

BUHLER CITY CODE

CHAPTER I

GENERAL PROVISIONS

SECTION I-1. HOW CODE DESIGNATED AND CITED.

The ordinances embraced in the following chapters and sections shall constitute and be designated as "The Code of the City of Buhler, Kansas", and may be so cited. The Code may also be cited as the "Buhler City Code."

SECTION I-2. PROVISIONS CONSIDERED AS CONTINUATIONS OF EXISTING ORDINANCES.

The provisions appearing in this Code, so far as they are the same as those of the ordinance existing at the time of the adoption of this Code, shall be considered as a continuation thereof and not as new enactments.

SECTION I-3. CATCHLINES OF SECTIONS.

The catchlines of the sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of any section, nor, unless expressly so provided, shall they be so deemed when any section, including its catchline, is amended or re-enacted.

SECTION I-4. SEVERABILITY OF PARTS OF CODE.

If for any reason any part, section, subsection, sentence, clause or phrase of this Code, or the application thereof to any person or circumstance, is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Code.

SECTION I-5. DEFINITIONS AND RULES OF CONSTRUCTION.

In the construction of this Code and of all ordinances of the City, the following definitions and rules of construction shall be observed, unless they are inconsistent with the manifest intent of the governing body or the context clearly requires otherwise:

Bond. When a bond is required, an undertaking in writing shall be sufficient.

City. The words "the city" mean the City of Buhler, in the County of Reno, in the State of Kansas.

Computation of time. The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day be Sunday, that day shall be excluded.

County. The words "the county" mean the County of Reno in the State of Kansas.

Gender. Words importing the masculine gender include the feminine and neuter.

Governing body. The "governing body" shall mean the mayor-council of commissioners of the City of Buhler, Kansas.

In the city. The words "in the city" mean and include any territory within the corporate limits of the City of Buhler, Kansas, and the police jurisdiction thereof, and any other territory over which regulatory power has been conferred on the city by general or special act, except as otherwise specified.

Joint authority. All words giving a joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

Month. The word "month" means a calendar month.

Number. Words used in the singular include the plural and words used in the plural include the singular.

Oath. The word "oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" are equivalent to the words "affirm" and "affirmed".

Or, and. The word "or" may be read as "and", and the word "and" as "or", where the sense requires it.

Owner. The word "owner," applied to a building or land, shall include not only the owner of the whole, but any part owner, joint owner, tenant in common, or joint tenant of the whole or a part of such building or land.

Person. The word "person" includes a firm, partnership, association of persons, corporations, organization or any other group acting as a unit, as well as an individual.

Personal property. The words "personal property" include every species of property, except real property.

Preceding following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The word "property" includes real, personal and mixed property.

Real property. The words "real property" include lands, tenements and hereditaments.

Shall. The word "shall" is mandatory.

Sidewalk. The word "sidewalk" means any portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

Signature, subscription. The word "signature" or "subscription" include a mark when the person cannot write, when his name is written near such mark and is witnessed by a person who writes his own name as a witness.

State. The words "the state" mean the State of Kansas.

Street. The word "street" means and includes public street, avenues, boulevards, highways, roads, alleys, lanes, viaducts, bridges and the approaches thereto and all other public thoroughfares in the City.

Tenant, occupant. The words "tenant" and "occupant," applied to a building or land, mean any person who occupies the whole or a part of such building or land, whether alone or with others.

Time. Words used in the past or present tense include the future as well as the past and present.

Writing, written. The words "writing" and "written" include typewriting, printing on paper and any other mode of representing words and letters.

Year. The word "year" means a calendar year.

SECTION I-6. GENERAL PENALTY; CONTINUING VIOLATIONS.

Whenever in this Code, or in any ordinance, or rule or regulation promulgated by any officer or agency of the city under authority vested in him or it by law or ordinance, any act is prohibited or is declared to be unlawful, or the doing of any act is required, or the failure to do any act is declared to be unlawful and no specific penalty is provided therefor, the violation of any such provision of this Code, or any such ordinance, rule or regulation shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment in the County jail, for a period of not exceeding six (6) months, or by both such fine and imprisonment, at the discretion of the Municipal Judge. Each day any violation of this Code or any such ordinance, rule or regulation continues shall constitute a separate offense.

SECTION I-7. CORPORATE LIMITS.

The area of land within the City of Buhler, Kansas, is described as follows, and is within the following described boundaries:

Beginning at the Southeast corner of Section 17, Township 22 South, Range 4 West of the 6th P.M., thence West 50 feet, thence North 662.4 feet, thence East 10 feet, thence North 3152.5 feet, thence West 5 feet, thence North to the South boundary line of the Northeast Quarter of the Northeast Quarter of Section 17, Township 22 South, Range 4 West, thence West along said boundary line a distance of 170 feet, thence North parallel to the East boundary line of said section 495 feet, thence East parallel to the South boundary line of said Northeast Quarter of the Northeast Quarter, a distance of 165 feet, thence

North to the North boundary line of Section 17, thence East along said boundary line 20 feet, thence North parallel to the East boundary line of Section 8, Township 22 South, Range 4 West, a distance of 1402.5 feet, thence East at an angle of 90° to the right a distance of 690 feet, thence South, parallel to the West boundary line of Section 9, Township 22 South, Range 4 West, to a point 45 feet North of the South boundary line of said Section 9, thence East parallel to said South boundary line to the East boundary line of the Southwest Quarter of the Southwest Quarter of Section 9, thence South 5 feet, thence East parallel to the South boundary line of Section 9 to the East boundary line of the Southwest Quarter of said Section 9, thence South along said East boundary line and continuing along the East boundary line of the West half of Section 16, Township 22 South, Range 4 West to a point 33 feet South of the North boundary line of Section 21, Township 22 South, Range 4 West, thence West parallel to said North boundary line of Section 21 to the West boundary line of said section, thence North along said West section line a distance of 33 feet to the point of beginning;

Except a tract described as follows: From the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 17, Township 22 South, Range 4 West, thence West 45 feet for the place of beginning; thence North parallel with the East line of said section 33.59 feet, thence West at an angle of 90° to the left a distance of 107 feet, thence South parallel with the East line of said Section a distance of 33.59 feet more or less to the South line of the North half of the Northeast Quarter of said section, thence East a distance of 107 feet to the place of beginning.