

ORDINANCE BOOK INDEX

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Alcoholic Beverages

Ord. 3-301 + P. 38

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~~8-1000~~ 2 15-601 + 62 +

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Completion of (must be completed in 6 mos.)

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Converted for use other than as zoned - Dwellings converted to business use

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BUILDING INSPECTOR - Duties (Building Code Book Pg. 9)

Appeals from Decision of Fees

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all in this chapter
5-104
completed in 6 mos.

Additions and/or Alterations

Residential - single family \$30.00 plus 2 1/2 cts. per sq. ft.

(g) (h) (i) 45, 46
E
B of 5-908
5-908 B (1) 60
5-908 B (2) 60

Commercial (structures other than single family) \$50.00 plus 2 1/2 cts. sq. ft.

New Buildings:

Residential - single family \$45.00 up to 2,000 sq. ft.

5-908 A (1) 60

over 2,000 sq. ft. 2 1/2 cts. sq. ft.

5-908 A (2) 60

Plans must be drawn by licensed architect, if over \$30,000.00

Commercial - \$50.00 plus 2 1/2 cts. per square foot

5-908 A (4) 60

Permit No. to be posted - part of BOCA Code

Fences, Walls, Patios - \$10.00 permit fee

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2 15-409 43

Definition of terms

47

Specifications for material to be used

look under particular type of
Residential 48B
48 I zoning

Moving Buildings - on or across public thoroughfare \$40.00

5-601 + 51 +
5-908 C (1) 60

" " one lot to another without moving on public thoroughfare \$20.00

5-908 C (2) 60

" " one location to another location on same lot \$15.00

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No refunds
5-103
5-605 c (4)
50% refunds if abandoned
appeal removed

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No electric fences, interest
 permitted in safety corner, 6/24/69
 of public safety
 Per. Kelly
 6/25/69

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Only in area from 91st street to 95th street and between State Line and Lee Blvd. - have to be kept at least 200' from any street. No hogs, cows, horses, chickens or goats, shall be brought onto said property or maintained thereon, and no more than two dogs or more than six rabbits may be maintained on any one lot at any one time (from Kroh Bros Deed restrictions received here 9/29/66)		

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*Resolution -
Sept 1964*

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CHAPTER I
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1-101 MEETINGS. The mayor and councilmen shall have regular sessions on the first Monday of each and every month at 7:00 P.M. and adjourned sessions at any other time they may deem proper. In case the first Monday of any month falls on a holiday, the regular session shall be held on the next day thereafter which is not a holiday. Special sessions may be called by the mayor on the written request of not less than three members of the council. All sessions shall be held at the city hall unless circumstances make that place impracticable for a particular session, in which case it may be held at any convenient place in the city. ORD. #354.

1-102 COMPELLING ATTENDANCE OF ABSENTEES. A majority of the councilmen elected shall constitute a quorum to do business, but a minority may adjourn from day to day and may compel the attendance of absentees by attachment issued in the name of the city and directed to the city marshal commanding him to arrest such absentees and bring them forthwith before the council, and the council may fine such absentees not exceeding \$5.00 for each offense, unless a reasonable excuse be offered. ORD. #1

ADMINISTRATION CH. 1

ARTICLE 2 PUBLICATION

1-201 PUBLICATION IN OFFICIAL CITY NEWSPAPER. Where so required by State law or by ordinance, publications shall be made in the official city newspaper. Ord. No. 196

1-202 DESIGNATION OF OFFICIAL CITY NEWSPAPER. The Johnson County Herald is hereby designated as the official City newspaper. Ord. No. 350

ADMINISTRATION CH. I

ARTICLE 3 ORDINANCES

1-301 PREPARATION OF INDIVIDUAL ORDINANCES. Each individual ordinance as passed by the council shall carry its own section numbers and, to facilitate the preparation of Revised Ordinances as provided in this article, each such individual ordinance except appropriation ordinances shall also carry revised section numbers for each substantive section so as to indicate its inclusion and position in the Revised Ordinances. As any individual ordinance may refer to numbers of substantive sections of that or any other ordinance the revised section numbers shall be used in the wording of the ordinance, except where the reference is to an appropriation ordinance. The term "appropriation ordinance" shall mean an ordinance having no object beyond the bare appropriation of money.
Ord. 29

1-302 PUBLICATION OF INDIVIDUAL ORDINANCES. Each ordinance passed by the council at a particular meeting and duly signed, and each ordinance passed by the council at such meeting over a previous veto, and each ordinance which becomes law because of failure of the mayor to sign or return such ordinance with his objections at such meeting, shall be published on the fifth secular day after such meeting. In case, for any reason, publication is not made on that day it shall be made on the first practicable day thereafter. In case an ordinance passed by the council at such meeting is not duly signed prior to the fifth secular day, or prior to such later day as publication of other such ordinances is accomplished, and such ordinance is duly signed prior to the next meeting of the council, such ordinance shall be published on the day on which ordinances passed at such next meeting of the council are to be published. Any such publications shall be made once in the manner, places and locations as provided by section 1-201. This section shall not apply to appropriation ordinances. Ord. 29

1-303 REVISED ORDINANCES. There shall be prepared and published in pamphlet form the Revised Ordinances of The City of Leawood. Ord. 11

1-304 PREPARATION OF REVISED ORDINANCES. After each date at which one or more individual ordinances are published as provided in section 1-302, the substantive sections of all individual ordinances then in effect, as passed or amended and not repealed at that or previous regular or special council meetings, shall be arranged in pamphlet form as the Revised Ordinances of The City of Leawood. The Revised Ordinances shall be arranged by subject matter into chapters, articles and revised sections. Revised section numbers shall be used as carried in the individual ordinances themselves, the first digit in each section number indicating the chapter, the second digit in each section number indicating the article, and the remaining digits in each section number indicating the position of the section in the article. The Revised Ordinances shall indicate, in abbreviated form immediately following each revised section, the number of the individual ordinance which stated the section in that form. In the preparation and revisions of the Revised Ordinances, editorial changes and corrections, such as punctuation, spelling, typographical

ADMINISTRATION CH. I

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errors, uses of upper or lower cases, shall be made where necessary or desirable to make the particular revised section conform to the pattern of the Revised Ordinances. For the purposes of this section, appropriation ordinances shall not be considered "individual ordinances". Ord. 29

ADMINISTRATION CH. 1

ORDINANCES ART. 3

1-305 DEFINITION OF SUBSTANTIVE SECTIONS. The term "substantive sections" shall mean the body of the individual ordinances and shall not include opening statements as to purpose, ordaining clauses, opening sections referring to sections being repealed or amended, nor sections referring to the manner in which and time when the particular ordinance will take effect. Ord. 11

1-306 PUBLICATION OF REVISED ORDINANCES. The pamphlet of Revised Ordinances so prepared after each publication shall be filed with the City Clerk who shall prepare at least twenty-five copies of such pamphlet of Revised Ordinances and shall sign the following certification on each copy:

"REVISED ORDINANCES
OF
THE CITY OF LEAWOOD
KANSAS

EFFECTIVE AS OF _____, 19__.

PUBLISHED BY THE AUTHORITY OF THE CITY

CITY CLERK'

The date to be used is such publication date. The Clerk shall publish such Revised Ordinances by distributing one of such pamphlets to each of the councilmen, the mayor, the police judge and each city officer and by holding the remaining copies, but not less than two copies, at the City Hall, such copies to be available for public inspection but not subject to removal from the premises. Ord. 190

1-307 SUPERSEDING OF REVISED ORDINANCES. At the time a new edition of the Revised Ordinances becomes effective, the city clerk shall certify on each copy of the last previous edition of the Revised Ordinances then in his possession the date upon which such edition was superseded by the new edition. Such certificate shall be in the following form:

"IN FORCE IN THIS FORM UNTIL SUPERSEDED _____, 19__.

