant to include individual (a) routing persons, partnerships, joint ad ventures, sociaties, associations, clubs, (1) Formal Application Required. Every officers, agents, employees, factors, or any hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof, in any capacity, acting either for kind of personal representatives of hereof in any capacity, acting either for kind of (1) "Business" is meant to include all kinds, shall consider:

(d) "Person" is meant to include individual the City of WESTREP PROCEDURE.
 (d) "Person" is meant to include individual the City of WESTREP PROCEDURE.
 (e) "Person" is meant to include individual the City of WESTREP PROCEDURE.
 (e) "Person" is meant to include individual the City of WESTREP PROCEDURE.
 (f) "Person" is meant to include individual the provisions of any ordinance or law of the city License of the City License Officer.
 (f) "Premises" is meant to include all (i) Form of Application. Be a written lances. structures, places, and also any citicense of all information necessary to or is otherwise used in connection with any other information which the City License Officer shall find to be reasonably 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.

(a) Territorial Application. The provisions this Ordinance shall apply only to of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and

of this Ordinance shall apply only to businesses located in that district known as the "Retail District" as defined and (b) Issuance of Receipts. The License delineated by the Zoning Ordinances of the Officer shall, upon payment to him or her of City of Westwood Hills, Kansas, and by the charge of any license, give a receipt recorded plats of the City of Westwood Hills. Kansas. (b) Compliance Required. It shall be un-tor of the City of Westwood Hills. (b) Compliance Required. It shall be un-directly, to conduct any business or non-directly, to conduct any business or non-group the there is can be used in the state of the City Treasurer. (c) Expiration of Licenses. All licenses, prolit enterprise, or to use in connection therewith any vehicle, premises, machine or uevice, in whole or in part, for which a of each year. That on or before December 31 license, or this City, without a license or business for which a license is required shall permit therefor being first orocured and kept have made application for its license for the the license is required by any law or in the year in which a license is required shall Kansas. (b) Compliance Required, It shall be un-layful 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 erdinance of this City, without a license or permit therefor being first orocured and kept in effect at all such times as required by this Ordinance of other law or ordinance of this City.

SECTION S. DUTIES OF CITY LICENSE OFFICER.

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

a complete and perfact record of all licenses issued, snowing 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 City the City License Officer: The applicant shall:

(1) Be of good moral character. In m such determination the City License Officer

Officer shall find to be reasonably necessary to the fair administration of this Ordinance. (3) Payment of Fees. Be accumpanied by the full amount of the fees chargeable for

SECTION 8. DUTIES OF LICENSEE. (a) General Standards of Conduct. Every

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

and at all times comply with all laws and regulations applicable to such licensed business.

(3) Operate Properly, Avoid all forbidden,

(3) Operate Property. 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.

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 ail times and shall affix any insignia delivered for use in connection with business.

(a) Inspections: (b) Persons Authorized. The following

persons are authorized to conduct inspections in the manner prescribed herein: (i) License officer. The License Officer shall inake all investigations reasonably shall necessary to the entorcoment of this Or-

necessary to the environment of the License of the License (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 dulies with reference to such licenses or businesses

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 limes, the following premises: (i) hose for which a license was (ii) tor those for which a license was issued and which, at the time of inspection, are operating under such license; (iii) toss for which the license.has been revoked or suspended.

(1) Reports by Inspectors. Persons in-specting licensees, their businesses, or premises asherein authorized shall report all premises as herein authorized shall report all ATTEST: violations of this Ordinance or of other laws (5: Ora M. Amberg. or ordinances to the License Othicre and shall Ora M. Amberg. City Clerk submit such other reports as the License (SEAL)...; (b) Provisional Order.

(b) Provisional Order: When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer

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 interent. thereof

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

 (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.

