

ORDINANCE NO. 114

AN ORDINANCE ESTABLISHING DAYS AND HOURS OF CONSTRUCTION, DEFINING MAXIMUM SIZE FOR DWELLING ADDITIONS, STATING REQUIREMENTS FOR BUILDING PLANS, SETTING BUILDING PERMIT EXPIRATION PERIOD, ESTABLISHING TIME PERIOD FOR CLEAN UP AFTER CONSTRUCTION AND ALLOWING BINS AND REFUSE CONTAINERS FOR CONSTRUCTION DEBRIS.

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

Section 1. Subsection (K) is hereby added to Chapter 8, Article 2, Section 204 of the Code of the City of Westwood Hills, Kansas, 1979, as follows:

(K) No construction activity performed by any person other than the resident himself, shall be permitted before 8 o'clock a.m. or after 5 o'clock p.m. weekdays, unless consented to by adjoining neighbors. Construction workers and their equipment may not be used on site on Sundays or any Legal holiday.

Section 2. Subsection (L) is hereby added to Chapter 8, Article 2, Section 204 of the Code of the City of Westwood Hills, Kansas, 1979, as follows:

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** repealed*

Section 3. Chapter 8, Article ⁵2, Section 503, subsection (1) of the Code of the City of Westwood Hills, Kansas, 1979, is hereby amended to read as follows:

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shall be drawn and sealed by a registered architect and include plot plans, detailed floor plans, elevations (front, rear and side) and building specifications. Structural, mechanical and electrical drawings will be required as needed.

Enclosure of screened porches shall be specifically exempted from the restriction above. A building permit shall be required as well as a complete explanation of the owner's plans.

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8-508. EXPIRATION OF PERMITS. Permits are issued with the understanding that substantial construction is to begin promptly. Any permit for which construction does not begin within ninety days shall expire automatically and a new permit be required before work can commence. Fees are forfeited if permits are allowed to expire.

Section 5. Chapter 8, Article 6, Section 601 of the Code of the City of Westwood Hills, Kansas, 1979, is hereby amended to read as follows:

8-601. CLEARING AND CLEANING OF STREETS FOLLOWING CONSTRUCTION. Every person, firm, or corporation obtaining a building permit shall, within five (5) days after completion of the work cause that portion of the street or alley occupied by him with building material to be thoroughly cleared and cleaned. Dump bins and refuse containers may be used for construction refuse. The location of dump bins on sidewalks or streets is forbidden except by special permit from the Planning Commission.

Section 6. This ordinance shall take effect after its publication pursuant to law.

Passed by the City Council this _____ day of October, 1979.

Approved by the Mayor this _____ day of October, 1979.

Al W. Tikwart, Jr., Mayor

ATTEST:

Janet Whitehead, City Clerk

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Approved by the Mayor this _____ day of October, 1979.

Al W. Tikwart, Jr., Mayor

ATTEST:

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Section 6. This ordinance shall take effect after its publication pursuant to law.

Passed by the City Council this _____ day of October, 1979.

Approved by the Mayor this _____ day of October, 1979.

Al W. Tikwart, Jr., Mayor

ATTEST:

Janet Whitehead, City Clerk

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Approved by the Mayor this _____ day of October, 1979.

Al W. Tikwart, Jr., Mayor

ATTEST:

Janet Whitehead, City Clerk

ARTICLE 9 - PENALTY

5-901 It shall be unlawful for any person to violate the provisions of this ordinance and any violation thereof shall be deemed a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$500.00 for each offense. Each day's violation shall constitute a separate offense. Nothing in this section shall be construed as to affect any other remedy the City may have to abate such violation.

ARTICLE 10 - VALIDITY

5-1001 Should any article, section, clause or provision of this ordinance be declared invalid or unconstitutional by any Court of record, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid or unconstitutional.

ARTICLE 11 - REPEAL

5-1101 Ordinances No. 28, 46A and 63 are hereby repealed.

ARTICLE 12 - EFFECTIVE DATE

5-1201 This ordinance shall take effect and be enforced from and after its publication according to law.

Passed by the City Council this 3rd day of March, 1975.

Approved by the Mayor, this 3rd day of March, 1975.

Jerry D. Foster
Jerry D. Foster, Mayor

ATTEST:

Ora M. Amberg
Ora M. Amberg, City Clerk

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Passed by the City Council this 1st day of October, 1979.

Approved by the Mayor this 1st day of October, 1979.


Al W. Tikwart, Jr., Mayor

ATTEST:


Janet Whitehead, City Clerk

Shawnee Journal-Herald

12206 Johnson Drive

P.O. Box 8

Shawnee Mission, Ks. 66201

AFFIDAVIT OF PUBLICATION

STATE OF Kansas, Johnson County, ss:

William Shippee being first duly sworn, deposes and says that he is the publisher of the Shawnee Journal-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 published weekly at least 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

10 day of October, 1979, with subsequent publications being made on the following dates:

_____, 19____

_____, 19____

_____, 19____

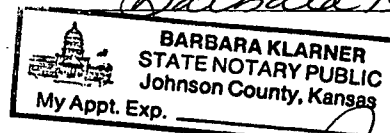
_____, 19____

William Shippee

Subscribed and sworn to before me this 11

day of October, 19 79

Barbara Klarnier



Notary Public in and for Johnson County, Kansas

My commission expires: June 14, 1982

Notary Fee ----- \$ _____

Printers Fee ----- \$ 28.73

Total Charge ----- \$ 28.73

Case No. _____

Plaintiff.

vs.

Defendant.

PROOF OF PUBLICATION

October 3, 1979

Dear _____,

The city council passed Ordinance No. 114 amending the recently codified ordinances at the October 1 council meeting. This ordinance deals with building and zoning requirements and copies are being sent to all members of the Planning Commission and Appeals Committee for future reference.

We do appreciate the work and efforts of those who spent time in preparing suggested changes. It is our hope that the ordinance will help the Planning Commission and Appeals Committee as they consider future building and remodeling proposals.

Sincerely,

Betty Robinson
Chairman
Ordinance Committee

Copies to:

Planning Commission

Barry Richardson
Sam Hayes
Bud Hannan
Polly Garcia
Becky Berg
Gary Harper

Appeals Committee

Barry Richardson
Gary Harper
Hal Sandy
Jim Searce