CITY CLERK" Ord.11

ADMINISTRATION CH. I

ORDINANCES ART. 3

1-308 EVIDENCE. Any copy of such Revised Ordinances so certified by the clerk as to effective date shall be considered as a publication in pamphlet form, and shall be read and received in evidence in all courts and places as provided by state law without further proof, as the ordinances in force in The City of Leawood as of the effective date so certified and until the date when one or more later ordinances become effective. In the case of any such copy so certified by the clerk as to superseding date, the superseding date so certified shall be accepted without further proof as the date when one or more later ordinances became effective. Ord. 11

1-309 ORDINANCE COMMITTEE. There is hereby established as a standing committee of the council an ordinance committee for the purposes herein specified:

- (a) to prepare the Revised Ordinances and file them with the city clerk for preparation of additional copies, certification and publication;
- (b) to draft and assist council members and city officers in drafting ordinances, resolutions and motions to be submitted to the council;
- (c) to perform such other duties of like nature as the council may by ordinance or resolution require. Ord. 11

1-310 MEMBERSHIP. The ordinance committee shall consist of one or more members of the council appointed by the mayor. Any vacancy may be filled by appointment by the chairman of any council meeting. Ord. 11

ADMINISTRATION CH. I.

1-311 CODIFICATION. A codification of the general ordinances of the City of Leawood, Kansas, as authorized by K.S.A. 12-3014 and K.S.A. 1967 Supp. 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 permanently bound or loose-leaf book form and not less than seventy-five (75) copies shall be published. Such codification shall be entitled "Code of the City of Leawood, 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 constitute an ordinance book. / ORD. #330

*revised
see 1-306*

ADMINISTRATION CH. 1

ARTICLE 4 CITY OFFICERS: APPOINTMENTS AND DUTIES

1-401 OFFICERS APPOINTED: DATE OF APPOINTMENT. The Mayor shall at the first regular meeting of the City Council in May of each year, by and with the consent of the council, appoint the following officers: City Clerk, City Treasurer, City Marshal, who shall be Chief of Police, Street Commissioner, Fire Chief, Police Clerk, Clerk of Police Court, Alternate Clerks of Police Court, Building Inspector and Assistant Building Inspectors, City Attorney, and Assistant City Attorney, City Architect and City Engineer.

1-401A APPOINTMENT OF OTHER OFFICIALS: BOARD OF COMMISSIONERS FOR PUBLIC SAFETY. The Mayor may at any time by and with the consent of the Council appoint any assistants to any of the officials named in Article 4 of the Revised Ordinances of the City of Leawood, Kansas. In addition thereto the Mayor may at any time on or after May 5, 1969, appoint three citizens of Leawood, who, together with one councilman also appointed by the Mayor, shall constitute the Board of Commissioners for Public Safety and shall be directly responsible to the Mayor. Said Board shall make recommendations to the Mayor pertaining to public safety, and any such recommendations before being adopted shall be approved by the Council. Said recommendations may be made with respect to any City department dealing with public safety. In addition thereto said Board may make and enforce such regulations and rules as it deems appropriate and necessary upon approval of said rules and regulations by the Council.

none
*1-401B TERM OF OFFICE. One of the three citizens so appointed shall serve for a one year term expiring on the first Monday in May, 1970; another for a two year term expiring on the first Monday in May, 1971; and the third for a three year term expiring on the first Monday in May, 1972; and thereafter each of the three citizens so appointed shall serve for a term expiring on the first Monday in May of the third year following their appointment; The councilman so appointed shall serve a one year term expiring on the first Monday in May of each year.

1-401C OFFICERS ELECTED BY MEMBERS OF THE BOARD. The Board at its first meeting shall elect a Chairman and such other officers from among its members as it deems necessary and appropriate. Said officers so elected shall serve for a term expiring on the first Monday in May of the following year. Ord. #342

1-402 QUALIFICATION: OATH OF OFFICE. The officers appointed under this article shall be qualified electors of this city, under th constitution and laws of this state. They shall qualify for office by taking and subscribing the following oath before an officer authorized to administer the same: "I do solemnly swear (or affirm as the case may be) that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully perform the duties of _____; So Help Me God". ORD. #9

1-403 DUTIES OF CITY CLERK. It shall be the duty of the city clerk to be custodian of the city records and make and keep a record of all proceedings and meetings of the city council in a minute book; He shall make a record of all ordinances passed by the city council in an ordinance book, and shall cause all such ordinances to be published in the form directed by said city council and as required by law. He shall file all notices of the publication of ordinances passed by the city council and shall file all papers and records, which shall at all reasonable times be open to public inspection.

1-403 - DUTIES OF CITY CLERK (Continued)

He shall keep a record of all warrants drawn upon the treasurer of the city, and a full account of all receipts and expenditures of the city, He shall keep a full and accurate account of the bonds issued by the city, and shall record them in a book by number, date, and amount of each individual bond, date of maturity, rate of interest and date of cancellation. He shall carry on all the official correspondence of the city, giving the same prompt attention, and shall present for the consideration of the council all correspondence received and replies given.

He shall cause a record to be kept of the various funds into which said money is paid, and shall see that warrants for the same are duly drawn upon the proper funds. He shall cause receipts to be issued for all moneys received by the city. He shall make quarterly reports to the city council of receipts and expenditures of the city, stating the various funds into which moneys are received, and from which moneys were expended, and the balances remaining in each of the several separate funds.

He shall have charge of the corporate seal of the city and the power to administer oaths for all purposes pertaining to the business and affairs of the city. He shall receive, and audit, all claims and shall present the same for consideration at the next meeting of the city council following the time when they are received.

He shall perform such other and further duties as may be provided by the council. Ord. 4.

1-404 DUTIES OF CITY TREASURER. The city treasurer shall receive all moneys belonging to said city, giving his receipt therefor, and as to all moneys received by him from any other source than the city clerk he shall give duplicate receipts, causing one of the two to be filed with the city clerk. He shall open a ledger account in a book provided by the city and keep therein a record of all money received and paid out. He shall publish or cause to be published, quarterly statements of the financial records of the city in the manner and style provided by law.

~~He shall pay out of the funds of the city only upon orders or warrants properly signed by the mayor and city clerk; he shall cancel all orders and warrants as soon as paid and shall file them at the time of making quarterly settlements subject to the inspection of the council in the office of the city clerk, and in cancelling said warrants and orders he shall use a rubber stamp or pen and indelible red ink provided for that purpose by the city council. He shall file with the city clerk a complete report of the receipts and expenditures of the city during the preceding quarter, showing the amounts received, deducted from and the balance in each fund.~~

He shall make a quarterly settlement with the city council on the fifteenth days of April, July, October and January for the preceding quarter of each year; settlement shall be kept by him in a special book provided by the city council which shall be endorsed by each member of the council making such settlement, showing the names of members approving or disapproving the same.

He shall deposit all public moneys coming into his hands in his official capacity in a responsible bank or banks within the county (there being no bank within the City of Leawood) after the same have been designated by the mayor

ADMINISTRATION CH. 1

CITY OFFICERS: APPOINTMENTS AND DUTIES ART. 4

1-404 DUTIES OF CITY TREASURER (continued)

and council and after the depository has given bond or security as provided by law. Such deposit shall be made in the name of the treasurer as such officer, He shall perform such other duties as may be required of him by law or ordinance.