(a) 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 prosectution for each and

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 (c) Expiration of Licenses. All licenses, lessed, fundees or receivers appointed by adjunce, shall expire on December 31 institution, establishment, article, utility or by ordinance, shall expire on December 31 institution, establishment, article, utility or by ordinance, shall expire on December 31 institution, establishment, article, utility or by ordinance, shall be an the respective anounts set out in this section and Ordinance business for which a license expires. a commodity, in this Section and Ordinance business for which a license is required shall specified, shall procure and pay for a license to coming year.
(d) Prorated Fae for New Business. Pro-rate for the balance of any ficense period. Any cept that stores which have a second floor business commenced and applying for a license during the first six (6) months of the transe second floor that stores which have a second floor business commenced and applying for a license for the last day of June of the transe for sales and display area, shall upon such license for the transe science of any business commenced after to second the transe which have a second floor basement open in whole or in part to business commenced and applying for a land-or basement open in whole or in part to the calendar year, and any business commenced the transe for sales and display area, shall upon such license tee as set forth herein. To the square footage thereof, without regard to come and comparison and the square footage thereof, without regard to come and a comparison of the transe shall pay after the last day of June of the transe footage thereof, without regard to come and the square footage thereof, without regard to come and the square footage thereof, without regard to come and the square footage thereof, without regard to come and the license the as set forth herein. To the square footage thereof, without regard to come and the license footage thereof.

to use, to the square tootage of the main flour and the total square tootage as thus nom-puted 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.	90 03
1,500 - 1,999 sa. ft	95.00
2,000 - 2,499 sq. ft	110.00
2.500 - 2,999 sq. ft :	125.00

tor businesses having square tostage in excess of 2,999 square teet, the fee shall be \$125.00 plus \$30.00 for each additional \$00 square feet, or any part thereof, in excess of

square feet, or any part thereof, in excess of 2.999 square feet. ... SECTION 11. ALLOWANCE FOR CON-PLIANCE. All businesses and persons uf i fected by this Ordinance shall have thirty: (30) days from the effective date herein within which to comply with the provisions of this Ordinance. Businesses commencing, operation within the Retail District after to 3 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.

provisions of this Orbinance shall be deement-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 fail for a period not exceeding thirty (30) days or be only so fined and imprisoned. Each day such violation (si committed or permitted to continue, shall continue a popular discussion of the solution constitute a separate offense and shall be ounishable as such hereunder.

punishable as such nereunger. SECTION 13. SEPARABILTY. 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 or competent jurisdiction, such portion shalls be deemed a separate, distinct one 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

TION			

APPLICATION FOR OCCUPATION LICENSE

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

	Date <u>May 8, 1975</u>
Name of Business VOYAGEUR 7	TRAVEL SERVICE
Business Address 1907 West 50th	Street Phone 722-2400
Type of Business Travel Agency	
Home Occupation	
Professional Office	
Retail Establishment <u>A</u> j	
Other	
License Fee	Square Feet
First Floor Space Regard Basement Floor Space Open Second Floor Space Open f Exterior Sales Area	n to General Public $x \frac{1}{2} = none$
Total License Fee (Refer to So Describe Nature of Business	chedule - Ordinance 100) \$ Providing travel arrangements for the public.
List All Persons Connected Wit	th 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
Applie	cant's Signature Rundle T. Durose
•	total amount of tax) due, payable to the s and mail to City Clerk, 5008 State Line,
LICENSE EFFECTIVE FROM	ТО

eraldi

(First published in Longson County prolid Wednesday March 26 1975) ORDINANCE NO. 100 ORDINANCE CONTAINING ALL GENERAL LICENSING PROUSSIONS OF THE CITY OF WESTWOOD HILLS, KAN-ORDINAACE NO. 100 ORDINAACE CONTAINING ALL ORDINAACE MONOTAINING ALL DESCRIPTION OF THE CONTAINING ALL SECTION OF THE SUBANCE OF, It issuance of any license, the license officer SYSTEM FOR THE ISSUANCE OF, It issuance of any license, it snall be signed LICENSES, ESTABLISHING ALL SUBANCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It issuance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It is suance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It is suance of any license, it snall be signed LICENSES, SETTING FORTH THE DIFFERENCE OF, It is CONTAINED OFFICER, AND PRESCRIBING OFFICER, AND PRESCRIBING NOW, THEREFORE, BE IT ORDAINED NECESSARY IN the operation and enforcement of this Ordinance. DECTION 1. SHORT TITLE. THIS OF distance shall be known and may be cited as officials for their endorsement. Submit all ap-plications, in a proper case, to interested City officials for their endorsements thereon as to officials for their endorsement shereon as to officials for their hey have the duty of sectION 2. SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or ALL ORDINAL AND ALL AND ALL

