

ADOPTION OF CODE

ORDINANCE NO. 423

AN ORDINANCE ADOPTING THE REVISION AND CODIFICATION OF ORDINANCES OF THE CITY OF BUHLER, KANSAS, TO BE KNOWN AS THE CODE OF THE CITY OF BUHLER, KANSAS, 1987, AUTHORIZED BY ORDINANCE NO. 415; PROVIDING GENERALLY FOR THE REPEAL OF CERTAIN ORDINANCES OF THE CITY NOT INCLUDED IN SAID CODIFICATION: EXCEPTING GENERAL AND SPECIAL ORDINANCES OF THE CITY FROM REPEAL; SAVING CERTAIN RIGHTS, DUTIES, FORFEITURES AND PENALTIES AND PROVIDING RULES FOR THE CONSTRUCTION THEREOF.

WHEREAS, the Governing Body of the City of Buhler, Kansas, has authorized by Ordinance No. 415 the codification and revision of the general ordinances of the City of Buhler, and the publication in looseleaf book form of such codification and revision, pursuant to K.S.A. 12-3014 and K.S.A. 12-3015 as amended, and such codification and revision has been made in accordance with said statutes.

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

SECTION 1. It is hereby adopted that a certain code entitled "The Code of the City of Buhler, Kansas, 1987," containing certain ordinances of a general and permanent nature as compiled, consolidated, revised and indexed from Chapters I to XVIII, both inclusive, of which code, not less than one copy of said book entitled "The Code of the City of Buhler, Kansas, 1987" has been published; shall be kept on file with the ordinance books of the City.

SECTION 2. The provisions of said code shall be enforced on and after the 7th day of May, 1987, and all ordinances of a general and permanent nature in force on the 7th day of May, 1987, and not contained in said code are hereby repealed from and after the 7th day of May, 1987, except as herein after specified. This ordinance shall have no effect on any ordinance of the City adopted after the 28th day of April, 1987.

SECTION 3. In construing this ordinance, the following Ordinances shall not be considered or held to be ordinances of a general nature:

A. Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devised, bequests, appropriation or condemnation;

B. Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys or boulevards;

C. Ordinances establishing or changing grades of streets, avenues, alleys or boulevards;

D. Ordinances naming or changing the names of streets, avenues or boulevards; and ordinances designating main traffic ways or major traffic ways;

E. Ordinances authorizing or directing public improvements to be made;

F. Ordinances creating districts for public improvements of whatsoever kind or nature;

G. Ordinances levying general taxes;

H. Ordinances levying special assessments or taxes;

I. Ordinances granting any rights, privilege, easements or franchises therein mentioned to any person, firm or corporation;

J. Ordinances authorizing the issuance of bonds or other instruments of indebtedness by the City;

K. Ordinances relating to zoning;

L. Ordinances relating to contracts;

M. Ordinances pertaining to annexation, vacation, or exclusion of territory;

N. Ordinances relating to compensation of officials, officers and employees of the City;

SECTION 4. The arrangement and classification of the several chapters, articles and sections of the code adopted by Section 1 of this Ordinance and headnotes and footnotes at the end of the sections, are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

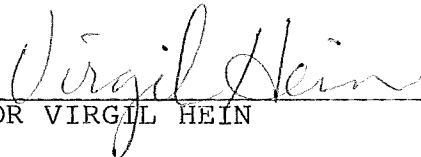
SECTION 5. The repeal of ordinances as provided in Section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefor.

SECTION 6. Wherever 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 by 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 both such fine and imprisonment, at the discretion of the Municipal Judge. Each day any violation of said code or any such ordinance, rule, or regulation continues, shall constitute a separate offense.

SECTION 7. If for any reason any chapter, article, section, subsection, sentence, portion or part of the code of the City of Buhler, Kansas, or the application thereof to any person or circumstances, is declared to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the code.

SECTION 8. That this Ordinance and the said code of the City of Buhler, Kansas, shall be in force and effect on publication of said code in book form, certified by the City Clerk to be true and correct, which said publication and effective shall be the 7th day of May, 1987.

Passed by the governing body, this 28th day of April, 1987.


MAYOR VIRGIL HEIN

Attest:

Marilyn F. Prather, City Clerk

C E R T I F I C A T E

STATE OF KANSAS)

Office of the City Clerk
City of Buhler, Kansas

COUNTY OF RENO) SS:


CITY OF BUHLER)

THIS IS TO CERTIFY, that I, MARILYN F. PRATHER, City Clerk of the City of Buhler, Reno County, Kansas do hereby certify that said city is a city of the third class of the

Mayor-Council form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by Ordinance No. 415 and in accordance therewith is entitled the "Code of the City of Buhler, Kansas, 1987," that said codification was adopted as the "Code of the City of Buhler, Kansas, 1987," by the governing body by Ordinance No. 423 passed on the 28th day of April, 1987, as authorized by Section 12-3015 of the Kansas Statutes Annotated; that said Ordinance No. 423 and said codification of general ordinances as contained in this volume will take effect upon publication of 10 or more copies; that the publication of 10 copies of this code and adoptive Ordinance No. 423 constitute due passage of this code and all general ordinances contained therein; that the codification and adoptive Ordinance No. 423 as contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by 12-3015 of the Kansas Statutes Annotated.

I further certify that the "Code of the City of Buhler, Kansas, 1987," and the matter therein contained will take effect upon publication and be in force from and after the 7th day of May, 1987.

Witness my hand and the seal of the City of Buhler, Kansas, at my office in Buhler, Kansas, this 28th day of April, 1987.


MARILYN F. PRATHER
City Clerk, City of
Buhler, Kansas

(S E A L)