The city treasurer shall furnish to the city; at the expense of the city, the bond of an incorporated surety company, authorized to do business in the state of Kansas; in the amount of \$10,000. Such bond shall name the City of Leawood, Kansas, as the obligee thereunder and shall be conditioned upon the faithful discharge of the duties of city treasurer and the accurate and faithful accounting for all monies coming into the possession of the city treasurer as such. ORD 24

and for ce. of Pol.
1-405 DUTIES OF MARSHAL ~~AND ASSISTANT CHIEF OF POLICE.~~ The Marshal, *and Assis-* ~~tant Chief of Police~~ of the City shall, at all times, have power to make arrests with or without process; (without process only when he sees the act committed) or to order the arrest of all offenders against the criminal laws of the State of Kansas, or of the ordinances of the City, by day or night; to keep all persons arrested in the City jail; County jail, or other place; to prevent their escape until trial can be had before the proper officer; and to execute all processes issued by the Police Judge and delivered to him for that purpose. The Marshal and Assistant Chief of Police shall be responsible (to the Board of Commissioners for Public Safety and to the Mayor for the supervision and management of the Police Department and for the police cars and equipment. The Marshal ~~and~~ *the* ~~Assistant Chief of Police~~ shall recommend to the Board of Commissioners for Public Safety all persons ~~they~~ *desiring* appointed or hired as policemen of the City, and the by-laws set up by the Board of Commissioners for Public Safety and all rules and regulations promulgated by said Board shall govern the duties and powers of the policemen. Ord. #342

1-406 DUTIES OF STREET COMMISSIONER: It shall be the duty of the Street Commissioner to supervise, control, construct, alter maintain and repair all streets and other public thoroughfares:

He shall not undertake any construction or structural alterations, except by direction of the City Council by resolution, other than work by his own forces and only then when his estimate of cost does not exceed \$500.00:

He shall cause to be removed from the streets any obstructions such as fallen trees; stones, dead animals, etc., or anything which in his judgement obstructs traffic and the removal of which does not involve structural alterations:

ADMINISTRATION CH. 1

CITY OFFICERS: APPOINTMENTS AND DUTIES ART. 4

He shall cause trees, shrubs and grass on City property to be trimmed and weeds thereon to be sprayed or otherwise destroyed or removed.

He shall erect and maintain such traffic-control devices, signs, signals and markings as may be directed by ordinance or council resolution.

He shall perform such other duties as may be required by ordinance or by resolution of the City Council. Ord. #320

1-407 DUTIES OF FIRE CHIEF. The fire chief shall be responsible to the *Mayor* ~~governing body~~ of the city for the supervision and management of the Fire Department and for the fire equipment. Ord. #28

1-408 VACANCIES IN OFFICE. All vacancies in the office provided for in this article shall be filled by appointment by the Mayor, by and with the consent of the City Council. Every appointment to office and the date thereof shall be entered on the journal of proceedings of the council. Ord. #28

1-409 REPEALED

1-410 DUTIES OF CITY ATTORNEY. It shall be the duty of the City Attorney to attend, so far as reasonably possible, all meetings of the City Council during his term; to furnish advice on the legal problems of the Mayor, City Council, city officers and employees concerning city business; to aid in the drawing of ordinances, *to draw contracts* and such other instruments as may be necessary for city business; to prosecute such matters as may be necessary before the local police court in connection with city affairs; to attend hearings before the county commissioners and state boards when directed by the mayor and city council; and to represent the city generally in legal matters. Ord. #68

1-411 DUTIES OF ASSISTANT CITY ATTORNEY. It shall be the duty of the Assistant City Attorney to assist in the handling of Police Court prosecutions and appeals and such other duties that may from time to time be assigned by the Council, and when expedient, to assist in any duties outlined as Duties of City Attorney. Ord. #266

1-412 and 1-412A REPEALED.

1-413 DUTIES OF BUILDING INSPECTOR AND ASSISTANT BUILDING INSPECTORS. It shall be the duty of the building inspector and assistant building inspectors to supervise all new construction, repair and remodeling in the City of Leawood. They shall enforce the city building code; they shall inspect and approve all building plans before a permit can be issued by the City Clerk. They shall have the power to stop any construction being done without a permit or that which is not in accordance with the building code. They shall perform such other duties as may be required by ordinance or by resolution of the city council. Ord. #82

RESOLUTION NO. 207

BE IT RESOLVED that the Governing Body of the City of Leawood, Kansas hereby establishes the following rates of remuneration as authorized by Ordinance No. 375

City Architect \$5.00 per hr.

City Engineer \$10.00 per hr.

Said rates shall be effective from the first Monday in May, 1970.



V. M. Dostal, Mayor

Attest:

J. Oberlander, City Clerk

ORDINANCE NO. 375

AN ORDINANCE RELATING TO REMUNERATION OF CERTAIN CONSULTANTS APPOINTED AS CITY OFFICIALS: CITY ARCHITECT, CITY ENGINEER: AND REPEAL OF SECTIONS.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

REPEAL OF SECTIONS, Section 1, Ordinance No. 358 and Section 6 of Ordinance No. 327 are hereby repealed and the following enacted in lieu thereof:

1-413 C REMUNERATION OF CERTAIN CONSULTANTS APPOINTED AS CITY OFFICIALS: CITY ARCHITECT; CITY ENGINEER. Section 2. The City Architect and the City Engineer shall be paid for services rendered at the request of the City at a rate to be established by resolution of the Governing Body from time to time EXCEPT that when the City Architect is performing the duties of the Building Inspector or Assistant Building Inspectors in the absence of same, he shall receive the same fees that are provided for the Building Inspector or assistants. He shall not be paid for time or attendance at a meeting of a committee of which he is an appointed member, or a Council meeting.

TAKES EFFECT. Section 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 26th day of April 1970

Approved by the Mayor this 26th day of April 1970

Mayor

Attest:

J. Oberlander, City Clerk

NEW ORDINANCE BOOK PAGE HAS NOT BEEN WRITTEN
THIS REPLACES PARAGRAPHS 1-413 B and 1-413 C on Page 19a
XXXXXX out old paragraphs listed above and insert this
page immediately ahead of page 19a - dated 9/15/69

ADMINISTRATION CH. 1

CITY OFFICERS: APPOINTMENTS AND DUTIES ART. 4

1-413-A DUTIES OF THE CITY ARCHITECT. It shall be the duty of the City Architect to serve as advisor and consultant to the Building Inspector and to the governing body. He shall examine each set of plans and specifications submitted for permit and shall certify that such plans comply with the zoning ordinances. He shall perform the duties of the Building Inspector and Assistant Building Inspectors when they are absent or otherwise unable to perform said duties.

1-413-B REMUNERATION OF CITY ARCHITECT. The City Architect shall be paid for services rendered at the request of the City the sum of \$5.00 per hour, together with his actual expenses incurred in connection with such services, except that when the City Architect is performing the duties of the building inspector or assistant building inspectors in the absence of the building inspector, he shall receive the same fees that are provided for the Building Inspector or assistants. He shall not be paid for time or attendance at a meeting of a committee of which he is an appointed member or a Council Meeting. ORD. #327.

1-413-C REMUNERATION OF CITY ENGINEER. The City Engineer shall be paid for services rendered at the request of the City ~~up to and including December 31, 1969,~~ the sum of \$5.00 per hour, together with his actual expenses incurred in connection with such services. ~~Starting January 1, 1970 he shall be paid at the rate of \$7.50 per hr. for such services, together with his actual expenses incurred in connection with such services.~~ He shall not be paid for time or attendance at a meeting of a committee of which he is an appointed member, or a Council meeting. ORD. NO. 358.

1-414 FEE FOR SINGLE FAMILY DWELLING. A fee for inspections of new single family dwellings shall be paid to a building inspector by the City on the following basis:

FOOTAGE	INSPECTION FEE
1300 sq. ft. to 4,500 sq. ft.	\$35.00
4500 sq. ft. up	45.00

1-414-A FEE FOR COMMERCIAL CONSTRUCTION. A fee for inspection of structures for other than single family use or occupancy shall be paid to a building inspector by the City on the following basis:

FOOTAGE	INSPECTION FEE
100 to 1,400 sq. ft.	\$ 25.00
1,400 to 2,000 " "	35.00
2,000 to 3,000 " "	40.00
3,000 to 5,000 " "	45.00
5,000 to 8,000 " "	50.00
8,000 to 10,000 " "	60.00
10,000 to 15,000 " "	80.00
15,000 to 20,000 " "	100.00
20,000 to 40,000 " "	120.00
40,000 to 60,000 " "	130.00

1-414-B OTHER FEES. A fee for the following shall be paid to a building inspector by the City when not included in Section 1-414 or 1-414A above:

- (1) Fences, Walls \$ 5.00
- (2) Patios *Patios covered* 5.00
- (3) Swimming Pools 15.00

ORD. #299

ADMINISTRATION CH. 1
CITY OFFICERS APPOINTMENTS AND DUTIES ART. 4

1-414b DEFINITION OF COMMERCIAL CONSTRUCTION. Commercial construction as used in these ordinances shall mean any construction or building other than a single family dwelling. ORD. #213.