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 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.

always mandalory and not merely director

(1) "Business" is meant to include all kinds
 such determination the City License Officer
 of vocations, occupations, professions, enter-prises, establishments, and all other kinds of activities and matters, together with all previously operating in this or another City, devices, machines, vehicles and ap-purtenances used therein, any of which are in this City or anywhere else within its in this City or anywhere else within its ivrisdiction.
 (2) "City" is the City of Westwood. Hills, Kansas.
 (3) "City License Officer" or "License", as- used officer" is tha City Clerk of the City of Westwood Hills, Kansas.
 (3) "City License", or "License", as- used holder for any use or period of time of any possed or continued use of this Ordinance or other 1 and provision of this Ordinance or other law or ordinance.
 (4) "Person" is meant to include individual (6) "Person" is meant to include individual

ordinance. (6) "Person" is meant to include individual

natural persons, partnerships, joint ad-ventures, societies,, associations, clubs, ventures, societies, associations, clubs, ISSUANCE OF LICENSE. trustees, trusts, or corporations; or any (a) Formal Application Required. Every officers, agents, employees, factors, or any person required to procure a license-under kind of personal representatives of any the provisions of any ordinance or law of the thereoi, in any capacity, acting either for City shall submit an application for such himself, or for any other person, under either license to the City License Officer. The appersonal appointments or pursuant to law, blication shall: (1) Form of Application, are a written lands, structures, places, and also the statement upon forms provided by the City used therewin in any business, and also any personal croperty which is either affixed to, disclosure of all information necessary to or is otherwise used in connection with any compliance with Section 6 above and the application of a provide a bove and the application of the application.

or is otherwise used in connection with any such business conducted on such premises. SECTION 4. APPLICATION OF REGULATIONS.

(a) Territorial Application. The provisions (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 ny the Zoning Ordinances of the City of Westwood Hills, Kansas, and by recorded plats of the City of Westwood Hills, Vances Kansas

(b) Compliance Required. It shall be unlawful 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. DUITES OF CITY LICENSE OFFICER.

(a) Issue Licenses. The City License Of-ficer shall collect all license (ees 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

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

(4) Give Notice. Notify any applicant of the acceptance or rejection of his application.
(5) Record Licenses "ssued. The City License Officer shall keep a book containing a complete and percect record of all licenses

PLICANTS.

(a) General Standards to Be Applied. The a General standards herein set out relative to to perform the qualifications of every applicant for a businesses. City license shall be considered and applied (iii) Per Shati:

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

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

(2) Contents or 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 with license.

such license.

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, hen 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, shall expire on December 31st of each year. That on or before December 31st

or ordinance, and expire on December 3157 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

(d) Prorated Fee for New Business. Pro-rate for the balance of any license period the license fee of any business commenced after by said business without regard to use; exit the beginning of the license period. Any cept that stores which have a second floor business commenced and applying for a and or basement open in whole or in part to license during the first six (6) months of the integeneral public in addition to the main calendar year, and any business com-indendar year, and any business com-largest square footage) and or have an ex-mencing after the last day of June of the therefore and display area, shall upon such calendar year shall pay ane-hall (1/2) of the interior and exterior area, add one-half (1/2) of cupational license fee as set forth herein. I of the square footage hereof, without regard license fee of any business commenced after

SECTION 8. DUTIES OF LICENSEE. (a) General Standards of Conduct. Every licensee under this Ordinance shall:

(1) Permit Inspection. Permit al reasonable inspections of his business by all (2) Comply with Governing Law. Ascertain

and at all times comply with all laws and regulations applicable to such licensed business.

