

CODE
OF THE
CITY OF OGDEN
KANSAS

Published Under the Authority and by the Direction of
The Governing Body of the City of Ogden,
Kansas, this 5th day of July, 2017

A Codification of the General Ordinances
of the City of Ogden, Kansas

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ROSTER OF CITY OFFICIALS
CITY OF OGDEN

GOVERNING BODY

Mayor

Robert R. Pence, Jr

Councilmembers

Ed Burch
Kenneth Carroll

Roger Graham

Eladio Reid
Jim Arp

Administrative Officials

David Ward
City Clerk

Bernard Irvine
City Attorney

Sharon Pence
City Treasurer

Stephen Freed
Municipal Judge

Patrick Collins
Fire Marshal



PREFACE

This volume contains the Code of the City of Ogden, Kansas, 2017. As expressed in the adopting ordinance, the code supersedes all ordinances passed before July 5, 2017, which are not included herein or recognized as continuing in force by reference thereto. The code was prepared by the staff of the League of Kansas Municipalities and Ogden city officials under the authority of Sections 12-3014:3015 of the Kansas Statutes Annotated.

This code is arranged in chapters, articles, and sections in a manner similar to the Kansas Statutes Annotated arrangement. Headnotes and footnotes are included; however, these do not constitute a part of the code and no implication or presumption of intent or construction is to be drawn therefrom.

Any section of this code may be amended by ordinary ordinance by reference to the code section number as follows:

"Section 1-105 of the Code of the City of Ogden is hereby amended to read as follows: (the new provisions shall then be set out in full)."

A new section of the code may be added by ordinary ordinance as follows:

"The Code of the City of Ogden is hereby amended by adding the following section(s) (or article or chapter): (the new provision(s) shall be set out in full)."

All sections, articles, or chapters may be repealed by ordinary ordinance as follows:

"Section 1-105 (or article or chapter) of the Code of the City of Ogden is hereby repealed."

The user's attention is directed to the **Governing Body Handbook**, published by the League of Kansas Municipalities, as a source of general information and as an index to the pertinent sections of the Kansas Statutes Annotated.

An index is included in this volume, and the user's attention is also directed to indexes that may appear in standard codes incorporated by reference in this Code.

PREPARED AND PUBLISHED BY
THE LEAGUE OF KANSAS MUNICIPALITIES

Eric B Smith
Deputy General Counsel



ORDINANCE NO. 344

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CODIFICATION OF THE GENERAL ORDINANCES OF THE CITY OF OGDEN, KANSAS, AND THE PUBLICATION OF SUCH CODIFICATION IN PERMANENTLY BOUND OR LOOSELEAF BOOK FORM.

Be it Ordained by the Governing Body of the City of Ogden:

Section 1. That a codification of the general ordinances of the City of Ogden, Kansas, including supplements thereto, as authorized by K.S.A. 12-3014 and 12-3015, is hereby ordered, authorized and provided for, the preparation of which shall be done by the League of Kansas Municipalities as provided by contract. When completed, the codification shall be adopted by ordinance and published together with the adopting ordinance in loose-leaf book form. No fewer than 10 copies shall be published. Such codification shall be entitled, "Code of the City of Ogden, Kansas," of the year in which the work is completed and ready for publication. The said code shall be duly certified by the City Clerk. One copy of the code shall be filed in the office of the City Clerk and shall be designated as and shall constitute the official ordinance book. Three additional copies shall be filed in the office of the city clerk and shall be designated for use by the public.

Section 2. That this ordinance shall take effect and be in force from and after its publication once in the official city newspaper.

Passed and Approved by the Governing Body this 17th day of July, 1985.

/s/ Gail Hoke, Mayor

ATTEST: /s/ Etta P. Harris, City Clerk

(SEAL)



ORDINANCE NO. 719

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF OGDEN, KANSAS, AUTHORIZED BY ORDINANCE NO. 344 PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

Be it Ordained by the Governing Body of the City of Ogden, Kansas:

Section 1. The codification of ordinances of the City of Ogden, Kansas, authorized by Ordinance No. 344 and K.S.A. 12-3014 and 12-3015, as set out in the following chapters, Chapters I to XVI and Appendices A and B, all inclusive, and entitled the "Code of the City of Ogden, Kansas, 2017," is hereby adopted and ordained as the "Code of the City of Ogden, Kansas, 2017," and said codification shall become effective upon publication of no fewer than 10 copies of said code in book form.

Section 2. All ordinances and parts of ordinances of a general nature passed before July 5, 2017, in force and effect at the date of the publication of no fewer than 10 copies of the "Code of the City of Ogden, Kansas, 2017," and this ordinance, are hereby repealed as of the date of publication of said code except as hereinafter provided.

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

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating, or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenues, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues, and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;
- (f) Ordinances creating districts for public improvements of whatsoever kind or nature;
- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements, or franchises therein mentioned to any person, firm, or corporation;
- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the city;
- (k) Ordinances authorizing contracts;
- (l) Ordinances establishing the limits of the city or pertaining to annexation or exclusion of territory;
- (m) Ordinances relating to compensation of officials, officers, and employees of the city;
- (n) Ordinances of a temporary nature;

Provided, That the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this section.

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

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

Section 6. If for any reason any chapter, article, section, subsection, sentence, portion, or part of the "Code of the City of Ogden, Kansas, 2017," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this code.

Section 7. This ordinance shall take effect and be in force from and after the publication of the "Code of the City of Ogden, Kansas, 2017," as provided in K.S.A. 12-3015.

Passed by the Governing Body of the City of Ogden, Kansas, this 5th day of July, 2017.

/s/ Robert Pence, Mayor

ATTEST: /s/ David Ward, City Clerk

(SEAL)

CERTIFICATE OF THE CITY CLERK


Office of the City Clerk
City of Ogden, Kansas

State of Kansas)
)
Riley County)

I, David Ward, City Clerk of the City of Ogden, Riley County, Kansas do hereby certify that said city is a city of the third class of the mayor-council form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by Ordinance No. 344 and in accordance therewith is entitled the "Code of the City of Ogden, Kansas, 2017," that said codification was adopted as the "Code of the City of Ogden, Kansas, 2017," by the governing body by Ordinance No. 719 passed on the 5th day of July, 2017, as authorized by Section 12-3015 of the Kansas Statutes Annotated; that said Ordinance No. 719 and said codification of general ordinances as contained in this volume will take effect upon publication of 10 or more copies; that the publication of 10 copies of this code and adoptive Ordinance No. 719 constitute due passage of this code and all general ordinances contained therein; that the codification and adoptive Ordinance No. 719 as contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by 12-3015 of the Kansas Statutes Annotated.

I further certify that the "Code of the City of Ogden, Kansas, 2017," and the matter therein contained will take effect upon publication and be in force from and after July 5, 2017.

Witness my hand and the seal of the City of Ogden, Kansas, at my office in Ogden, Kansas, this 5th day of July, 2017.



David Ward, City Clerk
City of Ogden, Kansas





OGDEN
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