1-414c NUMBER OF INSPECTIONS. All construction shall require at least three inspections by the building inspector. ORD. # 213

1-415 REIMBURSEMENT OF EXPENSES OF CITY OFFICIALS. Whenever a city official shall be directed or ordered in connection with city affairs to attend any hearings or to represent the city in any matter or appear before any board, commission or court outside the limits of the City of Leawood, Kansas, such official shall, upon approval of the council, be reimbursed reasonable, necessary and proper travel expenses so advanced by said official, and when such travel is by motor vehicle operated by said official then such official shall be reimbursed at the rate of 10¢ per mile actually traveled in connection with such business, upon presentation of proof of said expense or mileage; and, in addition thereto, such official shall, upon the approval of the council, be reimbursed for such other expenses actually advanced, as are reasonable, necessary and proper. ORD. #327

1-416 ELECTION OF PRESIDENT OF COUNCIL AND ACTING PRESIDENT OF THE COUNCIL. The council shall elect one of its own members who shall be styled the "president of the council" who shall preside at all meetings of the council in the absence of the Mayor. In the absence of the president, the council shall elect one of its own members to occupy the place temporarily, who shall be styled "acting president of the council". The president and acting president when occupying the place of the Mayor shall have the same privileges as other members of the council and all acts of president, or acting president, while so acting shall be as binding upon the council and upon the city as if done by the Mayor. ORD. #212 x
clg.

ADMINISTRATION CH. I

ARTICLE 5 ELECTIONS

*Handled by
Sec. Comm.*

1-501 ELECTIONS: WHEN HELD: WHAT OFFICERS ELECTED. On the first Tuesday in April of every odd numbered year an election shall be held for a mayor, a police judge, and five councilmen. Ord. 5

1-502 PROCLAMATION. An ordinance stating the time and place of holding such election, the officers to be elected, and the names of the judges and clerks shall be passed and published at least fifteen days prior to the regular election. Ord. 5

1-503 JUDGES AND CLERKS. Preceding the passage of the election ordinance, the mayor shall, with the approval of the council, designate three citizens, not candidates at such election, to act as judges of election; and the council shall designate two citizens, not members of the council, to act as clerks. Ord. 5

1-504 ELECTION OF APRIL, 1949. An election for a mayor, a police judge, and five councilmen shall be held on Tuesday, April 5, 1949 at 8000 Lee Blvd. in The City of Leawood. Ord. 6

1-505 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

Margaret W. Gee

C. Roberta Rowland

Maurine E. Coe Ord. 6

1-506 CLERKS NAMED. The following two citizens have been designated by the council to act as clerks at such election:

Dorothy M. Parks

Louise F. McLaughlin Ord. 6

1-507 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 5, 1949. Ord. 6

1-508 BOND ELECTION. The governing body or a majority of them are hereby authorized and directed to call a special election for the purpose of submitting to the qualified electors of The City of Leawood, Johnson County, Kansas a proposition to issue and sell general obligation bonds of said city in the aggregate principal amount of not exceeding \$30,000.00 for the purpose of providing fire protection for The City of Leawood, Johnson County, Kansas by purchasing a fire department building together with an additional fire engine and fire protection equipment. Ord. 35

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ELECTIONS ART. 5

1-509 DATE AND PLACE OF ELECTION. The said election shall be held on the 23rd day of January, 1951 and the polling place of said election shall be the usual place of holding elections in said city, to wit:

FIRE STATION

9607 Lee Blvd. Ord. 35

1-510 BALLOT. The ballot to be used at the said election shall be in substantially the following form:

OFFICIAL BALLOT

Shall the following be adopted?

1. "Shall The City of Leawood, Johnson County, Kansas, issue and sell general obligation bonds of said city in the aggregate principal amount of not exceeding \$30,000 for the purpose of providing fire protection for The City of Leawood, Johnson County, Kansas by purchasing a fire department building together with an additional fire engine and fire protection equipment."

To vote in favor of the bonds, make a cross (X) mark in the square after the word "Yes"; to vote against the bonds, make a cross (X) mark after the word "No".

YES

NO

Ord. 35

1-511 NOTICE. Notice of said election shall be given in the manner provided by law, such notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued, shall be signed by the mayor and city council, or a majority of them, and shall be published in a newspaper of general circulation in said city once each week for three consecutive weeks, the first publication to be not less than twenty-one days prior to said election. Ord. 35

1-512 RULES FOR ELECTION. All qualified electors residing in The City of Leawood, Johnson County, Kansas shall be entitled to vote at said election. The city clerk is hereby authorized and directed to prepare and cause to be printed ballots substantially in the form hereinbefore provided, also to procure the necessary tally sheets and poll books for use at said election, and said election shall be held in all respects according to the rules and regulations provided by law for holding elections in said city. Ord. 35

ADMINISTRATION CH. I

ELECTIONS ART. 5

1-513 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

ELINOR MAGEE

ANITA HOTZ

LOUISE MC LAUGHLIN Ord. 37

1-514 CLERKS NAMED. The following two citizens have been designated by the council to act as clerks at such election:

DOROTHY MARSH

MARY COOK Ord. 37

1-515 ELECTION OF APRIL, 1951. An election for a mayor, a police judge, and five councilmen shall be held on Tuesday, April 3, 1951 at the City Hall in The City of Leawood. Ord. 42

1-516 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

ELINOR MAGEE

LOUISE MC LAUGHLIN

MARGARET GEE Ord. 42

1-517 CLERKS NAMED. The following two citizens have been designated by the council to act as clerks at such election:

NORA BEATTY

IRENE RISJORD Ord. 42

1-518 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 3, 1951. Ord. 42

ADMINISTRATION CH. I

ELECTIONS ART. 5

1-519 ELECTION OF APRIL, 1953. An election for a mayor, a police judge, and five councilmen shall be held on Tuesday, April 7, 1953 at the City Hall in The City of Leawood. Ord. 61

1-520 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

ELINOR MAGEE

EVELYN LOGAN

MARGARET GEE Ord. 61

1-521 CLERKS NAMED. The following two citizens have been designated by the council to act as clerks at such election:

NORA BEATTY

IRENE RESJORD Ord. 61

1-522 PUBLICATION. The ordinance shall be published at least fifteen days prior to April 7, 1953. Ord. 61

1-523 ELECTION OF APRIL, 1955. An election for mayor, a police judge, and five councilmen shall be held on Tuesday, April 5, 1955 at the City Hall in The City of Leawood. Ord. 77

1-524 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

ELINOR MAGEE

EVELYN LOGAN

MARGARET GEE Ord. 77

1-525 CLERKS NAMED. The following two citizens have been designated by the council to act as clerks at such election:

NORA BEATTY

MRS. BRUCE HECKE Ord. 77

1-526 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 5, 1955. Ord. 77

ADMINISTRATION CH. I

ELECTIONS ART. 5

1-527 SPECIAL ELECTION. That a special city election of The City of Leawood, Kansas, shall be held on the 21st day of January, 1956, from the hours of 8:00 A.M. to 6:00 P.M. at the City Hall at 9615 Lee Boulevard, for the purpose of voting on a franchise to the Kansas City Power & Light Company. The following being the above mentioned franchise: Whereas, Kansas City Power & Light Company is a corporation duly created, organized and existing under and by the virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and

Whereas, Kansas City Power & Light Company is now, and has been for many years, the owner and operator of a system for the transmission of electric current between The City of Leawood and many other incorporated cities within the State of Kansas, which system passes into and through The City of Leawood, Kansas, and has been, over such system, furnishing electric current to the inhabitants of The City of Leawood, Kansas, and both parties hereto desire that Kansas City Power & Light Company shall continue to furnish electric energy to The City of Leawood and its inhabitants.