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.

 (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

a complete and perfect record of all licenses the control of the enforcement of this Or-issued, showing the nature of the license, its dinance. (ii) Officials having duties. The License SECTION 6. QUALIFICATIONS OF AP. Officer shall have the authority to order the premises, by all City officials having duties to perform with reference to such licenses or

(iii) Police officers. All police officers y license shall be considered and applied (in route during an pointer a the City License Officer. The applicant shall inspect and examine businesses located within their respective jurisdictions or bea's

 (2) Authority of Inspectors. All persons authorized herein to inspect licenses and businesses shall have the authority to enter

(iii) those for which the license has been March, 1975, revoked or suspended. (J) Reports by inspectors. Persons in Jerry D. Foster specting licensees, their businesses, or ATTEST: violations of this Ordinance or ôf other laws ¹⁵⁵ Ora M. Amberg or ordinances to the License Officer and shall Submit such other reports as the License Officer shall Order. When an issorter.

(b) Provisional Order. When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer

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. United States mail shall constitute service

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

(c) Action by City Attorney. The City Attorney is the License

person. (c) Action by City Attorney. The City At-torney shall, at the direction of the License lofficer 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 cat out in this article on the basis of the following schedule of interior suare forate a second flow-rand or basement open in whole or in part to the general public in addition to the main floor (main floor shall be finat floor with the leor (main floor shall be finat floor with the leor (main floor shall be finat floor with the

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.	499 sq. rt	\$ 50.00
500 -	999 sq. ft	65.00
1,000 -	1,499 sq. ft	80.60
1,500 -	1,999 sq. ft	95.00
2,000 -	2,499 sq. ft	110.00
2,500 -	2,999 sq. ft	125.00

square feel, or any part thereof, in excess of 2,999 square feel. SECTION 11. ALLOWANCE FOR COM. PLIANCE. All businesses and persons af-fected by this Ordinance shall have thirty. (30) days from the effective date heroof 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.

all times one delivered for use in connection with occur premises, if any. SECTION 9. ENFORCEMENT. (a) inspections: (b) Persons Authorized. The following persons are authorized to conduct inspections in the manner prescribed herein: (i) License officer. The License Officer (b) License officer. The License Officer (c) Shall make all investigations reasonably (c) Committed or permitted to continue, shall constitute a separate offense and shall be pulsable as such hereunder. SECTION 12. FERMIN any of the imprisoned in the country jail for a period not and imprisoned. Each day such violation is constitute a separate offense and shall be pulsable as such hereunder. SECTION 13. SEPARABILTY. If any construction sentence, Clause, phrase

SECTION 13. SEPARABILTY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any heid invalid or unconstructional by any court of competent jurisdiction, such portion shall be dramed a separate, distinct and in-dependent provision and such holding shall 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 husinesses shall have the authority to enter, with or without search warrant, at all reasonable times, the following premises: and after its passage, approval and (i) those for which a license is required; publication in the official City newspaper as (ii) for those for which a license was: PASSED by the Coverning Body this 20th are operating under such license; (iii) those for which the license has been (iii) those for which the license has been (iii) those for which the license has been (iv) those for which the license has been

March, 1975. s. Jerry D. Foster Jerry D. Foster, Mayor

APPLICATION FOR OCCUPATION LICENSE

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

		Date	Taca,	13 1975
Name of Business Wes	twood	Beaut	1 De	lon
Business Address 1903	W. 5	to the (- Phone	262-2255
Type of Business	Beguts	Sala) 	
Home Occupation				
Professional Office_				
Retail Establishment				
Other				•
License Fee				<u>Square Feet</u>
First Floor Space Re Basement Floor Space Second Floor Space O Exterior Sales Area	Open to Genera	l Public	$x \frac{1}{2} =$ - x \frac{1}{2} = - x $\frac{1}{2} =$	345
	· · ·	TOTAL SQUARE	FEET	
Total License Fee (Refer	to Schedule - O	rdinance 100)	\$	50.00
Describe Nature of Busine	ss (Ongl	to B	la	<i>Q</i> -
			can	7
			· · ·	<i>f</i>
List All Persons Connecte	d With Business	(i.e. Manager,	Stockholde	er. Officers)
Name	Address		Phone	
Name	Address		Phone	
Name	Address		Phone	
А	pplicant's Sign	ature My	Nerie	Jack
Make check or money order City of Westwood Hills, K Westwood Hills, Kansas 66	ansas and mail	nt of tax due to City Clerk	, payable , 5008 St	e to the cate Line,
	Nay 3 ha	t To Ma	4 31	st 1976
	, je	(J	•• <u>_</u>

