

CITY OF LANSING

800 1st Terrace

Lansing, KS 66043

913-727-3233 Fax: 913-828-4579

www.lansing.ks.us

WORK SESSION AGENDA

October 29, 2015

Thursday

7:00 p.m.



Lansing City Hall

Call To Order:



I. City Code Updates

II. Wastewater Sewer Rate Discussion (Part II)

Adjournment

TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: October 19, 2015
SUBJECT: Work Session Summary

- I. City Code Updates**
 - Annual updates to the Lansing City Code are attached. Staff will be available to answer any questions.
 - II. Wastewater Sewer Rate Discussion (Part II)**
 - Staff will be present to continue the discussion of the Wastewater Sewer Rate.
 - III. Adjournment**
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TO: Tim Vandall, City Administrator 
FROM: Sarah Bodensteiner, City Clerk 
DATE: October 19, 2015
SUBJECT: City Code Updates

Attached are copies of each section of the City Code that have revisions that require your review.

Changes are indicated with the following marks:

- All changes on Attachment A of the Fee Schedule are boxed in blue, and those changes are determined and set by the Judge.
- All articles from the current Code that will be replaced/removed/revised have been indicated with a strikethrough.
- New or revised information to be added to the Code have been marked in blue and/or red.

Staff will be available to answer any questions.

WORKSHEETS—ON—WORKSHEETS—ON—THEM

Class 1 (not to exceed 100 gallons)	\$10.00
Class 2 (not to exceed 1000 gallons)	\$50.00
Class 3 (not to exceed 5000 gallons)	\$100.00
Class 4 (not to exceed 10000 gallons)	\$200.00
Class 5 (in excess of 10000 gallons)	\$500.00
Temporary Alcohol Liquor Permit	\$25 per day
Drinking Establishment	\$600.00
Private Clubs	\$600.00
Retail Liquor	\$600.00
Arborist:	
Arborist Initial License Fee	\$60.00
Arborist License Fee (certified by KS Arborist Assoc.)	\$30.00
Arborist Renewal License Fee	\$30.00
Arborist Dead Tree Removal License Only	\$30.00
Arborist Dead Tree Removal Renewal License Only	\$30.00
Animals:	
Permit Fee for Dangerous Animals	\$20 for one animal plus \$5 for two or more (not to exceed \$25.00)
More than 4 Animals	\$25.00
Administrative Fee for Appeal	\$10.00
Auction:	
New Goods	\$25.00 per day
Other than New Goods	\$25.00 per day
Bath House or Massage Establishment:	
License Fee	\$300.00
Massage Establishment Renewal License Fee	\$150.00
Employee Permits	\$50.00
Carnivals and Circuses:	
Per Day	\$50.00
Per Week	\$250.00
Fireworks Stands/Retail Sale	\$500.00
Food Establishment License Fee	\$50.00
Food Service (Mobile Vehicle or Cart)	\$50.00
Garage Sales	NO CHARGE
Ice Cream Vendor	\$75.00 per vehicle
Kennel License	\$25.00
Pawnbroker or Precious Metal Dealer License Fee	\$25.00
Solid Waste & Construction Disposal Refuse Collector	\$25.00 per truck
Special Use Permit	\$50.00
Temporary Special Event Permits:	
Types requiring Administrative Approval	\$50.00
Type 5 Permit & others requiring Government Body Approval	\$100.00
Tent Shows and Meetings	\$25.00
Tow Lot Conditional Use Permit	\$500.00
Transient Vendor License:	
3 consecutive days	\$25.00 per vendor
7 consecutive days (one week)	\$60.00 per vendor
One month	\$125.00 per vendor
Other Vendors Operating from a Motor Vehicle	\$75.00 per vehicle
COMMUNITY CENTER	
FEES	
Set up Fee	\$25.00 per event
Napkins	\$2.00 per item
Tableclothes	\$5.00 per item \$10.00 per item
Table Skirts	\$5.00 per item \$10.00 per item
Selling or Serving Alcohol - Off Duty Officer Retainer Fee	\$35.00 per hour
Tier I - Residential Rates:	
Room 1	\$15.00 per hour
Room 2 with Kitchen	\$20.00 per hour