Now, therefore, be it ordained by the governing body of The City of Leawood, Kansas: In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof; the right, authority, power and franchise to establish, construct, operate and maintain in The City of Leawood, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as may be reasonably required for domestic, manufacturing, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute the same by pole and wire lines, transmission lines, or otherwise; and for any and all of said purposes, it is authorized to construct or set poles carrying wires and cables above ground, lamp posts, poles, anchors, and guys on all of the streets, alleys, avenues or other public places or thoroughfares, and to construct, erect and maintain all necessary buildings, machinery and attachments of any and every kind and description and for any and all said purposes, may enter upon any and all of the streets, alleys, avenues and other public grounds within the corporate limits of The City of Leawood as

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ELECTIONS ART. 5

they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to make such excavation within as may be necessary for the construction of its pole lines and transmission lines and the repair and renewal thereof during the continuance of the franchise hereby granted.

Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the City Council of said city under permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to the inhabitants of the city and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumer of electric energy, residing in The City of Leawood, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe the duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

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ELECTIONS ART. 5

Meters and all appliances and fixtures of the Company located upon the premises of a consumer shall be made and remain the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in Docket #1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out or constructed in or under said streets, alleys, lanes and highways of said city.

The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of each day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this section.

Kansas City Power & Light Company shall at all times protect and save harmless The City of Leawood from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

As a further consideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of April and the 31st day of October of each year in which the franchise is effective, issue a credit amounting to five per cent (5) of its gross receipts from the sale of electric energy used within the present or future boundaries of The City of Leawood for domestic, commercial and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceeding March 31st and September 30th respectively, which credit shall be applied against the bills rendered by the Company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for

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ELECTIONS ART. 5

other use which cannot be classed as domestic, commercial or industrial; such as the electrical energy used by public utilities, telephone, telegraph and radio communication companies, railroads, pipeline companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usage have been construed by the United States Department of Internal Revenue under the Revenue Act of 1932 and amendment thereof.

All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided. Ord. 91

1-528 JUDGES NAMED. The following three citizens have been designated by the mayor with the approval of the council to act as judges of election at such election:

ELINOR MAGEE

EVELYN LOGAN

MARGARET GEE Ord. 91

1-529 CLERKS NAMED. The following two citizens have been designated by the mayor with the approval of the council to act as clerks at such election:

NORA BEATTY

TERESA COOPER Ord. 91

1-530 PUBLICATION. This ordinance shall take effect and be in force from and after its publication in the official city paper as provided by law. Ord. 91

ADMINISTRATION CH. 1

ELECTIONS ART. 5

1-531 ELECTION OF APRIL, 1957. The regular City election of the City of Leawood, Kansas, shall be held on April 2, 1957, between the hours of 8 o'clock A.M. and 6 o'clock P.M., at the City Hall, 9615 Lee Boulevard, in the City of Leawood, Kansas, for the purpose of electing a mayor, a police judge, and five councilmen. Ord. 107.

1-532 JUDGES NAMED. The following three citizens, not candidates for election, have been designated by the mayor, with the approval of the council, to act as judges of the election.

ETTIE MARIS
GERRY CRAWFORD
BERENICE MERRITT Ord. 107

1-533 CLERKS NAMED. The following two citizens, not candidates for election, have been designated by the council to act as clerks at such election:

MARGARET HEUERMANN
MAURINE COE Ord. 107

1-534 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 2, 1957. Ord. 107.

1-535 ORGANIZATION INTO CITY OF SECOND CLASS. Whereas the City of Leawood, Kansas, has been proclaimed a City of the second class by the Governor of the State of Kansas as of January 15, 1959, and

Whereas pursuant to Section 14-103 of the General Statutes of Kansas 1949 as amended the City of Leawood, Kansas, is required to divide the city into four wards for election purposes as a city of the second class. Ord. 137

NOW THEREFORE, be it ordained by the governing body of the City of Leawood, Kansas, as follows: Ord. 256.

1-535A BOUNDARIES OF WARD 1. The boundaries of Ward 1 shall be as follows:

Beginning at the Northeast corner of the present limits of the City of Leawood, Kansas, thence South on State Line to the center line of 85th Street Terrace, thence Westward on the center line of 85th Street Terrace to the center line of Lee Boulevard, thence South on the center line of Lee Boulevard to the South boundary of the park, thence Westward along the South boundary of lots 360, 359, 358, 357 and 356 of Leawood, a subdivision according to the recorded plat thereof, thence South to the Southern boundary of lot 932, thence due West in a straight line to Mission Road, thence Northward following the Western limits of the City until the junction of said Western limits with the Northern limits of the City thence Eastward following the Northern limits of the City to the point of the beginning. Ord. #256

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ELECTIONS ART. 5

1-535 B BOUNDARIES OF WARD 2. The boundaries of Ward 2 shall be as follows:

Beginning at the Southwestern boundary of Ward 2 at Mission Road and 95th Street thence East on center line of 95th Street to the East boundary of lots bordering on the East side of Ensley Lane thence Northward to the center line of 91st Street, thence East along the North side of the power line to State Line, thence North to the South boundary of Ward 1, thence West along the South boundary of Ward 1 to Mission Road, thence South to 95th Street. Ord. 256.

1-535 C The boundaries of Ward 3 shall be as follows:

Beginning at the Northwest corner of 91st Street and the power line thence South along the East boundary of lots bordering on the East side of Ensley Lane and continuing South along the West limits of the City thence West and South to include all areas within the Western and Southern limits of the City, including all newly annexed areas as of date hereof to the Southwest corner of the City, thence East to State Line including all annexed areas as of the date hereof, thence North following the East boundary of the City, including all newly annexed areas as of the date hereof, to Lee Boulevard or its extension and the present Southern City limits at this point, thence North along the center line of Lee Boulevard or its extension to the power line, thence West along the power line to the point of the beginning. Any future annexed areas will be in Ward 3. Ord. 256

1-535 D The boundaries of Ward 4 shall be as follows:

Beginning at the intersection of the power line and State Line thence South along State Line Road, following the Eastern limits of the City to the South City limits at this point as of the effective date of this ordinance thence West along the center line of the present South City limits at this point, which are approximately at Indian Creek, to Lee Boulevard or its extension thence North along the center line of Lee Boulevard to the power line thence East along the Southern side of the power line to the point of beginning. Ord. 256.

ARTICLE 6 - CLAIMS AGAINST CITY

1-601 MANNER OF PRESENTING CLAIMS. All claims against the City shall be presented in writing, fully itemized, verified by oath of the claimant or his agent, as true, complete and correct before an officer authorized to administer oaths and filed with the City Clerk.

A work order shall be furnished claimant on all street construction or repairs prior to the commencement of such work and the number on the work order shall be shown on the claim together with itemized charges and description of work performed in detail. Ord. 103

1-602 DUTY OF CITY CLERK. The city clerk, upon receipt of a claim against this city, prepared and filed as provided in section 1-601, shall audit the same, and upon finding it correct, shall present the same to the city council at the next regular meeting thereafter, and if such claim is allowed by the council the city clerk shall prepare a city warrant, directing the city treasurer to pay the claimant the amount allowed by the council and present the same to the mayor for his signature, after which the city clerk shall attest the same, which warrant shall be by the city clerk delivered to the claimant who shall present such warrant to the city treasurer for payment within the time provided by the law. Ord. 8.