SECTION 2: SCOPE. It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or intertere 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 pursoant organized or

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 prosent tense include the signular in the present tense include the singular City li number and words in the singular number include the plural number. The word "shall" shall: always mandatory and not merely director

(1) "Business" is meant to include all kinds, shall consider: (1) "Business" is meant to include all kinds: shall consider: of vocations, occupations, professions, enter. (i) License history. The license history of prises, establishments, and all other kinds of the applicant, whether such person in activities and matters, together with all previously operating in this or another City, devices, machines, vehicles and ap- County or State under a license has had such purtenances used therein, any of which are license revoked or suspended, the reasons conducted for private profit, or benefit, therefor, and the demeanor of the applicant in this City or anywhere else within its (ii) General personal history. Such other tarts relevant to the general personal history.

conducted for private profit, or benefit. therefor, and the demeanor of the applicant in this city or anywhere else within its jurisdiction. (2) "City" is the City of Westwood Hills, (3) "City License Officer" or "License' facts relevant to the general personal history. Such other (3) "City License Officer" or "License' the applicant as he or she shall find necessary to a fair determination of the elibibility of the applicant. (3) "City License Officer" or "License' the applicant as he or she shall find necessary to a fair determination of the elibibility of the applicant. (3) "City License Officer" or "License' the applicant as he or she shall find necessary to a fair determination of the elibibility of the applicant. (3) "City License', as used inance or indebted or obligated in any generally herein, shall include respectively inange or period of time of any oblight on and present a certificate from the City. (b) "Person" is meant to include individual natural persons, partnerships, joint ad ventures, societies, associations, citors, or any officers, agents, employees, factors, or any personet appointments or pursuant to law. (a) Formal Application Required. Every kind of personal representatives, of any himself, or for any other person, under either thereof, in any copacity, acting either for himself, or for any other person, under either thereof, application for such himself, or for any other person, under either thereof, in any copacity, acting either for the solution of application for such himself, or for any other person, under either thereof, in any copacity, acting either for the provisions of any ordinance or fisch himself or for any other person, under either toreas to the City License Officer. The ap-personet appointments or pursuant to law. (b) Form of Application Be a written

 Trustees, true
 the provisions of any ordinance or tar of the tar administration of the ters of the tar of the ordinance.

 (a) Territorial Application. The provisions of any ordinance or the ters of the tar of the ters chargeable for the tar of the ters of of ters of the te

SECTION 4. APPLICATION OF Officer snall find to be reasonably necessary REGULATIONS. (a) Territorial Application. The provisions of this Ordinance shall apply only to businesses locared in that district known as the "Refail District" as defined and delineated by the Zoning Ordinances of the Officer snall, upon payment to him or ther of City of Westwood Hills, Kansas, and by the charge of any liconse, give a receipt recorded plats of the City of Westwood Hills, the total state of the Officer snall, upon payment to him or ther of City of Westwood Hills, Kansas, and by the charge of any liconse, give a receipt recorded plats of the City of Westwood Hills, taysue, is duration and to whom issued. A (b) Compliance Required. It shall be un-lawiul for any person, either directly or in therewith any vehicle, premises, machine or profit enterprise, or to use in connection profit enterprise, or to use in connection therewith any vehicle, premises, machine or business for which a license of this City, without a license of business for which a license is required shall permit herefor being first procured and kept have made application for its license for the in effect at all such times as required by this coming year. in effect at all such times as required by this Ordinance or other law or ordinance of this

