

CITY OF WESTWOOD HILLS, KANSAS
ORDINANCE NO. 245

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 7 OF THE ORDINANCES OF THE CITY OF WESTWOOD HILLS, KANSAS, ENTITLED "USE AND EXCAVATION OF THE PUBLIC RIGHT-OF-WAY" BY AMENDING SECTION 5-703(bb) TO DEFINE THE TERM "RIGHT-OF-WAY" TO MEAN THE AREA ON, BELOW, OR ABOVE PUBLIC STREETS, ALLEYS, BRIDGES, AND PARKWAYS, AND ALSO THE AREAS IMMEDIATELY ADJACENT THERETO DECIDATED TO PUBLIC USE, INCLUDING, BUT NOT LIMITED TO, ANY SIDEWALK, ANY PUBLIC EASEMENT, ANY AREA EXTENDING BEYOND THE MARGINS OF THE PAVED SURFACE OF ANY STREET WHICH IS ALSO USED FOR OR DEDICATED TO PUBLIC PURPOSES OR USES OR ROADWAY PURPOSES OR USES, OR ANY DEDICATED ROADWAY AREA.

WHEREAS, the Governing Body has determined that it is advisable to amend the Ordinances of the City of Westwood Hills, Kansas, to amend a portion of Chapter 5, Article 7 of the ordinances of the City of Westwood Hills, Kansas entitled "Use and Excavation of the Public Right-of-Way" by amending Section 5-703(bb) to define the term "right-of-way" as set forth herein;

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

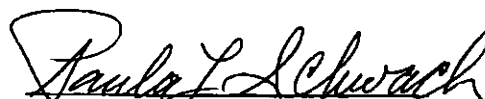
Section 1. Section 5-703(bb) of the Ordinances of the City of Westwood Hills, Kansas is hereby amended and shall read as follows:

"5-703(bb) 'Right-of way' means the area on, below, or above public streets, alleys, bridges, and parkways, and also the areas immediately adjacent thereto dedicated to public use, including, but not limited to, any sidewalk, any public easement, any area extending beyond the margins of the paved surface of any street which is also used for or dedicated to public purposes or uses or roadway purposes or uses, or any dedicated roadway area."


Section 2. Section 5-703(bb) of the previous Ordinances of the City of Westwood Hills, Kansas, and all other ordinances inconsistent herewith are repealed; however, the repeal of said ordinances does not affect any right which has accrued, any duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the ordinance repealed. The provisions of any ordinance, so far as they are the same as those of any prior ordinance, shall be construed as a continuation of such provisions, and not as a new enactment.

Section 3. This Ordinance shall be effective upon its passage, approval by the Mayor and publication once in the official city newspaper.

PASSED by the Governing Body, and APPROVED by the Mayor this 12th day of May, 2014.


Paula Schwach, Mayor

Attest:


Beth O'Bryan, City Clerk

The Legal Record

Publication Fees: \$21.45

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Olathe, KS 66051-0273
(913) 780-5790


ATTN: JAMES R. ORR
CITY OF WESTWOOD HILLS
4800 RAINBOW BLVD STE 200
WESTWOOD KS 66205

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Rogers, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing Clerk
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the State of Kansas, published in and of general paid
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Johnson County, Kansas, is not a trade, religious or
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(50) times a year, has been so published continuously
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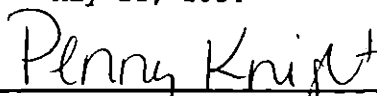
ORDINANCE NO. 245
5/20/14



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

May 21, 2014



Notary Public

PENNY KNIGHT
Notary Public-State of Kansas
My Appt. Expires: Dec. 31, 2017

L48232

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First published in The Legal Record, Tuesday, May 20, 2014.

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