1-603 REGISTRATION OF WARRANTS UNPAID. Whenever any regularly executed warrant shall be presented to the city treasurer and there is not sufficient money belonging to the city in his hands to pay the same, he shall endorse thereon a proper registry number and the words "Presented and not paid for want of funds", with date, and sign such endorsement, and he shall record in his warrant register the date when presented for payment, and the registration number as endorsed thereon, and such warrants shall be paid in the order of their presentation as shown by such register. Ord. 8

1-604 REDEMPTION OF REGISTERED WARRANTS. Whenever, between the first and fifteenth days of any February or August, the city treasurer shall have in his hands sufficient money to redeem the warrants registered as provided in section 1-603, or any of them, he shall cause a notice to be published stating that said warrants should be presented for payment, and he shall not redeem any such warrants until all warrants presented prior thereto shall have been paid or there are sufficient funds on hand to redeem the same. Ord. 8

1-605 AUTHORITY TO INVEST. Temporarily idle moneys of the City of Leawood, Kansas, not currently needed may, in accordance with the procedure hereafter prescribed be invested in: (a) Direct obligations of United States Government, which mature within one year from date of purchase and which are guaranteed as to principal by the United States Government; or (b) Temporary notes of the City of Leawood, Kansas, issued pursuant to K. S. A. 10-123 as amended; or (c) bank time certificates of deposit which are protected by the federal deposit insurance corporation; or (d) no-fund warrants of the city; or (e) general obligation bonds of the city; or (f) adequately secured bank time deposit, open accounts.

1-606 DEFINITION OF BANK TIME DEPOSIT, OPEN ACCOUNT. The term "Bank time deposit, open account" as used in this ordinance means, a city bank account which is a bank deposit, other than a time certificate of deposit, with respect to which there is in force a written contract between the city and the designated bank which provides that neither the whole nor any part of such deposit may be withdrawn, by check or otherwise, prior to (1) the date of maturity, which shall be not less than thirty (30) days after the date of deposit, or (2) the expira-

ADMINISTRATION CH. 1

Article 6 - Claims Against City - Cont'd.

tion of the period of notice which must be given by the city in writing not less than thirty (30) days in advance of withdrawal.

1-607 PROCEDURE AND RESTRICTIONS. The City Treasurer shall periodically report to the governing body as to the amount of moneys available for investment and the period of time such amounts will be available for investment, and shall submit such recommendations as deemed necessary for the efficient and safe management of city finances. The recommendations of the City Treasurer shall provide for an investment program which shall so limit the amounts invested and schedule the maturities of investments so that the city will at all times have sufficient moneys available on demand deposit to assure prompt payment of all city obligations. The governing body shall determine by resolution the amount, method and term of any investment and the type of investment made, subject to the provisions of this ordinance.

1-608 CUSTODY AND SAFEKEEPING Securities purchased pursuant to this ordinance shall be under the joint care of the city clerk, city treasurer and mayor and shall be held in the custody of a state or national bank or trust company, or shall be kept by such officers in a safety deposit box of the city in a bank or trust company. Securities in original or receipt form held in the custody of a bank or trust company, shall be held in the name of the city and their redemption, transfer or withdrawal shall be permitted only upon the written instruction of at least two such city officers. Securities not held in the custody of a bank or trust company shall be personally deposited by such officers in a safety deposit box in the name of the city in a bank or trust company, access to which shall be permitted only in personal presence and under the signature of at least two such officers.

1-609 SALE OR TRANSFER If, in order to maintain sufficient moneys on demand deposit in any fund, as provided in Section 1-606 of this ordinance, it becomes necessary to transfer or sell any securities of such funds, any two or more of the officers specified in Section 1-608 may transfer said securities to any other fund or funds in which there are temporarily idle moneys, or shall sell such securities and for such purpose they shall have authority to make any necessary written directions, endorsements or assignments for and on behalf of the city. Any such transfers or sales shall be reported in writing to the governing body at its next regular meeting.

1-610 EARNINGS AND RECORDS The interest or other earnings from investments made pursuant to this ordinance shall be credited pro rata to the fund or funds from which the investments were made and shall be used, insofar as possible, to relieve the ad valorem tax levies of the city. The City Treasurer shall maintain a complete and detailed record at all times of all investments made pursuant to this ordinance.

ORD. No. 281

ADMINISTRATION CH. I

ARTICLE 7 CITY HALL AND FIRE STATION

1-701 CITY HALL. There is hereby established a City Hall on Lots 117 and 118, Leawood Estates, in The City of Leawood, address 9615 Lee Boulevard. Such City Hall shall be used as a municipal building. Ord. 109

1-702 FIRE STATION. There is hereby established a fire station on Lot 116, Leawood Estates, in the existing building known as 9609 Lee Boulevard. Ord. 47

ARTICLE 8 ELECTION AS CITY OF SECOND CLASS

1-801 ELECTION OF APRIL, 1959. An election for the purpose of electing the first officers of the City of Leawood, Kansas as a city of the second class is hereby called and shall be held on April 7, 1959 for the purpose of voting upon and electing at said election the following officers for their respective terms. A mayor whose term shall be two years. A police judge whose term shall be two years. A city treasurer whose term shall be two years. Two councilmen: First Ward - one whose term shall be for one year and one whose term shall be for two years. Two councilmen: Second Ward - one whose term shall be for one year and one whose term shall be for two years. Two councilmen: Third ward - one will be for one year and one whose term shall be for two years. Two Councilmen: Fourth Ward - one whose term shall be for one year and one whose term shall be for two years. Ord. 138

1-802 ELECTION OF APRIL, 1959. The regular city election of the City of Leawood, Kansas, shall be held on April 7, 1959, between the hours of 6 o'clock A.M. and 7 o'clock P.M., for the purpose of electing a Mayor, Police Judge, City Treasurer and two Councilmen from each ward, said election to be held at the following designated wards:

- WARD #1 Leawood Presbyterian Church
2715 West 83rd Street
- WARD #2 Leawood Methodist Church
2915 West 95th Street
- WARD #3 Leawood Country Club
89th & Sagamore Road
- WARD #4 Leawood City Hall
9615 Lee Boulevard Ord. 142

1-803 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the council, to act as judges of the election:

- WARD #1 Evelyn Logan
Annie Laurie Davis
Helen Nelson
- WARD #2 Virginia O'Brien
Virginia Chenoweth
Mary Cooper
- WARD #3 Frances Kastman
Polly Duer
Kathryn Wasson
- WARD #4 Dorothy Boulware
Elsa Tritch
Bettie Maris Ord. 142

1-804 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the council, to act as clerks of the election:

- WARD #1 Minnie Sevier
Audrey Palmer
- WARD #2 Lucile White
Virginia Horton
- WARD #3 Marion Coble
Ruth Roberts

ADMINISTRATION CH. 1

ELECTIONS ART. 8

WARD #4

Mary Elizabeth Bowen
Mabel Snyder Ord. 142

1-805 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 7, 1959. Ord. 142

1-806 ELECTION OF APRIL, 1960. The regular city election of the City of Leawood, Kansas, shall be held on April 5, 1960, between the hours of 6 o'clock A. M., and 7 o'clock P. M., for the purpose of electing one councilman from Wards 1, 2, 3, and 4 for a 2-year term and one councilman from Ward 4 for a one-year term, said election to be held at the following designated wards:

- WARD 1- Leawood Presbyterian Church
2715 West 83rd Street
- WARD 2- Leawood Methodist Church
2915 West 95th Street
- WARD 3- Leawood Country Club
89th & Sagamore Road
- WARD 4- Leawood City Hall
9615 Lee Boulevard

1-807 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the council, to act as judges of the election:

- WARD 1- Evelyn Logan
Annie Laurie Davis
Helen Nelson
- WARD 2- Margaret G. Phyfe
Gwen Fowler
Inez Neuman
- WARD 3- Marion Coble
Catherine Thouvenelle
Jane Hoesley
- WARD 4- Dorothy Boulware
Virginia Clark
Elsa Tritch

1-808 CLERKS NAMED. The following eight citizens not candidates for election, have been designated by the Mayor, with the approval of the council, to act as clerks of the election:

- WARD 1- Audrey Palmer
Irene Risjord

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- WARD 2- Virginia Chenoweth
Virginia O'Brien
- WARD 3- Kathryn Wasson
Pauline Duer
- WARD 4- Ruth Kuder
Leona Tozier

1-809 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 5, 1960. Ord. 157.

