

(Published on the 22nd day of September, 2010, in the Official City Newspaper)

ORDINANCE NO. 10-13

AN ORDINANCE CONCERNING THE ESTABLISHMENT OF RATES FOR MOWING SERVICES PERFORMED OR INCURRED BY THE CITY OF GALENA, KANSAS, TO ENFORCE ITS ORDINANCES RELATED TO ELIMINATING HIGH WEEDS, GRASS, AND OTHER VEGETATION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS that:

Section 1. Article 2 of Chapter 8 of the Code of the City of Galena is hereby amended to add the following sections to read as follows:

8-208 MOWING SERVICE FEE. The fee for the first instance in a calendar year when mowing service is performed or contracted by the city of Galena to enforce City Code Sections 8-201 through 8-207 at a property location shall be as follows:

The city shall assess for such mowing services as described above a fee of the higher of twice the contracted amount for mowing services, or \$50.00, for each 2500 square feet unit upon any property in which the city causes to be performed mowing in order to enforce City Code Sections 8-201 through 8-207. Any property mowed at a particular address that is 2500 square feet or less shall be billed by the city to the owner at one unit price. Any property with dimensions of more than 2500 square feet and not greater than 5000 square feet shall be billed by the city to the owner for two units. Every mowed additional unit of property in excess of 5000 feet square at a particular address shall be billed by the city at the above unit price. The fee for the second or subsequent instance in a calendar year of mowing at a property location shall be twice the above-stated amount.

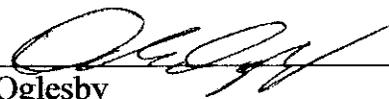
8-209 UNIT MEASUREMENT METHOD. Measurements shall be determined by dimensions recorded in the Cherokee County Appraiser's Office. Structures shall not be excluded in determining the square feet. In the event the square footage of a property is not calculated in the records of Cherokee County, then the city may utilize any resource it may choose, to determine the square footage. The city's determination thereof shall be conclusive. In determining the measurements of a property location, the measurements shall not be combined of property that is separated by a street, alley, railroad, and property in which the owner of the mowed property does not own.

Section 2. This ordinance shall take effect upon publication in the official city newspaper and shall apply to all mowing performed on or after September 23, 2010.

Section 3. The provisions of any ordinance that are in conflict with the terms of this ordinance are hereby repealed.

Passed and approved by the City Council of Galena, Kansas, this 20th day of September, 2010, by a vote of at least 4 council members.

Approved of by the Mayor of the City of Galena, Kansas, this 20th day of September, 2010.



Dale Oglesby
Mayor of Galena, Kansas

Attest:



Deborah Kitch
City Clerk
Ordinance No. 10-13

Prepared by:
Kevin Cure, City Attorney