SECTION 8. DUTIES OF LICENSEE. (a) General Standards of Conduct. Eve income the conduct all license tess and shall persons qualified under the provisions of this dupines so authorized by Jaw. Income the conduct all license tess and shall persons qualified under the provisions of this ticense shall be apprived by the City Altorney. Prior SYSTEM FOR THE CITY LICENSE persons the transform the corporate seal shall be approved by the City Altorney. Prior persons the transform persons the transform of FICER, AND PRESCRIBING NOW, THEREFORE, BE IT ORDAINED AUTHORY US S. NOW, THEREFORE, BE IT ORDAINED AVTHE GOVERNING BODY OF THE CITY SECTION 1. SHORT TITLE, This of diance to repeal, abrogate, annub of this Ordinance. SECTION 2. SCOPE. It is not intended by this ordinance the city is consistent of the proper case, to interested City and the "General Licensing Ordinance of the City all reasonable rules and regulations SECTION 2. SCOPE. It is not intended by this Ordinance of pread, abrogate, annub of this Ordinance of pread, abrogate, annub of this ordinance the abroit the proper case, to interested City and the specifically repealed diversion of this the appricant with all City all " and the specifically repealed diversion of the this Ordinance of the system of the proper case, to interested City and the specifically repealed diversion of the this Ordinance of the system of the proper case, to interested City and the specifically repealed diversion of the this Ordinan

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 chees a complete and perfect record of all-licenses necessary.

(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

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

(d) Prorated Fee for New Business. Pro

rate for the balance of any license period the license fee of any business commenced after license fae 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 way of June of the alendar user shall bey one balk (16) of the calendar year shall pay one-half (2π) of the occupational license fee as set forth herein.

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

 License officer. The License Officer thall make all investigations reasonably necessary to the enforcement of this Cr

a complete and norfloci record of all licenses, inclusions, intermediation and for fails of fails of the second normal second for the license its diance. (ii) Officials having duties. The License (iii) Officials having duties. The License (iii) Officials having duties. The License (iii) Officials having duties are authority to order the inspection of licenses, their businesses and (a) General Standards herein set our relative to the perform with reference to such licenses or businesses

juditications of every applicant for a bisinesses.
 (iii) Police officers. All police officers the City License Officer. The applied shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.
 (2) Authority of Inspect Dicense and every to enforce officer.
 (consider: In making of the authority to enforce of the authority of the authority to enforce of the authority o

with or without search warrant, at all reasonable times, the following premises: (i) those for which a license is required;

(iii) those for which the license has been
 (iii) those for which the license
 <l

(b) Provisional Order: When an inspector has reported the violation of this Ordinance or of any law or ordinance the License Officer

or of any law or ordinance the License Officer shail issue to the alfected 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 alfected of his specific violations. In the absence of the person al-fected or his agent or employee, a copy of such notice shall be affixed to some structure to the premises. Depositing such notice in the United States mail shall constitute service United States mail shall constitute service hereof. (2) Period for Compliance. The provisional

der shall require compliance within save (7) days of personal service on the affected

person. - (c) Action by City Attorney. The City At (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 prosectution for each and

prevent a criminal prosectution 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 tollowing schedule of interior square fotage accupied 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 toor (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 ($\frac{1}{2}$) of the square footage thereof, without regard

to use, to the square fourage of the main t'coand the total square tootage as thus com-puted shall determine the tax in accordance with the following schedule:

115	Innowitin schennie:	
	0 499 sq. ft	\$ 50.00
	500 - 999 sq. ft.	65 65
	1,000 - 1,499 sq. ft	80.00
	1,500 - 1,999 sq. tt.	95.00
	2,000 - 2,499 sq. ft	110.00
	2,500 - 2,999 sq. ft.	125.00