1-810 ELECTION OF APRIL, 1961. The regular city election of the City of Leawood, Kansas, shall be held on April 4, 1961, between the hours of 6 o'clock A.M., and 7 o'clock P.M., for the purpose of electing for a 2 year term a Mayor, Police Judge, City Treasurer and a Councilman from Wards 1, 2, 3 and 4, said election to be held at the following designated wards:

- WARD 1 - Leawood United Presbyterian Church
2715 West 83rd Street
- WARD 2 - Leawood Methodist Church
2915 West 95th Street
- WARD 3 - Leawood Country Club
89th & Sagamore Road
- WARD 4 - Leawood City Hall
9615 Lee Blvd. Ord. 187

8-111 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the council, to act as judges of the election:

- WARD 1 - Annie Laurie Davis
Evelyn Logan
Helen Nelson
- WARD 2 - Helen V. Chesney
Margaret G. Phyfe
Mabel P. Snyder
- WARD 3 - Marion Coble
Pauline Duer
Catherine Thouvenelle
- WARD 4 - Betty D. Bagby
Veida Mae Klamet
Marilyn Myers Ord. 187

1-812 CLERKS NAMED. The following eight citizens not candidates for election, have been designated by the Mayor, with the approval of the council, to act as clerks, of the election:

ELECTIONS ART. 8.

WARD 1 - Audrey Palmer
Adelyne T. Treat

WARD 2 - Virginia M. Horton
Virginia O'Brien

WARD 3 - Gertrude A. McCallon
Kathryn Wasson

WARD 4 - Barbara Blazer
Leona Tozier

Ord. 187

1-813 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 4, 1961. Ord. 187

ARTICLE 8 ELECTIONS

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF LEAWOOD, KANSAS, A CITY OF THE SECOND CLASS AT A SPECIAL BOND ELECTION TO BE HELD ON THE EIGHTEENTH (18th) DAY OF JULY, 1961, OF THE QUESTION OF THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF LEAWOOD, KANSAS IN THE PRINCIPAL SUM OF SEVEN HUNDRED AND TWENTY-EIGHT THOUSAND DOLLARS (\$728,000.00) FOR THE PURPOSE OF IMPROVING OR REIMPROVING A PORTION OF THE MAIN TRAFFICWAYS IN THE CITY OF LEAWOOD, KANSAS, AND DIRECTING THE GOVERNING BODY OF SAID CITY TO ISSUE A NOTICE OF SUCH ELECTION AND TO CAUSE THE SAME TO BE PUBLISHED IN THE OFFICIAL CITY PAPER IN THE MANNER PROVIDED BY LAW AND DIRECTING THE CITY CLERK TO ISSUE A NOTICE CONCERNING THE HOURS OF REGISTRATION AND THE CLOSING OF THE REGISTRATION BOOKS AND DIRECTING THE PUBLICATION THEREOF IN THE OFFICIAL CITY PAPER IN THE MANNER PROVIDED BY LAW.

WHEREAS, the governing body of the City of Leawood, Kansas, did on the sixth (6th) day of February, 1961, by Ordinance No. 184, which was duly passed and published, declare and designate certain streets as main trafficway streets, and,

WHEREAS, the City of Leawood, Kansas did on the third (3rd) day of April, 1961 adopt a resolution declaring the necessity for and the intention of the governing body to improve or reimprove a portion of the main trafficway streets, and did describe therein the general terms of the improvement or reimprovement to be made and stated the estimated cost thereof, said resolution was duly published for two (2) consecutive weeks in the official city weekly newspaper on April 13th and 20th, 1961.

WHEREAS, within thirty days after the last publication of said resolution, there was filed in the office of the City Clerk, not later than five (5:00) P.M. a protest signed by qualified electors equal in number to more than ten (10) per cent of the electors who voted at the last preceding regular city election as shown by the poll books, all in due form as required by law, and

WHEREAS, the City of Leawood, Kansas does not have sufficient expendable money in the general fund to pay the cost of improving or reimproving said main trafficway streets, and

WHEREAS, in order to procure the necessary funds to improve or reimprove a portion of the main trafficway streets, it is necessary that said City issue its General Obligation Bonds in the manner provided by law.

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

1-814 PROPOSITION SUBMITTED. The proposition of the issuance of General Obligation Bonds of the City of Leawood, Kansas in the principal sum not to exceed Seven Hundred Twenty-Eight Thousand dollars (\$728,000.00) for the purpose of improving or reimproving that portion of the main trafficway streets, described as follows, to-wit:

The south one-half of Somerset Drive, from the west line of Lot 973, Leawood, easterly to Lee Boulevard; 83rd Street, from the west city limits east to Lee Boulevard; 89th Street,

ARTICLE 8 ELECTIONS

from Mission Road to the east line of Lot 380, Leawood; the north one-half of 95th Street, from a point 825 feet east of Mission Road, east to the west line of Lot 811, Leawood; thence both sides of 95th Street, east to State Line; 103rd Street, from Mission Road east 2640 feet; Lee Boulevard from 103rd Street, north to Somerset Drive.

Such improvements shall consist of clearing, grading, construction of drainage facilities, including bridges, culverts, storm sewers, manholes, catch basins, inlets, underdrains, and other appurtenant drainage facilities, pavement and sidewalks, together with any other appurtenant construction facilities that may be necessary or desirable, and the thickness and widths hereinafter described may be varied by the governing body of the City of Leawood, Kansas as it deems necessary.

The pavement shall consist of an aggregate binder base course and a hot mix asphaltic concrete surface course between two 30-inch reinforced concrete curbs. The base course thickness and width shall be as follows: Somerset Drive base course shall be 11.5 feet wide and 8 inches thick; 83rd Street and 89th Street base shall be 23 feet wide and 8 inches thick; 95th Street and Lee Boulevard base shall be 27 feet wide and 10 inches thick; 103rd Street base shall be 39 feet wide and 10 inches thick.

The surface course on all the streets hereinbefore designated shall be the same width as its corresponding base course and shall be three inches thick.

The sidewalks shall be 48 inch concrete sidewalks on the southerly side of Somerset Drive, north side of 83rd Street, north side of 95th Street, and south side of 103rd Street, from the schools or city limits, east to Lee Boulevard.

shall be submitted to the qualified electors of the City of Leawood, Kansas at a special Bond Election to be held on the eighteenth (18th) day of July, 1961.

1-815 NOTICE OF ELECTION. The governing body of the City of Leawood, Kansas or a majority thereof, shall issue notice in the manner provided by law and pursuant to Section 10-120 G.S., 1949, and Section 12-688 G.S., 1959 Supp. for the purpose of submitting to the qualified electors of said city at a special bond election to be held on the eighteenth (18th) day of July, 1961, the proposition of the issuance of General Obligation Bonds of the City of Leawood, Kansas in the principal sum of not to exceed Seven Hundred Twenty-Eight Thousand Dollars (\$728,000.00) for the purposes as set out in Section 1 hereof.

1-816 PUBLICATION OF NOTICE OF ELECTION. Said notice of such election shall be published in the Johnson County Herald, the official city weekly newspaper once each week for three (3) consecutive weeks, the first publication shall be on the 22nd day of June, 1961.