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Owning a prohibited animal	-	-	-	-	2-103	2-108	90.00	500.00	85.00
Animal cruelty	\$ 1,000	-	21-6412a	11.11	2-201	2-202(F)	90.00	1,000.00	85.00
Animal nuisance	-	-	-	-	2-301	2-301(E)	-	90.00	45.00
Fail to remove animal excrement	-	-	-	-	2-302	2-302(D)	-	90.00	45.00
Animal at large:									
AaL: 1st occurrence	-	-	-	-	2-303	2-303(F)	-	90.00	45.00
AaL: 2nd occ. [w/in 12 mos of 1st]	-	-	-	-	2-303	2-303(F)	-	100.00	45.00
AaL: 3rd occ. [w/in 12 mos of 1st]	-	-	-	-	2-303	2-303(F)	-	110.00	45.00
AaL: 4th occ. + [w/in 12 mos of 1st]	-	-	-	-	2-303	2-303(F)	-	160.00	45.00
Animal at large [Habitual Violator]	-	-	-	-	2-304	2-304(B)	90.00	500.00	85.00
Aggressive animal at large:									
Agg AaL: 1st occurrence	-	-	-	-	2-305	2-305(B)	-	110.00	45.00
Agg AaL: 2nd occ. [w/in 12 mos of 1st]	-	-	-	-	2-305	2-305(B)	-	120.00	45.00
Agg AaL: 3rd occ. [w/in 12 mos of 1st]	-	-	-	-	2-305	2-305(B)	-	130.00	45.00
Agg AaL: 4th occ. + [w/in 12 mos of 1st]	-	-	-	-	2-305	2-305(B)	-	180.00	45.00
Aggressive animal at large [Habitual Violator]	\$ 500	-	-	-	2-306	2-306(B)	180.00	500.00	85.00
Harboring a dangerous animal w/o a permit	\$ 500	-	-	-	2-401	2-408	200.00	1,000.00	85.00
Fail to obtain permit for more than 4 animals	-	-	-	-	2-501	2-508	200.00	1,000.00	85.00
Fail to obtain other required animal permit	-	-	-	-	2-502	2-508	200.00	1,000.00	85.00
No city dog/cat license	-	-	-	-	2-507	2-507	-	90.00	45.00
No current rabies vaccination	-	-	-	-	2-507	2-507	-	90.00	45.00
Operating a kennel without a license	-	-	-	-	2-601	2-605	90.00	500.00	85.00
Public consumption of alcohol	\$ 500	-	-	-	3-104F	3-104J	50.00	500.00	85.00
Fences; permit required	-	-	-	-	4-701	4-710	150.00	500.00	85.00
Prohibited fence (barbed wire, electric)	-	-	-	-	4-704	4-710	150.00	500.00	85.00
Swimming pool; req'd. maintenance, permit	-	-	-	-	4-802	4-812	150.00	500.00	85.00
Swimming pool; req'd. fence/gate	-	-	-	-	4-807	4-812	150.00	500.00	85.00
Transient vendor; fail to comply with code requirements	-	-	-	-	5-209	5-209	150.00	500.00	85.00
Open burning without a permit	-	-	-	-	7-301	7-311	-	500.00	85.00
Illegal trash burning (times, supervision, equipment)	\$ 500	-	-	-	7-303		90.00	500.00	85.00
Illegal discharge of fireworks	-	-	-	-	7-509	7-509	50.00	100.00	45.00
Sale/possession of illegal fireworks	\$ 500	-	-	-	7-507	7-512	500.00	1,500.00	85.00
Spitting in public building / on sidewalk	\$ 500	-	-	-	8-108	8-110	-	500.00	85.00
Nuisance: parking on lawn/unpaved surface	\$ 500	-	-	-	8-309	8-309(B)	-	500.00	85.00
Nuisance; outdoor storage prohibited	\$ 500	-	-	-	8-310	8-320	-	500.00	85.00
Nuisance: noxious weeds	\$ 500	-	-	-	8-311	8-320	-	500.00	85.00
Nuisance: inoperable/abandoned vehicle	\$ 500	-	-	-	8-312	8-320	-	500.00	85.00
Public nuisance; allowing/maintaining	\$ 500	-	21-6204	-	8-319	8-320	-	500.00	85.00
Disturbing religious assembly	\$ 500	-	-	-	12-201	12-211	-	500.00	85.00
Loitering on streets, public places	\$ 500	-	-	-	12-202	12-211	-	500.00	85.00
Obscenity on building/structure	\$ 500	-	-	-	12-203	12-211	-	500.00	85.00
Obscene advertising material	\$ 500	-	-	-	12-204	12-211	-	500.00	85.00
Curfew violation - Under age 16	-	-	-	-	12-205(a)	12-205(c)	-	25.00	45.00
Curfew violation - Over age 16	-	-	-	-	12-205(b)	12-205(c)	-	25.00	45.00
Criminal littering (not from a vehicle)	\$ 500	-	21-5815a	-	12-206	12-206(c)(1)	250.00	1,000.00	85.00
False fire/security alarm - #3 in one year	-	-	-	-	12-207(a)	12-207(b)(1)	-	50.00	45.00
False fire/security alarm - #4 in one year	-	-	-	-	12-207(a)	12-207(b)(2)	-	100.00	45.00
False fire/security alarm - #5+ in one year	-	-	-	-	12-207(a)	12-207(b)(3)	-	200.00	45.00
Resisting arrest	\$ 500	-	21-5229	-	12-208	12-211	-	500.00	85.00
Aiding/abetting	\$ 500	-	-	-	12-209	12-211	-	500.00	85.00
Public urination/defecation	-	-	-	-	12-210	12-210C	50.00	500.00	85.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Excessive noise	\$ 500	-	-	-	12-301	12-310		1,000.00	85.00
Excessive noise: Barking dog	\$ 500	-	-	-	12-301(b)(6)	12-310	-	1,000.00	85.00
Possession of marijuana/THC	\$ 2,500	-	21-5706	-	12-402	12-404	200.00	2,500.00	85.00
Poss. of simulated controlled substance	\$ 2,500	-	21-5713	-	12-403(A)(1)	12-404	200.00	2,500.00	85.00
Possession of drug paraphernalia	\$ 2,500	-	21-5709	-	12-403(A)(2)	12-404	200.00	2,500.00	85.00
Schedule of fines (traffic ord. violations)	-	-	-	-	-	15-104	10.00	500.00	45.00
Schedule of fines (speeding)	-	-	-	-	-	15-104	75.00	500.00	45.00
Attempt to commit Class A Violation	\$ 1,000	-	21-5301	2.1	-	-	-	1,000.00	85.00
Attempt to commit Class B or C Violation	\$ 500	-	21-5301	2.1	-	-	-	500.00	85.00
Conspiracy to commit misdemeanor	\$ 500	-	21-5302	2.2	-	-	-	500.00	85.00
Battery	\$ 1,000	-	21-5413a	3.1	-	-	-	1,000.00	85.00
Battery against Law Enforcement Officer	\$ 2,500	-	21-5413c	3.2	-	-	-	2,500.00	85.00
Battery, sexual	\$ 2,500	-	21-5505a	3.2.1	-	-	-	2,500.00	85.00
Assault	\$ 500	-	21-5412a	3.3a	-	-	-	500.00	85.00
Assault against Law Enforcement Officer	\$ 2,500	-	21-5412c	3.3b	-	-	-	2,500.00	85.00
Unlawful interference with firefighter	\$ 1,000	-	21-6325a	3.5	-	-	-	1,000.00	85.00
Unlawful restraint	\$ 2,500	-	21-5411	3.6	-	-	-	2,500.00	85.00
Mistreatment of confined person	\$ 2,500	-	21-5416	3.7	-	-	-	2,500.00	85.00
Violation of a protective order	\$ 2,500	-	21-5924a	3.8.1	-	-	-	2,500.00	85.00
Criminal false communication	\$ 2,500	-	21-6103	3.9	-	-	-	2,500.00	85.00
Unlawful administration of a substance	\$ 2,500	-	21-5425	3.11	-	-	-	2,500.00	85.00
Breach of privacy	\$ 2,500	-	21-6101a1	3.12	-	-	-	2,500.00	85.00
Stalking	\$ 2,500	-	21-5427	3.13	-	-	-	2,500.00	85.00
Lewd, lascivious behavior	\$ 1,000	-	21-5513a	4.1	-	-	-	1,000.00	85.00
Selling sexual relations	\$ 1,000	-	21-6419	4.3	-	-	-	1,000.00	85.00
Buying sexual relations	\$ 2,500	-	21-6421	4.5	-	-	-	2,500.00	85.00
Contributing to child's misconduct/depravation	\$ 2,500	-	21-5603a	5.1	-	-	-	2,500.00	85.00
Furnishing alcohol/CMB to minors	\$ 1,000	-	21-5607a	5.2	-	-	200.00	1,000.00	85.00
Hosting minors consuming alcohol/CMB	\$ 2,500	-	21-5608	5.3	-	-	1,000.00	2,500.00	85.00
Endangering a child	\$ 2,500	-	21-5601a	5.4	-	-	-	2,500.00	85.00
Purch/possess tobacco by a minor	-	-	79-3321n	5.6	-	-	-	25.00	-
Sell/give/furnish tobacco to a minor	\$ 1,000	-	79-3322	5.7	-	-	200.00	1,000.00	85.00
Purch/possess/consumption of alcohol by a minor	\$ 500	-	41-727	5.8	-	-	200.00	500.00	85.00
Theft of property/services < \$1000	\$ 2,500	-	21-5801a	6.1	-	-	-	2,500.00	85.00
Theft of lost/mislaidd property < \$1000	\$ 2,500	-	21-5802a	6.3	-	-	-	2,500.00	85.00
Criminal deprivation of property	\$ 2,500	-	21-5803b	6.5	-	-	-	2,500.00	85.00
Criminal damage to ppty < \$1000	\$ 1,000	-	21-5813a	6.6	-	-	-	1,000.00	85.00
Criminal trespass	\$ 1,000	-	21-5808a	6.7	-	-	-	1,000.00	85.00
Trespass on railroad property	\$ 2,500	-	21-5809a	6.7.1	-	-	-	2,500.00	85.00
Tampering with landmark	\$ 500	-	21-5816a	6.9	-	-	-	500.00	85.00
Tampering with traffic signal	\$ 500	-	21-5817a	6.10	-	-	-	500.00	85.00
Unlawful manufacture of false tokens	\$ 1,000	-	21-5829	6.11	-	-	-	1,000.00	85.00
Tampering with manuf. serial numbers	\$ 500	-	-	6.12	-	-	-	500.00	85.00
Withholding possession of public property	\$ 500	-	-	6.13	-	-	-	500.00	85.00
Unlawful deposits in sewers	\$ 500	-	-	6.14	-	-	-	500.00	85.00
Damaging sewers	\$ 500	-	-	6.15	-	-	-	500.00	85.00
Giving a worthless check < \$1000	\$ 2,500	-	21-5821b	6.16	-	-	-	2,500.00	85.00
Criminal use of a financial card < \$1000	\$ 2,500	-	21-5828a	6.17	-	-	-	2,500.00	85.00
Unlawful acts concerning computers	\$ 2,500	-	21-5839	6.20	-	-	-	2,500.00	85.00
Criminal hunting	\$ 500	-	21-5810a	6.22	-	-	-	500.00	85.00
Unlawful use of recording device	\$ 2,500	-	51-301	6.23	-	-	-	2,500.00	85.00
Unlawful sale of scrap metal	\$ 500	-	50-6110	6.24	-	-	200.00	500.00	85.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Unlawful purchase of scrap metal	\$ 500	-	50-6111	6.25	-	-	200.00	500.00	85.00
Interference with law enforcement	\$ 2,500	-	21-5904	7.2	-	-	-	2,500.00	85.00
Escape from custody	\$ 2,500	-	21-5911a	7.3	-	-	-	2,500.00	85.00
Interference with judicial process	\$ 2,500	-	21-5905	7.4	-	-	-	2,500.00	85.00
Performing an unauthorized official act	\$ 1,000	-	21-5919	7.6	-	-	-	1,000.00	85.00
Simulating legal process	\$ 2,500	-	21-5907a	7.7	-	-	-	2,500.00	85.00
Tampering w/public record	\$ 2,500	-	21-5920	7.8	-	-	-	2,500.00	85.00
Tampering w/public notice	\$ 500	-	21-5921	7.9	-	-	-	500.00	85.00
False signing of a petition	\$ 500	-	21-5916	7.10	-	-	-	500.00	85.00
False impersonation	\$ 1,000	-	21-5917a	7.11	-	-	-	1,000.00	85.00
Interf. w/conduct of public business in public bldg.	\$ 2,500	-	21-5922a	7.12	-	-	-	2,500.00	85.00
Interference with police dogs	\$ 500	-	-	7.13	-	-	-	500.00	85.00
Electioneering	\$ 500	-	25-2430	7.14	-	-	-	500.00	85.00
Denial of civil rights	\$ 2,500	-	21-6102a	8.1	-	-	-	2,500.00	85.00
Disorderly conduct	\$ 500	-	21-6203a	9.1	-	-	-	500.00	85.00
Unlawful assembly	\$ 1,000	-	21-6202a	9.2a	-	-	-	1,000.00	85.00
Remaining at unlawful assembly	\$ 2,500	-	21-6202b	9.2b	-	-	-	2,500.00	85.00
Rioting	\$ 2,500	-	21-6201a	9.4	-	-	-	2,500.00	85.00
Giving a false alarm	\$ 2,500	-	21-6207a	9.7	-	-	-	2,500.00	85.00
Criminal desecration	\$ 2,500	-	21-6205a	9.8	-	-	-	2,500.00	85.00
Abusing toxic vapors	\$ 1,000	-	21-5712a	9.9	-	-	-	1,000.00	85.00
Harassment by telecommunication device	\$ 2,500	-	21-6206a1	9.10	-	-	-	2,500.00	85.00
Unlawful public demonstration at a funeral	\$ 1,000	-	21-6106a	9.11	-	-	-	1,000.00	85.00
Unlawful posting of political material	\$ 500	-	21-5820	9.13	-	-	-	500.00	85.00
Criminal use of a weapon	\$ 2,500	-	21-6301	10.1	-	-	-	2,500.00	85.00
Criminal carrying of a weapon	\$ 2,500	-	21-6302	10.1.1	-	-	-	2,500.00	85.00
Drawing a weapon on another	\$ 2,500	-	-	10.2	-	-	-	2,500.00	85.00
Criminal distribution of firearms to felon	\$ 2,500	-	21-6303	10.3	-	-	-	2,500.00	85.00
Unlawful discharge of firearm	\$ 1,000	-	21-6308a1	10.5	-	-	-	1,000.00	85.00
Air gun/bow & arrow/slingshot/bb gun/paintball gun	\$ 500	-	-	10.6	-	-	-	500.00	85.00
Aiding/abetting to operate prohib. firearm	\$ 500	-	-	10.8	-	-	-	500.00	85.00
Carrying concealed explosives	\$ 2,500	-	21-6312c	10.9	-	-	-	2,500.00	85.00
Endangerment	\$ 2,500	-	21-5429	10.10	-	-	-	2,500.00	85.00
Creating a hazard	\$ 1,000	-	21-6318a	10.11	-	-	-	1,000.00	85.00
Unlawful failure to report a wound	\$ 500	-	21-6319a	10.12	-	-	-	500.00	85.00
Barbed wire	\$ 500	-	-	10.13	-	-	-	500.00	85.00
Throwing objects	\$ 1,000	-	21-5819a	10.16	-	-	-	1,000.00	85.00
Tattooing/piercing a minor w/o written consent	\$ 2,500	-	65-1953	10.17	-	-	-	2,500.00	85.00
Failure to /placemaintain a smoke detector	-	-	31-162	10.18	-	-	-	25.00	-
Unlawfully obtaining Rx drug	\$ 2,500	-	21-5708	10.20	-	-	-	2,500.00	85.00
Alcohol w/o liquid machine	\$ 2,500	-	21-6321a	10.22	-	-	-	2,500.00	85.00
Trafficking in counterfeit drugs <\$500	\$ 2,500	-	65-4167	10.23	-	-	-	2,500.00	85.00
Smoking where prohibited			21-6110	10.24				90.00	45.00
Promoting obscenity	\$ 2,500	-	21-6401a	11.1	-	-	-	2,500.00	85.00
Promoting obscenity to minors	\$ 2,500	-	21-6401b	11.2	-	-	-	2,500.00	85.00
Commercializing wildlife	\$ 2,500	-	32-1005	11.3	-	-	-	2,500.00	85.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Furnishing/exposing harmful materials to minors	\$ 1,000	-	21-6402a	11.7	-	-	-	1,000.00	85.00
Gambling	\$ 1,000	-	21-6404a	11.8	-	-	-	1,000.00	85.00
Commercial gambling	\$ 1,000	-	21-6406a2	11.9	-	-	-	1,000.00	85.00