2,500 - 2,599 square fortage in excess of 2,599 square feet, the fee shall be \$125.00 plus \$30.00 for each additional 500 square leet, or any part thereof. in excess of

square leet, or any part thereof. in excess of 2,999 square feet. SECTION 11. ALLOWANCE FOR COM. PLIANCE. All businesses and persons af. (ected 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 deamed provisions or inis Grainance 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 fail for a period not exceeding thirty (30) days or be boin so fined and imprisoned. Each day such violation as committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

punishable as such hereunder. SECTION 13. SEPARABILTY. 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 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

(i) those for which a license is required; provided by law. (ii) for those for which a license was provided by law. issued and which, at the time of inspection, are operating under such license. (iii) those for which the license has been APPROVED by the Mayor this 20th day of March. 1975.

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 CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYS-TEM 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.

(b) <u>Compliance Required</u>. 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) <u>Issue Licenses</u>. 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) <u>Make Rules</u>. 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.

any applicant for a license as prescribed herein.

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

(5) <u>Record Licenses Issued</u>. 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) <u>General Standards to Be Applied</u>. 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) <u>License history</u>. 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) <u>General personal history</u>. 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) <u>No Obligations to City</u>. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

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) <u>Contents of Application</u>. 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) <u>Issuance of Receipts</u>. 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) <u>Prorated Fee for New Business</u>. 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) <u>General Standards of Conduct</u>. Every licensee under this Ordinance shall:

(1) <u>Permit Inspection</u>. 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) <u>Cease Business</u>. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) <u>Display of License and Insignia</u>. 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

SECTION 9. ENFORCEMENT.

(a) Inspections:

(1) <u>Persons Authorized</u>. 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) <u>Officials having duties</u>. 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) <u>Police officers</u>. 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) <u>Reports by Inspectors</u>. 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) <u>Provisional Order</u>. 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) <u>Period for Compliance</u>. 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) <u>City Judgment No Bar</u>. 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.

-4-

0	-	499	sq.	ft.	٠	•	•	•	٠	• \$	50.0Q
500		999	sq.	ft.	•	•		•	•	•	65.00
											80.00
1,500	-	1,999	sq.	ft.	•	•	•	٠	•	•	95.00
2,000		2,499	sq.	ft.	•	٠		٠	•	•	110.00
2,500		2,999	sq.	ft.	•	•	٠	•	•	٠	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 20 day of March, 1975.

APPROVED by the Mayor this 20th day of March

D. Foster, Jerry TEST: Amberg, City Clerk М.

1975.

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYS-TEM 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.

(b) <u>Compliance Required</u>. 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) <u>Issue Licenses</u>. 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). <u>Make Rules</u>. 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) <u>Investigate</u>. Determine the eligibility of any applicant for a license as prescribed herein.

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

(5) <u>Record Licenses Issued</u>. 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) <u>General Standards to Be Applied</u>. 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) <u>General personal history</u>. 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) <u>No Obligations to City</u>. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

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) <u>Contents of Application</u>. 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) <u>Payment of Fees</u>. Be accompanied by the full amount of the fees chargeable for such license.

(b) <u>Issuance of Receipts</u>. 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) <u>Prorated Fee for New Business</u>. 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) <u>General Standards of Conduct</u>. Every licensee under this Ordinance shall:

(1) <u>Permit Inspection</u>. 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) <u>Operate Properly</u>. Avoid all forbidden, improper or unnecessary practices or conditions which do or may affect the public health, morals or welfare.

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

(b) <u>Display of License and Insignia</u>. 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

SECTION 9. ENFORCEMENT.

(a) Inspections:

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

(i) <u>License officer</u>. 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) <u>Police officers</u>. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) <u>Authority of Inspectors</u>. 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) <u>Reports by Inspectors</u>. 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) <u>Provisional Order</u>. 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) <u>Nature of Notice</u>. 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) <u>Period for Compliance</u>. 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) <u>City Judgment No Bar</u>. 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.

-4-

0	 499	sq.	ft.	٠	•	•	•	٠	•\$	50.00
										65.00
										80.00
1,500	 1,999	sq.	ft.	•	•		•	•		95.00
										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 20 day of March , 1975. APPROVED by the Mayor this 20th day of March 1975.

Jerry D. Foster, Mayor

M. Amberg, City Clerk

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYS-TEM 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.

1 1

(b) <u>Compliance Required</u>. 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) <u>Issue Licenses</u>. 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) <u>Make Rules</u>. Promulgate and enforce all reasonable rules and regulations necessary to the operation and enforcement of this Ordinance.

(2) <u>Obtain Endorsement</u>. 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) <u>Investigate</u>. Determine the eligibility of any applicant for a license as prescribed herein.

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

(5) <u>Record Licenses Issued</u>. 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) <u>General Standards to Be Applied</u>. 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) <u>License history</u>. 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) <u>General personal history</u>. 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) <u>No Obligations to City</u>. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

/

v . . .

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) <u>Contents of Application</u>. 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) <u>Issuance of Receipts</u>. 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) <u>Prorated Fee for New Business</u>. 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) <u>General Standards of Conduct</u>. Every licensee under this Ordinance shall:

(1) <u>Permit Inspection</u>. 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) <u>Cease Business</u>. Refrain from operating the licensed businesses on premises after expiration of his license and during the period his license is revoked or suspended.

(b) <u>Display of License and Insignia</u>. 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

SECTION 9. ENFORCEMENT.

(a) Inspections:

v. · · ·

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

(i) <u>License officer</u>. 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) <u>Police officers</u>. All police officers shall inspect and examine businesses located within their respective jurisdictions or beats to enforce compliance with this Ordinance.

(2) <u>Authority of Inspectors</u>. 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) <u>Reports by Inspectors</u>. 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) <u>Provisional Order</u>. 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) <u>Nature of Notice</u>. 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) <u>Period for Compliance</u>. 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) <u>City Judgment No Bar</u>. 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.

you and a

0	-	499	sq.	ft.	•	•	•	•	•	. \$	50.00
500	-	999	sq.	ft.	•	•	•	•	•	•	65.00
											80.00
•		•	-								95.00
											110.00
											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 20 day of March, 1975.

APPROVED by the Mayor this 20th day of March,

Jerry D./Foster, Mayor

M. Amberg, City Clerk

1975.

ORDINANCE CONTAINING ALL GENERAL LICENSING PROVISIONS OF THE CITY OF WESTWOOD HILLS, KANSAS, REQUIRING COMPLIANCE BY PERSONS REQUIRED TO OBTAIN LICENSES, ESTABLISHING A UNIFORM SYS-TEM 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.

(b) <u>Compliance Required</u>. 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) <u>Issue Licenses</u>. 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) <u>Make Rules</u>. 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) <u>Investigate</u>. Determine the eligibility of any applicant for a license as prescribed herein.

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

(5) <u>Record Licenses Issued</u>. 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) <u>General Standards to Be Applied</u>. 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) <u>General personal history</u>. 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) <u>No Obligations to City</u>. Not be in default under the provisions of this Ordinance or indebted or obligated in any manner to the City.

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) <u>Contents of Application</u>. 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) <u>Issuance of Receipts</u>. 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) <u>Prorated Fee for New Business</u>. 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) <u>General Standards of Conduct</u>. Every licensee under this Ordinance shall:

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

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

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

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

(b) <u>Display of License and Insignia</u>. 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

SECTION 9. ENFORCEMENT.

(a) Inspections:

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

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

(ii) <u>Officials having duties</u>. 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) <u>Police officers</u>. 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) <u>Reports by Inspectors</u>. 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) <u>Nature of Notice</u>. 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) <u>Period for Compliance</u>. 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) <u>City Judgment No Bar</u>. 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.

-4-

0	-	499	sq.	ft.	•	•	•	•	٠	• 5	\$ 50.00
500		999	sq.	ft.	•	•	•	•	•	•	65.00
											80.00
											95.00
											110.00
											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 20 day of March , 1975. APPROVED by the Mayor this 20th day of March 1975. Jussy D. 9. D. Foster, Jerry

M. Amberg,

City Clerk