ARTICLE 8 ELECTIONS

1-817 REGISTRATION NOTICE. The City Clerk shall give a notice that the registration books will be kept open during the noon hours and until ten (10) o'clock each night on July 3rd, 5th, 6th and 7th, 1961 at the Leawood City Hall, 9615 Lee Boulevard, Leawood, Kansas, for the purpose of registration of votes and that on July 7, 1961 at ten (10) o'clock P.M., said books will be closed to registration of votes until July 19, 1961.

1-818 PUBLICATION OF REGISTRATION NOTICE. Said notice described in Section 4 hereof shall be published in the Johnson County Herald, the official city weekly newspaper for two consecutive weeks, the first publication shall be on June 22, 1961. ORD. 188

1-819 DESIGNATION OF CLERKS AND JUDGES. That Loyd Jones, Mayor, of the City of Leawood, Kansas, by and with the approval of said City Council does hereby designate the following citizens of said City to act as Judges and Clerks at a special bond election (General Obligation Bonds) to be held in said City of Leawood, Kansas on the eighteenth (18th) day of July, 1961.

FOR WARD NO. 1, Leawood United Presbyterian Church
2715 W. 83rd Street, Leawood, Kansas

JUDGES: Evelyn Logan, 8024 Meadow Lane
Helen Nelson, 8016 Meadow Lane
Annie Laurie Davis, 8029 Meadow Lane
CLERKS: Minnie M. Sevier, 8107 High Drive
Adelyne T. Treat, 2501 West 84th Street

FOR WARD NO. 2, Leawood Methodist Church
2915 West 95th Street, Leawood, Kansas

JUDGES: Mabel P. Snyder, 9511 Meadow Lane
Inez Neuman, 9251 Canterbury Road
Helen V. Chesney, 9203 Belinder Road
CLERKS: Virginia Chenoweth, 2802 West 93rd Street
Virginia M. Horton, 9617 Meadow Lane

FOR WARD NO. 3, Leawood Country Club
89th and Sagamore Road, Leawood, Kansas

JUDGES: Jane Hoesley, 3008 West 89th Terrace
Catherine Thouvenelle, 2325 West 85th Terr.
Alice A. Neuner, 2809 West 89th Street
CLERKS: Kathryn Wasson, 2805 West 89th Street
Gertrude A. McCallon, 8732 High Drive

FOR WARD NO. 4, Leawood City Hall
9615 Lee Boulevard, Leawood, Kansas

JUDGES: Betty D. Bagby, 9618 High Drive
Ruth S. Kuder, 9128 High Drive
Barbara Blazer, 9625 Lee Boulevard
CLERKS: Leona Tozier, 9440 High Drive
Marilyn Myers, 9620 Sagamore Road ORD. 189

ARTICLE 8 ELECTIONS

1-820 CONDUCT OF ELECTION. That in case said Judges or Clerks fail to appear on the day of said election by the hour of six (6) o'clock A.M. then Judges and Clerks may be chosen by the bystanders as provided by the General Election Laws of the State; that all matters not provided for herein, pertaining to the matter of conducting such election, shall be governed by the General Election Laws of this State.

1-821 QUALIFICATION OF JUDGES AND CLERKS. That the above designated officials shall qualify themselves previous to the date of said election by taking and subscribing an official oath of office.

1-822 PLACE OF ELECTION. That said election shall be held at the following places:

- WARD NO. 1 Leawood United Presbyterian Church
2715 West 83rd Street, Leawood, Kansas
- WARD NO. 2 Leawood Methodist Church
2915 West 95th Street, Leawood, Kansas
- WARD NO. 3 Leawood Country Club
89th & Sagamore Road, Leawood, Kansas
- WARD NO. 4 Leawood City Hall
9615 Lee Boulevard, Leawood, Kansas ORD. 189

1-823 ELECTION OF APRIL, 1962. The regular city election of the City of Leawood, Kansas, shall be held on April 3, 1962, between the hours of 6 o'clock A.M. and 7 o'clock P.M. for the purpose of electing one councilman from Wards 1, 2, 3 and 4 for a 2-year term, said election to be held at the following designated wards:

- WARD NO. 1 Leawood United Presbyterian Church
2715 West 83rd Street
- WARD NO. 2 Ranch Mart Auditorium
3736 West 95th Street
- WARD NO. 3 Leawood Country Club
89th & Sagamore Road
- WARD NO. 4 Leawood City Hall
9615 Lee Boulevard

1-824 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the council, to act as judges of the election:

- WARD NO. 1 Annie Laurie Davis
Evelyn E. Logan
Helen G. Nelson
- WARD NO. 2 Helen V. Chesney
Inez M. Neumann
Margaret G. Phyfe
- WARD NO. 3 Pauline M. Duer
Jane L. Hoesly
Catherine E. Thouvenelle
- WARD NO. 4 Betty D. Bagby
Barbara D. Blazer
Ruth S. Kuder

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ARTICLE 8 ELECTIONS

1-825 CLERKS NAMED. The following eight citizens not candidates for election, have been designated by the Mayor, with the approval of the council, to act as clerks of the election:

WARD NO. 1 Minnie M. Sevier
Adelyne T. Treat
WARD NO. 2 Virginia L. Chenoweth
Virginia M. Horton
WARD NO. 3 Gertrude A. McCallon
Kathryn M. Wasson
WARD NO. 4 Dorothy E. Carter
Elsa E. Tritch

1-826 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 3, 1962. Ord. 205

1-827 ELECTION OF APRIL, 1963. The regular city election of the City of Leawood, Kansas, shall be held on April 2, 1963, between the hours of 6 o'clock A.M. and 7 o'clock P.M. for the purpose of electing for a 2 year term a Mayor, Police Judge and a Councilman from Wards 1, 2, 3 and 4, said election to be held at the following designated wards:

WARD NO. 1 Leawood United Presbyterian Church
2715 West 83rd Street
WARD NO. 2 Ranch Mart Auditorium
3736 West 95th Street
WARD NO. 3 Leawood Country Club
89th & Sagamore Road
WARD NO. 4 Leawood City Hall
9615 Lee Boulevard ORD. 220

1-828 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

WARD NO. 1 Annie Laurie Davis
Evelyn E. Logan
Julia Ann Leathers
WARD NO. 2 Marie L. Hearson
Virginia Chenoweth
Margaret G. Phyfe
WARD NO. 3 Catherine Thouvenelle
Frances G. Kastman
Dorothy Novotny
WARD NO. 4 Ruth S. Kuder
Betty D. Bagby
Gladys Crawford ORD. 220

1-829 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

WARD NO. 1 Adelyne T. Treat
Audrey Palmer

ADMINISTRATION CH. I

WARD NO. 2 Amy Edmonds
Virginia M. Horton
WARD NO. 3 Margaret Dauner
Vera Johnson
WARD NO. 4 Virginia Oberlander
Barbara Blazer ORD. 220

1-830 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 2, 1963. ORD. 220

1-831 ELECTION OF APRIL, 1964. The regular city election of the City of Leawood, Kansas, shall be held on April 7, 1964, between the hours of 6 o'clock A. M. and 7 o'clock P. M. for the purpose of electing for a 2 year term a Councilman from Wards 1, 2, 3, and 4 and for a 1 year term a Councilman from Ward 4, said election to be held at the following designated wards:

WARD 1 Leawood United Presbyterian Church
2715 West 83rd Street
WARD 2 Ranch Mart Auditorium
3736 West 95th Street
WARD 3 Leawood Country Club
89th & Sagamore Road
WARD 4 Leawood City Hall
9615 Lee Boulevard ORD. 228

1-832 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

WARD 1 Annie Laurie Davis
Evelyn E. Logan
Audrey Palmer
WARD 2 Helen V. Chesney
Virginia Chenoweth
Virginia M. Horton
WARD 3 Catherine Thouvenelle
Frances G. Kastman
Alice A. Neuner
WARD 4 Ruth S. Kuder
Betty D. