

ORDINANCE NO. 1031

AN ORDINANCE OF THE CITY OF LANSING, KANSAS AMENDING UNDER CHAPTER 5, ARTICLE 15 OF THE CODE OF THE CITY OF LANSING, KANSAS, AND AMENDMENTS THERETO.

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

SECTION 1. Chapter 5, Article 15 of the code of the City of Lansing is hereby amended to read as follows:

ARTICLE XV. – ARBORIST – TREE TRIMMING – LAWN CARE

Sec. 5-1501 License Required

No person shall engage in the business of cutting, trimming, pruning, removing, spraying or otherwise treating trees and/or lawns, 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.

Sec. 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.

Sec. 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 \$50,000.00 per occurrence bodily injury liability insurance and at least \$50,000.00 per occurrence, \$100,000.00 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 City Clerk's Office or his/her designee, to comply with the provision 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 City Clerk's Office 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.

Sec. 5-1504 License Fee

The fee for every licensee to engage in this business shall be set forth in the current fee schedule for twelve (12) months. 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 based on the current fee schedule per twelve (12) months. The fee for a license limited to dead tree removal from private property shall be set forth in the current fee schedule. Effective date of licenses shall be the first day of operation within the City.

Sec. 5-1505 Rules and Regulations

The City Clerk's Office or his or her designee may recommend for adoption reasonable rules and regulations governing those aspects of the conduct of the business defined in Section 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.

Sec. 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 (3) 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.

SECTION 2. AMEND. This ordinance shall amend Chapter 5, Article 15 of the Lansing City Code.

SECTION 3. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 4. This ordinance shall take effect from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Lansing, County of Leavenworth, State of Kansas, this 5th day of September 2019.

{SEAL}

Attest:

Michael W. Smith, Mayor

Sarah Bodensteiner, City Clerk

APPROVED AS TO FORM:

Gregory Robinson, City Attorney

Published: *Leavenworth Times*

Date Published:

CITY OF LANSING

FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1031: An Ordinance of the City of Lansing Kanas Amending Under Chapter 5 Article 15, of the Code of the City of Lansing, Kansas and Amendments Thereto.

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1031 Summary:

On September 5, 2019, the City of Lansing, Kansas, adopted Ordinance No. 1031, amending Chapter 5 Article 15 of the Code of the City of Lansing, Kansas and amendments thereto. A complete copy of this ordinance is available at www.lansing.ks.us or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: September 5, 2019

Gregory C. Robinson, City Attorney