Possession of gambling device	\$ 1,000	-	21-6408	11.10	-	-	-	1,000.00	85.00
Cockfighting	\$ 2,500	-	21-6417	11.12	-	-	-	2,500.00	85.00
Fail to comply with officer	\$ 500	6	8-1503	-	-	-	-	500.00	85.00
Disobey traffic control device	-	12	8-1507	-	-	-	-	90.00	45.00
Disobey traffic signal	-	13	8-1508	-	-	-	-	135.00	45.00
Violate pedestrian control signal	-	14	8-1509	-	-	-	-	90.00	45.00
Disobey flashing traffic signal	-	15	8-1510	-	-	-	-	90.00	45.00
Disobey lane-direction control signal	-	16	8-1511	-	-	-	-	90.00	45.00
Unauthorized sign/signal/marking	-	17	8-1512	-	15-102	-	-	90.00	45.00
Interference w/traffic or R/R control signal	\$ 500	18	8-1513	-	-	-	-	500.00	85.00
Improper driving on designated play street	-	20	-	-	-	-	-	90.00	45.00
Accident, leaving scene; injury/ppty damage > \$1000	\$ 2,500	23b2	8-1602	-	-	-	-	2,500.00	85.00
Accident, leaving scene; ppty damage < \$1000	\$ 500	23b1	8-1602	-	-	-	-	500.00	85.00
Accident; duty to provide information	\$ 250	25a1	8-1604	-	-	-	-	250.00	85.00
Accident; duty to render aid	\$ 250	25a2	8-1604	-	-	-	-	250.00	85.00
Accident; failure to report when required	\$ 250	25b	8-1604	-	-	-	-	250.00	85.00
Accident; duty upon striking unattended ppty	\$ 500	26	8-1605	-	-	-	-	250.00	85.00
False report regarding accident	\$ 500	28	8-1608	-	-	-	-	500.00	85.00
Reckless driving #1	\$ 500	29	8-1566	-	-	-	25.00	500.00	85.00
Reckless driving #2 +	\$ 500	29	8-1566	-	-	-	50.00	500.00	85.00
DUI #1	\$ 1,500	30	8-1567	-	-	-	750.00	1,000.00	85.00
DUI #2	\$ 2,500	30	8-1567	-	-	-	1,250.00	1,750.00	85.00
DUI #1 in CMV	\$ 1,000	30.1	8-2,144	-	-	-	750.00	1,000.00	85.00
DUI #2 in CMV	\$ 2,500	30.1	8-2,144	-	-	-	1,250.00	1,750.00	85.00
Prelim breath test refusal	-	30.2	8-1012	-	-	-	-	90.00	45.00
Refusal to submit to alcohol/drug test	\$ 2,500	30.2.1	8-1025	-	-	-	1,250.00	1,750.00	85.00
Ignition interlock device required	\$ 2,500	30.3	8-1017	-	-	-	-	2,500.00	85.00
Flee/attempt to elude LEO #1	\$ 1,000	31	8-1568	-	-	-	-	1,000.00	85.00
Flee/attempt to elude LEO #2	\$ 2,500	31	8-1568	-	-	-	-	2,500.00	85.00
Basic speed (too fast for conditions)	-	32	8-1557	-	-	-	-	90.00	45.00
Speeding: 0-15 over limit	-	33	8-1558	-	-	-	-	90.00	45.00
Speeding: 16-20 over limit	-	33	8-1558	-	-	-	-	130.00	45.00
Speeding: 21-25 over limit	-	33	8-1558	-	-	-	-	190.00	45.00
Speeding: 26-30 over limit	-	33	8-1558	-	-	-	-	410.00	45.00
Speeding: 31+ over limit [add \$10/mph > 30]	-	33	8-1558	-	-	-	-	410.00	45.00
Minimum speed (impede traffic)	-	34	8-1561	-	-	-	-	90.00	45.00
Speed limit on motored cycle w/o headlamp	-	35	8-1562	-	-	-	-	50.00	45.00
Racing on highways	\$ 500	37	8-1565	-	-	-	-	500.00	85.00
Fail to drive on right side of roadway	-	38	8-1514	-	-	-	-	90.00	45.00
Improper passing (opposite directions)	-	39	8-1515	-	-	-	-	90.00	45.00
Improper passing (same direction)	-	40	8-1516	-	-	-	-	90.00	45.00
Illegal passing on right side of traffic	-	41	8-1517	-	-	-	-	90.00	45.00
Improper passing (on left when not clear)	-	42	8-1518	-	-	-	-	90.00	45.00
Driving left of center [w/obstruc view, in intersection]	-	43	8-1519	-	-	-	-	90.00	45.00
Passing in no-passing zone	-	44	8-1520	-	-	-	-	90.00	45.00
Driving wrong direction on 1-way road	-	45	8-1521	-	-	-	-	90.00	45.00
Roadways laned for traffic (fail to maintain lane)	-	46	8-1522	-	-	-	-	90.00	45.00
Following too closely	-	47	8-1523	-	-	-	-	90.00	45.00
Improper driving on divided highway	-	48	8-1524	-	-	-	-	90.00	45.00
Improper turn	-	49	8-1545	-	-	-	-	90.00	45.00
Illegal turn at intersection	-	50	-	-	-	-	-	90.00	45.00
Illegal U-turn	-	51	8-1546	-	-	-	-	90.00	45.00
Turning on curve or crest of grade	-	52	8-1546	-	-	-	-	90.00	45.00
Improper starting of parked vehicle	-	53	8-1547	-	-	-	-	90.00	45.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Fail to signal turn/vehicle movement	-	54	8-1548	-	-	-		90.00	45.00
Improper hand/arm signal	-	56	8-1550	-	-	-		90.00	45.00
Fail to yield ROW at intersection	-	57	8-1526	-	-	-		90.00	45.00
Fail to yield ROW to oncoming vehicle	-	58	8-1527	-	-	-		90.00	45.00
Disobey stop/yield sign	-	59	8-1528	-	-	-		90.00	45.00
Fail to yield when entering roadway	-	60	8-1529	-	-	-		90.00	45.00
Fail to yield to emergency vehicle	-	61	8-1530	-	-	-		260.00	45.00
Passing others near stationary emergency vehicle	-	61.1	8-1520a	-	-	-		90.00	45.00
Fail to yield ROW in construction zone	-	62	8-1531	-	-	-		90.00	45.00
Pedestrian; Fail to obey traffic control device	-	63	8-1532	-	-	-		90.00	45.00
F/t yield to pedestrian in Xwalk	-	64	8-1533	-	-	-		90.00	45.00
Disobey school Xing guard	-	64.1	8-15,103	-	-	-		135.00	45.00
Jaywalking	-	65	8-1534	-	-	-		50.00	45.00
Fail to exercise due care to avoid pedestrians	-	66	8-1535	-	-	-		90.00	45.00
Pedestrians; fail to keep to right in crosswalk	-	67	8-1536	-	-	-		50.00	45.00
Pedestrian on highway	-	68	8-1537	-	-	-		50.00	45.00
Pedestrian soliciting ride/business	-	69	8-1538	-	-	-		90.00	45.00
Driving through safety zone	-	70	8-1539	-	-	-		90.00	45.00
F/t yield ROW to pedestrian on sidewalk	-	71	8-1540	-	-	-		90.00	45.00
Pedestrian fail to yield to emergency vehicle	-	72	8-1541	-	-	-		90.00	45.00
Fail to yield ROW to blind pedestrian	-	73	8-1542	-	-	-		130.00	45.00
Pedestrian under the influence in roadway	\$ 500	74	8-1543	-	-	-	-	500.00	85.00
Pedestrian; Fail to obey bridge or R/R signal	-	75	8-1544	-	-	-		50.00	45.00
Disobey signal indicating approach of train	-	76	8-1551	-	-	-		90.00	45.00
Fail to stop at dangerous R/R Xing	-	77	8-1552	-	-	-		90.00	45.00
Certain vehicles fail to stop at R/R Xing	-	78	8-1553	-	-	-		90.00	45.00
Moving heavy equipment at R/R Xing	-	79	8-1554	-	-	-		260.00	45.00
Fail to stop when emerging from alley/private drive	-	80	8-1555	-	-	-		90.00	45.00
Overtaking/passing school bus	-	81	8-1556	-	-	-		130.00	45.00
Overtaking/passing church/daycare bus	-	82	8-1556a	-	-	-		130.00	45.00
Improper stopping/standing/parking	-	83	8-1569	-	-	-		50.00	45.00
Stop/stand/park where prohibited	-	85	8-1571	-	-	-		50.00	45.00
Improper stopping/parking on roadway	-	86	8-1572	-	-	-		50.00	45.00
Parking in handicapped space	-	87	8-1,129	-	-	-		90.00	45.00
Handicap placard; unauthorized/illegal use	\$ 500	87.1	8-1,130a	-	-	-	100.00	300.00	85.00
Parking prohibited (Vehicle sale/maintenance)	-	88	-	-	-	-		50.00	45.00
Stall parking	-	89	-	-	-	-		50.00	45.00
Blocking traffic by parking on narrow street	-	90	-	-	-	-		50.00	45.00
Parking illegally on narrow street	-	91	-	-	-	-		50.00	45.00
Illegal parking in alley	-	92	-	-	-	-		50.00	45.00
Parking disabled/other vehicles	-	93	8-1102	-	-	-		50.00	45.00
Parking adjacent to schools	-	94	-	-	-	-		50.00	45.00
Stop/park in hazardous/congested area	-	95	-	-	-	-		50.00	45.00
Parking in "no-parking" zone	-	96	-	-	-	-		50.00	45.00
Fail to comply with limited time parking zones	-	97	-	-	-	-		50.00	45.00
Parked commercial/deliv vehicles; exceptions, violations	-	98	-	-	-	-		50.00	45.00
Illegal parking in loading/unloading zone	-	99	-	-	-	-		50.00	45.00
Using headphones/TV's in vehicle	-	103	8-1748	-	-	-		90.00	45.00
Inattentive driving	-	104	-	-	-	-		90.00	45.00
Allow use of vehic by one suspended for intox fail/ref	\$ 500	105	8-1022	-	-	-	500.00	1,000.00	85.00
Transporting open container	\$ 250	106	8-1599	-	-	-	-	200.00	85.00
Leaving vehicle unattended	-	107	8-1573	-	-	-		90.00	45.00
Driving with obstructed view	-	108	8-1576	-	-	-		90.00	45.00
Coasting prohibited	-	109	8-1580	-	-	-		90.00	45.00
Unlawful operation of motorized skateboard	-	109.1	-	-	-	-		90.00	45.00
Following/parking too closely to firetruck	-	110	8-1581	-	-	-		130.00	45.00
Driving over fire hose	-	111	8-1582	-	-	-		260.00	45.00
Putting glass/nails/etc. on roadway	-	112	8-1583	-	-	-		260.00	45.00
Obstructing traffic by stopping in intersection	-	113	8-1584	-	-	-		90.00	45.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Snowmobile operation limited	-	114	8-1585	-	-	-		90.00	45.00
Unlawful operation of all-terrain vehicle	-	114.1	8-15,100	-	15-102	-		90.00	45.00
Unlawful operation of micro-utility truck	-	114.2	8-15,106	-	15-102	-		90.00	45.00
Unlawful operation of low-speed vehicle	-	114.3	8-15,101	-	-	-		90.00	45.00
Unlawful operation of golf cart	-	114.4	8-15,108	-	-	-		90.00	45.00
Unlawful operation of work-site utility vehicle	-	114.5	8-15,109	-	15-102	-		90.00	45.00
Unlawful operation of motorized minibike	-	114.6	-	-	15-102	-		90.00	45.00
Unlawful riding on vehicle by person over age 14	-	115	-	-	-	-		90.00	45.00
Driving on sidewalk	-	116	8-1575	-	-	-		90.00	45.00
Improper backing	-	117	8-1574	-	-	-		90.00	45.00
Avoiding traffic control devices	-	118	-	-	-	-		90.00	45.00
Unlawful parade/procession	-	119	-	-	-	-		90.00	45.00
Driving through lawful procession	-	120	-	-	-	-		90.00	45.00
Disobey/destroy street barriers	-	122	-	-	-	-		90.00	45.00
Unsafe opening/closing vehicle door	-	123	8-1577	-	-	-		90.00	45.00
Riding in house trailer/mobile home prohibited	-	124	8-1578	-	-	-		130.00	45.00
Driving across lawns, yards, crops, etc.	-	125	8-1348	-	-	-		90.00	45.00
Fail to remove traffic hazard on private property	-	126	8-2011	-	-	-		90.00	45.00
Obstructed/covered license plate	-	126.1	8-15,110	-	-	-		90.00	45.00
Use of wireless commun. device while driving	-	126.2	8-15,111	-	-	-		90.00	45.00
Littering from a vehicle	-	126.3	8-15,102	-	15-102	-		90.00	45.00
Parent allowing unlawful bicycle operation	-	127	8-1586	-	-	-		90.00	45.00
Bicycles; fail to use seat, or too many riders	-	129	8-1588	-	-	-		90.00	45.00
Bicyclist clinging to vehicle	-	130	8-1589	-	-	-		90.00	45.00
Improper operation of bicycle on roadway	-	131	8-1590	-	-	-		90.00	45.00
Carrying articles while biking	-	132	8-1591	-	-	-		90.00	45.00
Bike lamps/equipment required	-	133	8-1592	-	-	-		90.00	45.00
Coasters/skates/similar devices restricted	-	136	8-1593	-	-	-		90.00	45.00
Improper motorcycle operation	-	138	8-1594	-	-	-		90.00	45.00
Motorcycles; operation on laned roadways	-	139	8-1595	-	-	-		90.00	45.00
Motorcycles clinging to other vehicles	-	140	8-1596	-	-	-		90.00	45.00
Motorcycles; passenger seat, footrests required	-	141	8-1597	-	-	-		90.00	45.00
Equipment for motorcycle operator/rider	-	142	8-1598	-	-	-		90.00	45.00
Improper vehicle equipment	-	143	8-1701	-	-	-		90.00	45.00
Fail to use lights/lamps when required	-	144	8-1703	-	-	-		90.00	45.00
Improper/defective headlight	-	146	8-1705	-	-	-		90.00	45.00
Improper/defective taillamp	-	147	8-1706	-	-	-		90.00	45.00
Improper/defective taglight	-	147c	8-1706	-	-	-		90.00	45.00
Improper/defective reflectors	-	148	8-1707	-	-	-		90.00	45.00
Improper/defective brakelight	-	149a	8-1708	-	-	-		90.00	45.00
Additional lamps required on certain vehicles	-	151	8-1710	-	-	-		90.00	45.00
Improper color of lamps	-	152	8-1711	-	-	-		90.00	45.00
Improper mounting of reflectors/lamps	-	153	8-1712	-	-	-		90.00	45.00
Visibility of reflectors/lamps	-	154	8-1713	-	-	-		90.00	45.00
No lamps/flags on projecting loads	-	156	8-1715	-	-	-		90.00	45.00
Improper lamps on parked vehicles	-	157	8-1716	-	-	-		90.00	45.00
Lamps on other vehicles/equipment	-	158	8-1718	-	-	-		90.00	45.00
Improper use of spot/fog/auxiliary lamps	-	159	8-1719	-	-	-		90.00	45.00
Improper/defective turn signal	-	161	8-1721	-	-	-		90.00	45.00
Improper hazard/warning lights	-	162	8-1722	-	-	-		90.00	45.00
Illegal additional lighting equipment	-	163	8-1723	-	-	-		90.00	45.00
Improper multi-beam lighting	-	164	8-1724	-	-	-		90.00	45.00
Improper use of multi-beam lights (fail to dim)	-	165	8-1725	-	-	-		90.00	45.00

Attachment "A"
Lansing Municipal Court Fine Schedule

Violation	Bond	STO	KSA	UPOC	City Code Section		Fine		Court Costs
					Violation	Penalty	Minimum	Maximum	
Illegal single-beam lights	-	166	8-1726	-	-	-	-	90.00	45.00
Improper alternate road-lighting equipment	-	167	8-1727	-	-	-	-	90.00	45.00
Improper number of driving lamps	-	168	8-1728	-	-	-	-	90.00	45.00
Special restrictions on lamps	-	169	8-1729	-	-	-	-	90.00	45.00
Improper lighting on school buses	-	170	8-1730	-	-	-	-	90.00	45.00
Improper lighting on church/daycare buses	-	171	8-1730a	-	-	-	-	90.00	45.00
Operate highway maintenance vehicle w/o lamps	-	172	8-1731	-	-	-	-	90.00	45.00
Improper/defective brakes	-	173	8-1734	-	-	-	-	90.00	45.00
Improper/defective horn/warning device	-	174	8-1738	-	-	-	-	90.00	45.00
Improper/defective muffler	-	175	8-1739	-	-	-	-	90.00	45.00
Use of compression brakes w/o muffler	-	175.1	8-1761	-	-	-	-	90.00	45.00
Improper/defective mirrors	-	176	8-1740	-	-	-	-	90.00	45.00
Windshields unobstructed; wipers, eye protection	-	177	8-1741	-	-	-	-	90.00	45.00
Unauthorized/illegal tires	-	178	8-1742	-	-	-	-	90.00	45.00
Improper wide-base single tires	-	178.1	8-1742b	-	-	-	-	90.00	45.00
Spilling loads on roadways prohibited	-	179	8-1906	-	-	-	-	500.00	45.00
Improper towing/towbar mechanism	-	180	8-1907	-	-	-	-	90.00	45.00
Illegal one-way glass/sunscreening device	-	181	8-1749	-	-	-	-	90.00	45.00
No child safety restraint (ages 0-3)	-	182a1	8-1343a	-	-	-	-	60.00	45.00
No child safety restraint (ages 4-7)	-	182a2	8-1343a	-	-	-	-	60.00	-
No child safety restraint (ages 8-13)	-	182a3	8-1343a	-	-	-	-	60.00	-
No seat belt (ages 18+)	-	182.1a	8-2502	-	-	-	-	10.00	-
No seat belt (ages 14-17)	-	182.1b	8-2502	-	-	-	-	60.00	-
Unlawful riding on vehicle by person under age 14	-	182.2	8-1578a	-	-	-	-	90.00	45.00
Improper/defective motorcycle headlight	-	183	8-1801	-	-	-	-	90.00	45.00
Improper/defective motorcycle taillight	-	184	8-1802	-	-	-	-	90.00	45.00
Improper/defective motorcycle reflectors	-	185	8-1803	-	-	-	-	90.00	45.00
Improper/defective motorcycle brakelight	-	186	8-1804	-	-	-	-	90.00	45.00
Improper/defective motorcycle turn signal	-	186	8-1804	-	-	-	-	90.00	45.00
Improper/defective motorcycle multi-beam lights	-	187	8-1805	-	-	-	-	90.00	45.00
Illegal motorcycle lighting equipment	-	188	8-1806	-	-	-	-	90.00	45.00
No motorcycle brakes	-	189	8-1807	-	-	-	-	90.00	45.00
Defective motorcycle brakes	-	190	8-1808	-	-	-	-	90.00	45.00
Other required motorcycle equipment	-	191	8-1810	-	-	-	-	90.00	45.00
Drivers license; none	\$ 350	192	8-235	-	-	-	-	1,000.00	85.00
Drivers license; expired	\$ 75	192	8-235	-	-	-	-	1,000.00	85.00
No drivers license in possession	\$ 75	193	8-244	-	-	-	-	1,000.00	85.00
D/L suspended/revoked #1	\$ 1,000	194	8-262	-	15-102	-	500.00	1,000.00	85.00
D/L suspended/revoked #2	\$ 2,500	194	8-262	-	15-102	-	1,000.00	2,500.00	85.00
Driving against restrictions	\$ 75	195	8-291	-	-	-	-	500.00	85.00
Allowing unauthorized operator	-	196	8-264	-	-	-	-	210.00	45.00
Allowing unauthorized operator (juvenile)	-	197	8-263	-	-	-	-	210.00	45.00
Registration/tags; none or expired	\$ 2,500	198a1	8-142	-	-	-	-	2,500.00	85.00
Registration/tags; revoked/suspended	\$ 2,500	198a2	8-142	-	-	-	-	2,500.00	85.00
Registration/tags; allowing fraudulent use	\$ 2,500	198a3	8-142	-	-	-	-	2,500.00	85.00
Registration/tags; concealed/altered/defaced	\$ 500	198a4	8-142	-	-	-	-	500.00	85.00
Registration/tags; belonging to another vehicle	\$ 500	198a5	8-142	-	-	-	-	500.00	85.00
Unlawful use of license	\$ 1,000	199a	8-260	-	-	-	-	1,000.00	85.00
Furnish DL to minor to obtain alcohol	\$ 1,000	199c	8-260	-	-	-	200.00	500.00	85.00
No proof of liability insurance #1	\$ 400	200	40-3104	-	-	-	300.00	1,000.00	85.00
No proof of liability insurance #2	\$ 1,000	200	40-3104	-	-	-	800.00	2,500.00	85.00

2015 SUMMARY OF CODE UPDATES:

❖ Chapter 1. Administration:

- **1-201:** Added language regarding a vacancy in the position of Mayor and referenced the appropriate section to review for specifics.
- **1-403:** Changed section title from Classified Service to Contract Positions for clarity. Removed exception language for non-contract positions and added that the Mayor with approval from the Governing Body will appoint these positions.
- **1-413(H):** Re-worded statement that City Attorney will report to City Administrator.
- **1-414(G):** Re-worded statement that City Prosecutor will report to City Administrator.
- **1-415(D):** Re-worded statement that City Engineer will report to City Administrator.

❖ Chapter 2. Animals:

- **2-102:** Added language regarding being aggressively bitten by an animal, clarified dangerous animal designation cannot be deemed if animal was being taunted, teased, tormented, etc. Removed breed specific language.
- **2-402:** Removed breed specific language and added dangerous animal definition.

❖ Chapter 5. Business Regulations:

- **5-904:** Removed annual fee cost of \$300.00 and added "based on the current fee schedule".
- **5-1504:** Removed renewal cost of \$30.00 and added "based on the current fee schedule".

❖ Chapter 6. Elections:

- **6-104:** Added language that the general election will be held on the Tuesday following the first Monday in November. Removed the language that the elections will be held on the first Tuesday in April and added.
- **6-106:** Added language that terms for newly elected officials shall commence on the second Monday in January of the year following the date of the election. Removed language that the terms would commence with and include the first regular meeting of the Governing Body following certification of the election by the County election officer.
- **6-107(A):** Added language that the general election will be held on the Tuesday following the first Monday in November. Removed language as to the 'history' of the election of the governing body.
- **6-107(B):** Added language that terms for newly elected officials shall commence on the second Monday in January of the year following the date of the election. Removed language that the elected shall take office at the first regular meeting of the City Council in January of the year following the date of the election.
- **6-107(C):** Added verbiage to clarify when a Special Election is necessary in filling a vacancy for Councilmember.
- **6-107(C)(1):** Updated filing fee cost to \$20.00 and changed City Clerk to County Clerk for where filings are to be turned in due to HB 2104.
- **6-107(F):** Added verbiage to clarify when a Special Election is necessary in filling a vacancy for Mayor.
- **6-107(F)(1):** Updated filing fee cost to \$20.00 and changed City Clerk to County Clerk for where filings are to be turned in due to HB 2104.

❖ Chapter 13. Public Parks and Property

- **13-119:** Added section stating swimming in any Lansing Park system is prohibited, except in any areas designated for such activity.
- **13-120:** Added section stating boats or other vessels are prohibited in any bodies of water in the Lansing Park system.

- **13-121:** Added section stating remote control aircrafts are prohibited in Lansing Parks, unless special permission is granted through the special event application process.
- **13-122:** Added section stating overnight parking in Lansing Parks or the Activity Center is prohibited.
- **13-123 and 13-124:** Updated section number due to new sections being added.

❖ **Chapter 17: Zoning and Planning**

- **17-304 and 17-305:** Changed Date from August 18, 2009 to July 16, 2015 per Ordinance No. 944

Chapter 1. Administration

ARTICLE 2. GOVERNING BODY

1-201 **GOVERNING BODY; VACANCIES**

The Governing Body shall consist of a Mayor and eight Governing Body members to be elected as provided by Charter Ordinances No. 1-93, 1-96, 2-2002, & 1-2012 set out in Appendix A of this Code.

Vacancies on the Governing Body shall be filled by the election of a successor by a majority vote of the remaining Council Members, except that in the case of a tie vote, the Mayor shall cast the deciding vote. No distinction shall be made in the titles and duties among the Councilmember's except as the Governing Body shall organize itself for business. Vacancies for the position of Mayor shall be filled according to Chapter 6 Section 6-107(F) as herein provided of the City Code.

(K.S.A. 12-1005e; 13-1806)

1-202 **SAME; QUORUM; CONDUCT OF MEETINGS**

All regular and special meetings shall be open to the public. It shall require a majority of the Governing Body elect to constitute a quorum for the transaction of business. No ordinance shall be passed except by the affirmative vote of a majority of the members that may include the Mayor of the Governing Body.

1-203 **MAYOR**

The Mayor shall preside at all meetings of the Governing Body. He or she shall have the tie-breaking vote on all questions when the members present are equally divided. He or she shall:

- A) Have the superintending control of all officers and affairs of the City;
- B) Take care that the ordinances of the City are complied with;
- C) Sign the commissions and appointments of all officers elected or appointed;
- D) Endorse the approval of the Governing Body on all official bonds;
- E) From time to time communicate to the Governing Body such information and recommend such measures as he or she may deem advisable;
- F) Have the power to approve or veto any ordinance as the laws of the state shall prescribe;

ARTICLE 4. OFFICERS AND EMPLOYEES

1-401 ORGANIZATION

The affairs of the City shall be administered by the officers and employees of such administrative divisions as may be established by the City Administrator. The Governing Body shall annually review the administrative organization of the City and approve or disapprove such divisions and staff positions. (K.S.A. 12-1015; 1-301)

1-402 OFFICERS AND EMPLOYEES; APPOINTMENT

All officers and employees shall be appointed by the City Administrator, except as otherwise provided by state law or other City ordinances. The City Administrator is authorized to act as, and to perform the duties of any office for which he or she is qualified; and may appoint one person to perform the duties of more than one officer or employee provided their duties are not incompatible and the same is not prohibited by law or by other ordinances. (K.S.A. 12-1014; 1-302)

1-403 CLASSIFIED SERVICE CONTRACT POSITIONS

The classified service contract positions of the City shall include all positions in the City service except elected officials, persons serving the City as independent contractors, persons retained by the City as consultants, part-time employees of part-time boards and commissions, the City Attorney, City Prosecutor, City Engineer, Municipal Judge, Public Defender, and the City Administrator. The Mayor shall appoint, by and with consent of the Governing Body, the contract positions.

1-404 QUALIFICATIONS

Qualifications for appointment to a position in the classified service and duties assigned to any such position shall be in accordance with rules and regulations prescribed by the Governing Body.

1-405 RESIDENCY REQUIREMENTS FOR CERTAIN CITY EMPLOYEES

- A) The following City employees are hereby required to establish and maintain a permanent residence within the incorporated boundaries of the City of Lansing, Kansas for the positions of: City Administrator and all Department Directors, including, but not limited to the following positions: Chief of Police, Economic Development/CVB Director, Finance Director, Human Resources Director/City Clerk, Library Director, Parks and Recreation Director, Public Works Director, and Wastewater Utility Director.

other act requiring withholding from the compensation of any City officer or employee.

1-412

SAME; ACCOUNTANT

The Finance Director shall, in coordination with an Accountant hired by the City Administrator:

- A) Keep a full and accurate record;
- B) Publish a quarterly financial statement;
- C) Deposit all public moneys and sign checks of the City;
- D) Pay out the funds of the City upon properly signed warrants and warrant checks;
- E) Perform such other duties as may be prescribed by the Governing Body or the Kansas statutes.
(K.S.A. 10-803; K.S.A. 12-1608)

1-413

CITY ATTORNEY

The City Attorney shall be a licensed attorney in the State of Kansas and shall:

- A) Attend meetings of the Governing Body;
- B) Advise the Governing Body and all officers of the City upon such legal questions affecting the City and its offices as may be submitted to him/her;
- C) When requested by the Governing Body, give opinions in writing upon any such questions;
- D) Draft such ordinances, contracts, leases, easements, conveyances and other instruments in writing as may be submitted to him/her in the regular transaction of affairs of the City;
- E) Approve all ordinances of the City as to form and legality;
- F) Attend Planning Commission meetings;
- G) Perform such other duties as may be prescribed by the Governing Body and the Kansas statutes.
- H) The City Attorney shall report to ~~and be under direct control of the~~ City Administrator.

1-414

CITY PROSECUTOR

The City Prosecutor shall be a licensed attorney in the State of Kansas and shall:

- A) Attend City Municipal Court on scheduled court dates;
- B) Advise the Governing Body and all officers of the City upon such legal prosecutorial questions affecting the City and its offices as may be submitted to him/her;
- C) When requested by the Governing Body, give opinions in writing upon any such questions;
- D) Draft such resolutions, ordinances and other instruments in writing as may be submitted to him/her in the regular transaction of the prosecutorial affairs of the City;
- E) Approve all ordinances which are prosecuted and enforced in the Lansing Municipal Court as to form and legality;
- F) Perform such other duties as may be prescribed by the Governing Body and the Kansas statutes.
- G) The City Prosecutor shall report to ~~and be under direct control of~~ the City Administrator.

1-415

CITY ENGINEER

The City Engineer shall be a licensed professional engineer in the State of Kansas. He or she may be responsible for:

- A) The design and specifications for all City streets, sewers, water lines, public buildings and other public facilities;
- B) The inspection of all public works projects including streets, sewers, water lines and other public facilities;
- C) The general supervision of the maintenance and repair of all public facilities as directed by the City Administrator;
- D) The City Engineer shall report to ~~and be under direct control of~~ the City Administrator.

1-416

OATHS FILED

All officers and employees shall be supplied the forms for the oath at the expense of the City and upon taking and subscribing or signing

CHAPTER 2. ANIMAL CONTROL AND REGULATION

Article 1. General Provisions Concerning Animals

Article 2. Cruelty to Animals

Article 3. Offenses Generally

Article 4. Dangerous Animals

Article 5. Permits and Licensing

Article 6. Kennels

ARTICLE 1. GENERAL PROVISIONS CONCERNING ANIMALS

2-101 FINDINGS OF THE GOVERNING BODY

The Governing Body of the City of Lansing, Kansas hereby finds that to protect and preserve the public health, safety and welfare it is necessary to prohibit the ownership of certain animals within the City and to establish regulations governing the ownership of animals allowed within the City.

2-102 DEFINITIONS

As used in this Chapter:

- A. “Abandon” shall mean to leave an animal without demonstrated or apparent intent to recover or resume custody; to leave an animal for more than 12 hours without providing adequate food and shelter for the duration of the absence; or to turn out or release an animal for the purpose of causing it to be impounded.
- B. “Animal Shelter” or “pound” means a facility which is used or designed for use to house, contain, impound or harbor any seized stray, homeless, relinquished or abandoned animal or a person who acts as an animal rescuer, or who collects and cares for unwanted animals or offers them for adoption. Animal shelter or pound also includes a facility of an individual or organization, profit or nonprofit, maintaining 20 or more dogs or cats, or both, for the purpose of collecting, accumulating, amassing or maintaining the animals or offering the animals for adoption.
- C. “Dangerous animal” shall mean and include:
 - 1. Any mammal, amphibian, fish, reptile or fowl which is of a species which, due to size, vicious nature or other characteristics would constitute a danger to human life, physical well-being, or property, including but not limited to, lions, tigers, leopards, panthers, bears, wolves, apes, gorillas, monkeys of a species whose average adult weight is 20 pounds or more, foxes, elephants, alligators,

crocodiles, and snakes which are venomous or otherwise present a risk of serious physical harm or death to human beings as a result of their nature or physical makeup including, but not limited to, boa constrictors, Madagascar ground boas, green and yellow anacondas, Cuban boas, Indian pythons, reticulated pythons, African rock pythons, Amethystine pythons, Boelen's pythons and all members of the family pythonidae that exceed six feet in length.

2. Any dog or cat having a disposition or propensity to attack or bite any person or animal without provocation. For the purposes of this chapter, where the official records of the Chief Animal Control Officer indicate a dog or cat has agressively bitten any person or persons, it shall be prima facie evidence that said dog or cat is a dangerous animal.

2.A. Notwithstanding the definition of a dangerous animal above, no animal may be declared dangerous if any injury or damage is sustained by a person or animal who at the time such injury or damage was sustained, was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime, or if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

~~3. Any pit bull dog. "Pit bull dog" is defined to mean any and all of the following dogs:-~~

~~A. The bull terrier breed of dog;~~

~~B. The Staffordshire Bull Terrier breed of dog;~~

~~C. The American Staffordshire Terrier breed of dog;~~

~~D. The American Pit Bull Terrier breed of dog;~~

~~E. Dogs which have the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier;~~

~~F. Dogs of mixed breed or of other breeds than above listed, which breed or mixed breed is commonly known as pit bulls, pit bull dogs or pit bull terriers.~~

4.3. Any domesticated dog that has in its known genetic history and/or formal pedigree crossbreeding with the wolf species to include, but not be limited to, animals referred to as wolf-hybrids or wolf-mix breeds or the breed known as Tundra Shepherd. The registration of an animal at any time in any jurisdiction as a wolf-hybrid, wolf mix or Tundra Shepherd shall constitute prima facie evidence the animal is a dangerous animal. For the purposes of this section all references to animals described herein shall be to wolf-hybrids.

The registration of a dog at any time in any jurisdiction as a pit bull or as any of the dogs listed above shall constitute prima facie evidence the animal is a dangerous animal.

- D. "Domesticated" shall mean bred for and adapted to living dependently in an urban household setting.
- E. "Humane" shall mean a manner of care including, but not limited to, protection from harm, providing of shelter with adequate protection from the elements, ventilation, sanitation, and appropriate food and potable water consistent with the requirements and habits of the animal's species, type, size, age and condition.
- F. "Kennel" shall mean a place of business where four or more animals are brought, sold, bred, raised or kept for the purpose of boarding, sale, resale, training or teaching, and which business is done commercially and for profit.
- G. "Officer" shall mean City Animal Control Officer or City Police Officer.
- H. "Own" or "Owning" shall mean to keep, maintain, harbor, shelter, manage, possess, control, sell, trade, buy or have a part interest.
- I. "Owner" shall mean the person who owns, keeps, harbors, shelters manages, controls or possesses an animal or specified animal. A parent or legal guardian shall be deemed to be an owner of an animal or specified animal owned or maintained by a minor in the parent's or guardian's charge.
- J. "Person" shall mean and include any natural person, association, partnership, organization or corporation.
- K. "Spay" or "neuter" shall mean to render permanently incapable of producing offspring.

ARTICLE 4. DANGEROUS ANIMALS

2-401 PROHIBITIONS

Except as provided elsewhere in this article, no person shall own, keep, or harbor any Dangerous Animal, as defined in Section 2-102(C) of this Chapter, in the City of Lansing.

2-402 EXCEPTIONS; PERMIT AND REGISTRATION REQUIREMENTS

The prohibition on Dangerous Animals in Section 2-401 of this Article shall NOT extend to the following situations, provided that any person or organization desiring to own, harbor or have charge, custody, control or possession of a Dangerous Animal pursuant to the following subsections has first secured a permit pursuant to Article 5 of this Chapter:

- A) The keeping of such animals in zoos, bona fide educational or medical institutions, museums or any other place where they are kept as live specimens for the public to view, or for the purpose of instruction or study;
- B) The keeping of such animals for exhibition to the public of such animals by a circus, carnival or other exhibit or show;
- C) The keeping of such animals in a bona fide, licensed veterinary hospital for treatment;
- D) Commercial establishments possessing such animals for the purpose of sale or display;
- E) The keeping of a ~~pit bull dog as defined in Section 2-102(C)(3)~~ Dangerous Animal as defined in Section 2-102 (C)(2) herein or wolf-hybrids as defined in Section 2-102(C)(4) herein, provided that the following additional requirements are met for each such animal to be kept pursuant to this subsection:
 - 1) Each animal shall at all times be securely confined in one of the following manners:
 - a) Indoors, inside a residence or structure equipped with windows and doors that prevent the animal from exiting the structure on its own volition; or
 - b) Outdoors, in a securely enclosed and locked pen or kennel having: secure sides, which are either anchored to a secure floor or embedded at least two (2) feet into the ground; a secure top attached to the sides; and access controlled by a keyed or combination lock. Said structure must comply with all

Chapter 5. Business Regulations

5-902 PERMIT REQUIRED

No person, firm, partnership, association or corporation shall operate a bath house, massage establishment, body painting studio or modeling studio, as defined herein, without first having obtained a permit therefore issued by the City Clerk and approved by the Chief of Police and the Community Development Division of Public Works. A separate permit shall be required for each and every separate place of business conducted by any one permittee. Such permit shall be valid for a period of one year.

5-903 EMPLOYEE PERMIT REQUIRED

No person shall be employed as an attendant, masseur, masseuse, model or as an employee of any kind in any establishment subject to the provisions of this article, unless he or she has a valid employee's permit issued by the City pursuant to the provisions of this article. No massage therapist may provide off-premise massage therapy unless he or she has a valid employee's permit issued by the City pursuant to the provisions of this Article.

5-904 APPLICATION FOR BUSINESS PERMIT; FEES

- A. Every applicant for a permit to maintain, operate or conduct any such establishment shall file an application with the City Clerk and pay an annual filing fee to the City Clerk of \$300 based on the current fee schedule, which shall not be refundable or prorated.
- B. The application for a permit to operate any such establishment shall set forth the exact nature of the services to be provided, the proposed place of business and facilities therefore, and the name, address, and telephone number of each applicant, including any stockholder holding more than 10% of the stock of the corporation, any partner, when a partnership is involved, and any manager.
In addition to the foregoing, any applicant for a permit shall furnish the following information:
 - 1. Written proof that the applicant is at least 18 years old;
 - 2. Two portrait photographs at least two inches by two inches, and fingerprints;
 - 3. Business, occupation, or employment of the applicant for the three years immediately preceding the date of application;

ARTICLE 14. FOOD SERVICES REGULATIONS

5-1401 SEE KANSAS FOOD CODE: APPENDIX B

ARTICLE 15. ARBORIST – TREE TRIMMING

5-1501 LICENSE REQUIRED

No person shall engage in the business of cutting, trimming, pruning, removing, spraying or otherwise treating trees, within the City without first procuring a license therefor from the City Clerk. The application for such license shall specify the types of service for which the applicant desires to be licensed. Nothing contained in this Article shall be construed to prevent the owner or occupant from performing work on his or her own property.

5-1502 LICENSE

Every such license shall show upon its face the types of service in which the licensee therein named is licensed and authorized to render and perform.

5-1503 INSURANCE REQUIREMENT

No license shall be effective or be issued until the applicant or licensee shall present to the City Clerk a satisfactory public liability insurance policy covering all operations of such applicant or licensee in such business in the City in the sum of at least \$50,000 per occurrence bodily injury liability insurance and at least \$50,000 per occurrence, \$100,000 aggregate limit property damage liability insurance. Should any policy be canceled, the City shall be notified of such cancellation within 10 days after such cancellation is effective.

A provision requiring such notice shall be incorporated in such policy. In the event any such policy at any time fails, in the opinion of the Director of Parks and Recreation or his or her designee, to comply with the provisions hereof or to afford reasonably satisfactory protection to the persons intended to be protected, such failure shall be grounds for revocation of any such license, or in the discretion of the Director of Parks and Recreation or his or her designee, grounds for the suspension thereof until the insurance required hereby be so furnished. It shall be unlawful for any person to engage in the business defined herein while his or her license is for any reason suspended or revoked.

5-1504 LICENSE FEE

The initial fee for every licensee to engage in this business shall be \$60 for twelve (12) months, or \$30 if the licensee is certified by the Kansas Arborist Association. The issuance of such license shall entitle and authorize the licensee to engage in only such types of service as

shown on the face of such license. It shall be unlawful and a ground for revocation of such license, for the licensee to engage in any or other different types of service constituting all or any part or parts of such business. Renewal of such license shall be ~~\$30~~based on the current fee schedule per twelve months. The initial fee for a license limited to dead tree removal from private property shall be \$30 for twelve months, and \$15 for renewal.

Effective date of initial licenses shall be the first day of operation within the City.

5-1505 RULES AND REGULATIONS

The Director of Parks and Recreation or his or her designee may recommend for adoption reasonable rules and regulations governing those aspects of the conduct of the business defined in 5-1501 hereof and of any and all parts thereof, directly affecting the public health and safety and requiring the use of such safety appliances, apparatus and equipment as are reasonably necessary for the protection of the workmen engaged therein, and the public and private property and it shall be unlawful for any licensee hereunder to violate or fail, neglect or refuse to comply with any such rules or regulations. Such rules and regulations shall be adopted, amended and repealed by majority vote of the Government Body and shall be effective when filed with the City Clerk.

5-1506 NAME AND ADDRESS DISPLAYED

All automobiles, trucks, trailers or other vehicles operated by any licensee for the transportation of the equipment used by him or her in such business and all self-propelled, draw or tow equipment used by any licensee in such business shall have the name and address of such licensee displayed on both sides thereof in plain and legible figures and letters not less than three inches in height which shall be kept in such condition as to permit the same to be readily distinguished and read at a distance of at least sixty (60) feet. It shall be unlawful and a ground for revocation of his or her license for any licensee to operate any such vehicle or cause any such equipment to be operated or drawn or towed upon the streets, alleys or any public ways or places within the City unless or without the same being so displayed thereon.

ARTICLE 16. HOME-BASED BUSINESS

See Zoning Ordinance

ARTICLE 17. CHILD CARE LICENSE

See Zoning Ordinance

CHAPTER 6. ELECTIONS

Article 1. City Elections

Article 2. Board, Commission, or Advisory Group Appointments

Article 3. Wards

ARTICLE 1. CITY ELECTIONS

6-101 CONDUCT OF ELECTION

The election of City officials shall be conducted in all respects as provided by the laws of Kansas governing the holding of city elections and be governed by the provisions of Charter Ordinance No. 1-2012 set out in Appendix C of this code. (K.S.A. 25-2101 *et seq.*)

6-102 HOURS OF VOTING

At all City elections the polls shall be open at 7:00 a.m. and close at 7:00 p.m., unless different hours are set and publicly announced by the County election officer. (K.S.A. 25-2111, 25-206)

6-103 QUALIFICATIONS OF ELECTIVE OFFICERS

All officers elected shall be qualified electors of the City, and the removal from the City of any officer shall occasion a vacancy in such office. No person shall be eligible to any elective office unless he or she shall have been a resident of the City at least six months prior to the time of his or her election.

6-104 CITY OFFICERS; GENERAL ELECTION

City elections for Mayor and Council shall be non-partisan. The general election of City officers, when required, will be held on the ~~first Tuesday of April. (Charter Ord. No. 1-2012)~~ Tuesday following the first Monday in November.

6-105 COUNCILMEMBERS ELECTIONS; TERMS

A Mayor shall be elected from the city at large, who shall hold office for four years and until a successor is elected and qualified. In cases of a vacancy occurring by reason of resignation, death, removal from office or when the mayor no longer resides in the City, the President of the Council will fill the vacancy until the next election for that position. The Mayor of the City shall receive such compensation as may be fixed by ordinance. In case of a vacancy occurring by reason of resignation, death, removal from office or when a Council Member no longer resides in the ward in which the Council Member has been elected, the mayor, by and with the consent of the remaining council members may appoint some suitable elector residing in such ward to fill the vacancy

until the next election for that Council position. The Mayor may appoint such other officers as are created by statute and/or ordinance, who shall hold their offices for a period of four years, unless sooner removed by the Mayor and Council. All officers of the City shall receive such compensation as may be fixed by ordinance.

6-106

COMMENCEMENT OF TERMS OF OFFICE; OATH OF OFFICE

- A. The term of office for newly elected City officials shall commence ~~with and include the first regular meeting of the Governing Body following certification of the election by the County election officer on the second Monday in January of the year following the date of the election.~~
- B. Every person elected or appointed to City office, before entering upon the duties of such office shall take and subscribe an oath or affirmation as specified in K.S.A. 54-106, and amendments thereto, and every such oath or affirmation shall be filed with the City Clerk.

6-107

ELECTION OF GOVERNING BODY

- A. There shall be a primary election of City officers on the Tuesday preceding by five weeks the first Tuesday in ~~April~~ August of every year that such City has a City election, except that a primary election shall only be held if needed to reduce the number of candidates for each office in the general election to no more than three candidates. No primary election of City officers shall be held unless by holding such primary two or more persons will be eliminated as candidates for office. In the event there are not more than three times the number of candidates as there are officers to be elected, the names of the candidates for such office shall not appear on the primary election ballots, and there shall be no primary election for such office, but the names of such candidates shall be placed on the general City election ballot. (K.S.A. 25-2108a) ~~There shall be elected on the first Tuesday in April 2005 the Mayor and one Council Member, designated as Council Member A from each ward of the City. There shall be elected on the first Tuesday in April 2007 one Council Member, designated as Council Member B from each ward of the City. The Mayor and Council Members, regardless of their designation, shall hold their offices for a term of four (4) years. The purpose of this section is to stagger the terms of the Governing Body members to avoid an inexperienced City Council taking offices all at the same time. On the first Tuesday~~

~~of April 1985, there was an election in the City of Lansing for a Mayor and eight (8) Council Member's, two (2) Council Member's being elected from each ward in the City of Lansing. The Council Member from each ward with the highest number of votes served a term of four (4) years and the Council Member from each ward with the least number of votes served a term of two (2) years. On the first Tuesday of April 1987, those positions with Council Member's having served a term of two (2) years was up for election again, whereupon those Council Members elected on the first Tuesday of April 1987 served for a term of four (4) years. On the first Tuesday of April 1997, the Mayor's term of office was for a four (4) year term. On the first Tuesday of April 1997, there was no election for the position of City Treasurer, and the position of elected City Treasurer shall be discontinued and every four years thereafter, one Council Member from each of the Wards of the City and there shall be elected on the first Tuesday, succeeding the first Monday in April, 1989, and every four years thereafter, one Council Member from each of the Wards of the City.~~ The Mayor and members of the Governing Body shall hold their offices for a term of four years.

- B. Candidates for the office of Mayor shall be at least 21 years of age on the date of the election and shall be a resident and qualified elector of and within the City. ~~The Mayor elected on the first Tuesday of April, 2009 shall serve until the first regular meeting of the City Council in January, 2013. An election for the office of Mayor shall be conducted on the first Tuesday of November 2012, and the person so elected shall take office beginning with the first regular meeting of the City Council in January, 2013 and shall serve a term of four (4) years. Thereafter, an~~ An election for the office of Mayor shall be conducted on the ~~first Tuesday succeeding Tuesday following~~ the first Monday in November every four (4) years, and the person so elected shall take office ~~beginning with the first regular meeting of the City Council in January~~ on the second Monday in January of the year following the date of the election. Candidates for Council Member shall be at least 18 years of age on the date of the election and shall be a resident and qualified elector of the Ward from which they stand for election. Should any person be elected to the office of Mayor and thereafter move his or her place of domicile to outside the limits of the City, then such person shall cease to be Mayor and a vacancy shall be deemed to exist and said vacancy shall be filled as herein

provided. In the event that any person elected to the Council should change their place of domicile to outside the Ward from which they were elected then a vacancy shall be deemed to exist for such position of Council Member and said vacancy shall be filled as herein provided.

- C. In the event that a vacancy in the office of a Council Member should occur by reason of resignation, with or without acceptance by the Mayor, death, removal from office for cause, or change of residency to outside the Ward from which said Council Member was elected, the vacancy shall be filled in the following manner, if a clear successor cannot be produced by procedure set forth in Chapter 1 Section 1-201 of the City Code:

1. In the event that the vacancy occurs more than 60 days prior to the filing deadline for the next regular Governing Body election, the City Clerk shall, within 10 days of the occurrence of the vacancy, cause notice of such vacancy to be published twice in the City's official newspaper after the vacancy occurs. The notice of the vacancy shall be in substantially the following form:

"A vacancy exists in the position of Council Member from Ward No. _____. A special election will be held to elect a successor to fill the vacancy. Candidates for the position of Council Member must be at least 18 years of age on the date of the election and a resident and qualified elector of the Ward from which they stand for election. Anyone wishing to be a candidate for the remaining term which expires _____, 20____ should contact the City Clerk and obtain a Statement of Candidacy. In order to be a candidate, the Statement of Candidacy together with a filing fee of ~~\$10.00~~\$20.00, or in lieu of such filing fee a petition signed by 50 qualified electors of the Ward or by at least one percent of the number of ballots cast in the Ward in the last general City election, whichever is less, must be filed with the City-County Clerk by _____, 20____. The City Clerk shall, within five days of the occurrence of the vacancy, notify the Election Commissioner that a special election will need to be held within the City and shall obtain from the Election Commissioner a date for such election consistent with the time provided in Subparagraph 2 hereof.

Any person desiring to be a candidate must file the Statement of Candidacy and pay the filing fee or submit the proper petition by 5:00 p.m. on the 20th day following the first publication notice in the official City newspaper.

2. The City shall hold a special election for the purpose of electing a Council Member from among those persons who has properly filed a Statement of Candidacy as hereinbefore set forth. Such special election shall be held not less than 60 days nor more than 70 days following the date upon which such vacancy occurred. Only qualified electors within the Ward in which the vacancy occurred shall be entitled to vote. The candidate receiving the greatest number of votes upon certification of the results by the County Election Officer shall assume the position of Council Member at the first regular meeting of the Governing Body following certification of the election.
 3. Failure to follow the precise procedure provided herein shall not invalidate the results of any election held hereunder.
 4. In the event that the vacancy occurs less than 60 days prior to the filing deadline for the next regular Governing Body election, the vacancy shall not be filled prior to the next regular Governing Body election and the candidate receiving the greatest number of votes for the vacancy position at the next regular City Council election shall fill the vacancy for the remaining term.
 5. If at any time there are more than two vacancies existing in the office of Council Member or in the event no person files a Statement of Candidacy as provided herein to fill the vacancy council position, the Mayor, upon the advice and consent of a majority of the remaining Council Members, shall appoint a suitable resident and qualified elector of the Ward in which said vacancy occurs to complete the unexpired term of office.
- D. In the event of a vacancy occurring in any appointive office, the Mayor shall, by and with the consent of the Governing Body, appoint a person to fill the vacancy. Such appointment shall be made within 60 days of the occurrence of such vacancy and the person so appointed shall serve for the remainder of the

unexpired term. Any person so appointed shall meet the requirements of this ordinance applicable to such position.

- E. No person shall hold or occupy more than one office of the City whether elective or appointive, at the same time.
- F. In the event that a vacancy in the office of the Mayor should occur because of death, resignation, removal from office for cause, or change of residency to outside the limits of the City, then, if the President of the Council has not executed a non-candidacy statement as hereinafter set forth, he or she shall become the Mayor until his or her successor is elected as hereinafter provided. If the President of the Council has executed a non-candidacy statement, then the most senior Council Member (determined by most recent continuous time in office) who has not executed a non-candidacy statement shall serve as Mayor until his or her successor is elected. In the event there is not one Council Member who is the most senior then the Council shall choose the Mayor from among the most senior Council Members who have not executed non-candidacy statements. A successor to the Mayor shall be selected in the following manner, if the above guidelines do not produce a clear successor:

- 1. In the event that the vacancy occurs more than 60 days prior to the filing deadline for the next regular City Council election, the City Clerk shall, within 10 days of the occurrence of the vacancy, cause notice of such vacancy to be published twice in the City's official newspaper after the vacancy occurs. The notice of the vacancy shall be in substantially the following form:

"A vacancy exists in the position of Mayor. A special election will be held to elect a successor to fill the vacancy. Candidates for the position of Mayor must be at least 21 years of age on the date of the election and a resident and qualified elector of the city of Lansing. Anyone wishing to be a candidate for the remaining term expiring _____, 20____ should contact the City Clerk and obtain a Statement of Candidacy. In order to be a candidate, the Statement of Candidacy together with a filing fee of ~~\$10.00~~ \$20.00 or in lieu of such filing fee, a petition signed by 50 qualified electors of the City or by at least one percent of the number of ballots cast in the City

in the last general City election, whichever is less, must be filed with the City-County Clerk by _____, 20____. The City Clerk shall, within five days of the occurrence of the vacancy, notify the Election Commissioner that a special election will need to be held within the city and shall obtain from the Election Commissioner a date for such election consistent with the time provided in (iii) hereof.”

2. Any person desiring to be a candidate must file the Statement of Candidacy and pay the filing fee or submit the proper petition by 5:00 p.m. on the 20th day following the first publication notice in the official City newspaper.
3. The City shall hold a special election for the purpose of electing a Mayor from among those persons who have properly filed a Statement of Candidacy as hereinbefore set forth. Such special election shall be held not less than 60 days nor more than 70 days following the date upon which such vacancy occurred. Only qualified electors of the City shall be entitled to vote. The candidate receiving the greatest number of votes upon certification of the results by the County Election Officer shall assume the position of Mayor at the first regular meeting of the Governing Body following certification of the election.
4. Failure to follow the precise procedure provided herein shall not invalidate the results of any election held hereunder.
5. In the event that the vacancy occurs less than 60 days prior to the filing deadline for the next regular City election at which a Mayor would be elected, the procedure provided herein shall not apply and the candidate receiving the greatest number of votes for the position of Mayor at such regular City election shall succeed to the office of Mayor. The non-candidacy statement shall be in substantially the following form: “The undersigned Council Member of the City of Lansing hereby states that I will not be a candidate for the position of Mayor to fill the unexpired term caused by the vacancy in office of the Mayor occurring more than 60 days prior to the filing deadline for the next regular City election at which the Mayor would be elected.” or if such vacancy has occurred within 60 days of such filing deadline, “I will not be a candidate for the position of Mayor in the next regular city

election at which a mayor would be chosen.” “I agree not to file a Statement of Candidacy for such position and further agree that any such statement filed by me or on my behalf shall be void and of no force or effect and that the Election Commissioner shall not include my name on any list of candidates for the position of Mayor at any election conducted under the provisions of the Lansing City Code, Chapter 6, Article 1, Section 6-107, Subsection (F).”

6-108

RECALL

The recall of elected City officers shall be handled as provided by K.S.A. 25-4318 et seq.

Chapter 13. Public Parks and Property

as are necessary to prevent consumption by persons under age.
(For additional information regarding Alcoholic Beverages on City Property, See Chapter 3.)

13-115 SALE OF MERCHANDISE; PERMIT

With the exception of fundraising conducted by non-profit organizations and approved by the City Administrator, no person shall sell, dispense or convey or cause to be sold, dispensed or conveyed or erect or place or cause to be erected or placed a stand, building, structure, wagon, tent, vehicle, car, trailer or any other thing for the purpose of selling, dispensing or conveying merchandise, refreshments, service, food, beverages, sports goods and supplies, or articles or service of any kind in or upon the public park of the City unless such person has been issued a City-issued Temporary Event Permit.

13-116 ORDINANCES APPLY

All laws of the City shall apply to the public parks of the City unless otherwise provided herein or elsewhere in the code.

13-117 CODE CONFLICT

In the event that various sections of the City Code conflict with one another, the stricter provision shall be applicable.

13-118 SPECIAL EVENTS ON PARK PROPERTY

All requests for exceptions to the regulations set forth in this Article shall be referred to the Governing Body for approval or disapproval. An application for a special event must be in writing on a form provided by the City Clerk, and accompanied by proof of liability insurance in the amount of \$1,000,000.00 and such other information as may reasonably be requested under the circumstances pertaining to the event requested. Applications must be submitted to the City Clerk at least thirty (30) days prior to the intended event date.

Such permit may be subject to such conditions and safeguards as the Government Body may deem necessary to protect the public health, safety and welfare. These conditions may include but shall not be limited to:

- A. Restrictions on the hours of operation, duration of the event, size of the activity or other operational characteristic.
- B. The posting of a performance bond to help ensure that the operation of the event and subsequent restoration of the

site are conducted according to Government Body expectations.

- C. The provision of traffic control or security personnel to increase the public safety and convenience.
- D. Obtaining liability and personal injury insurance in such form and amount as the Government Body may find necessary to protect the safety and general welfare of the community.

13-119 SWIMMING

No person may swim or enter the water for any reason in any bodies of water in the Lansing park system except for any areas designated for such activity.

13-120 BOATS

No person may operate or use any type of boat or other vessel in any bodies of water in the Lansing park system. This includes, but is not limited to boats, canoes, kayaks, rafts, inflatables, and paddle boards.

13-121 REMOTE CONTRAL AIRCRAFT

No person may fly any remote controlled or self-propelled aircraft, including, but not limited to, radio controlled or control line model airplanes, drones, helicopters, and gliders, in Lansing Parks. Special permission for events may be granted through the special event application process.

13-122 PARKING

No vehicle shall be parked or permitted to remain in city park parking lots or the Activity Center parking lot overnight.

D.

13-119 13-123 VIOLATION; PENALTY

Any person violating the provisions of this chapter is guilty of a public offense, and upon conviction thereof shall be fined in a sum of not less than \$50 or more than \$100.

| ~~13-120~~

13-124 **ENFORCEMENT**

The Lansing Police Department shall enforce the provisions set forth in this section of the code.

Chapter 17. Zoning and Planning

TTT. **"Water Surface Elevation"** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

17-304 APPLICATION OF THE ARTICLE



This article shall apply to all lands within the jurisdiction of the City of Lansing, Kansas identified as numbered and unnumbered A Zones, AE, AO, and AH Zones, on the Index Map dated ~~August 18, 2009~~July 16, 2015, of the Flood Insurance Rate Map (FIRM), and any future revisions thereto. In all areas covered by this article, no development , and no fill or excavation shall be permitted except through the issuance of a floodplain development permit, granted by the Lansing, Kansas, City Council or its duly designated representative under such safeguards and restrictions as the City Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in sections 17-312:314.

17-305 FLOOD INSURANCE STUDY INCORPORATED

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) through a scientific and engineering report entitled "The Flood Insurance Study for the City of Lansing, Kansas," revised ~~August 18, 2009~~July 16, 2015, (or as amended) with accompanying Flood Insurance Rate Maps as numbered and unnumbered A Zones, AE, AO, and AH Zones, and within the Zoning Districts FW and FF established in section 17-311 of this article. In all areas covered by this article no development and no fill or excavation shall be permitted except upon a permit to develop granted by the City or its duly designated representative under such safeguards and restrictions as the City or the designated representative may reasonably impose for the promotion and maintenance of the general welfare and health of the inhabitants of the community and where specifically noted in sections 17-312:314.

17-306 SCOPE OF THE ARTICLE

- A. No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable regulations.
- B. This article is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

TO: Tim Vandall, City Administrator 
FROM: Anthony J. Zell, Jr., Wastewater Utility Director 
DATE: October 22, 2015
SUBJECT: 2015 Wastewater Rate Study Report

The project team and consultant have finished the 2015 rate study. Staff and the consultant will be present to discuss the project and the committee's recommended rate structure. A copy of the executive summary is attached for your review. A draft report will be presented at the meeting.

WORKSHEET-ON-ITEM #

2

EXECUTIVE SUMMARY

The City of Lansing contracted Professional Engineering Consultants, P.A., to update the City's current wastewater user charge system based on the City's historical; growth, future wastewater system needs, imposed user rates, revenues, expenses, cash flow, Lansing Correctional Facility (LCF) impacts, Aramark Laundry Facility impacts, and administrative costs. This report utilizes the previous *Wastewater User Charge Assessment* prepared in July 2007 and its November 2012 update as a base from which to project conditions for the period of 2016 to 2026. Additionally, goals, budgets, and projects supplied by the City's 2014 Wastewater Master Plan were incorporated into this update. The 2007 report should be referenced for a detailed explanation of the development of the current user charge system in use by the City. This report presents analyses and summaries of future expenditures, revenues, budgets, system users, and proposed rates for the City of Lansing.

The basic user charge system has served the City well since 2007 and through 2015. However, the following major issues have served to impact its continued effective implementation and have reduced the ability of the City to provide adequate day to day services and to maintain the long term viability of the system's infrastructure;

1. Limited residential and commercial growth
2. Increasing annual operational costs
3. Continued Use of Ad Valorem Tax contributions
4. Deferred collection system maintenance and rehabilitation
5. Inability to effectively address new capital needs in the collection system
6. Establishment and management of self-sustaining equipment funds necessary to meet periodic mechanical and electrical needs
7. Continued stringent regulatory oversight

An overall initial review of City operations yielded the following general observations:

1. **Service:** Excellent service is provided to the utilities' customers.
2. **Regulatory:** Excellent other than a need to provide more frequent and effective sampling of the LCF flow stream.
3. **Staff and Operations:** Excellent staff, with expertise and abilities, provide effective operations for the wastewater treatment plant. Lack of adequate and timely funding result in inadequate abilities to address normal inspections, preventative maintenance, and rehabilitation efforts within the wastewater collection system.
4. **Financial:** Inadequate revenue, LCF rate requirements, and retention of funds within replacement and planning accounts have caused impacts to all other segments of the system management. The day to day operations and management of the user charge system and the system's debt obligations is good.
5. **Planning:** Other than the wastewater treatment plant, detailed system planning and inspection is inadequate to provide for the long term adequacy and condition of the wastewater collection system.

To address these conditions and issues, a diverse working group including City operational and administrative staff, City council members, and PEC was formed to provide input and oversight during the system update. The major goals of the work were to:

1. Eliminate the use of Ad Valorem Tax revenue for system operations

2. Maintain an annual operational fund carryover of at least \$600,000
3. Modify and implement rates for LCF that more clearly reflect actual cost of service
4. Accumulate and manage equipment replacement funds for the utility use only
5. Provide base funds for implementation of capital improvement projects
6. Establish and maintain ongoing funding for collection system inspections, maintenance, and rehabilitation
7. Continue to evaluate the implementation of extra strength charges for the City's major industrial wastewater dischargers.

Based on the considerations above, all of the goals were realized with the proposed rate structure with the LCF schedule modified to reflect cost of service and revenue and the continued phasing out of Ad Valorem Tax use by 2017. The following residential and commercial rate structures have been recommended for implementation beginning in 2016:

<u>Residential Wastewater User Charges</u>					<u>Commercial Wastewater User Charges</u>				
Year	Base Charge	Volume Charge	New Customer Charges (6 Units)	% Increase	Year	Base Charge	Volume Charge	New Customer Charges (6 Units)	% Increase
2014	\$14.50	\$4.30	\$40.30	-	2014	\$16.50	\$4.45	\$43.20	-
2015	\$15.75	\$4.75	\$44.25	10%	2015	\$17.75	\$4.90	\$47.15	9%
2016	\$16.00	\$6.00	\$52.00	18%	2016	\$18.00	\$6.15	\$54.90	16%
2017	\$21.00	\$6.75	\$61.50	18%	2017	\$23.00	\$6.90	\$64.40	17%
2018	\$21.00	\$6.75	\$61.50	0%	2018	\$23.00	\$6.90	\$64.40	0%
2019	\$21.00	\$6.75	\$61.50	0%	2019	\$23.00	\$6.90	\$64.40	0%
2020	\$26.00	\$6.75	\$66.50	8%	2020	\$28.00	\$6.90	\$69.40	8%

Note: See Table 6-1 in the Report for complete, proposed Residential, Commercial, and LCF Rates, Connection Fees, and Extra Strength Charges. Also see Appendix D for LCF cost of service and extra strength charge analysis.

Implementation of these proposed rates, procurement of additional office administrative software, and adherence to strict internal (replacement) fund administration will provide the basis for more effective and efficient annual operations, long term planning and system care, and an ability to address system needs and necessary planning for capital improvements.

By current agreement, the City of Lansing and the LCF are to renegotiate the LCF user charge rates by May of 2016 for implementation beginning in June of 2016.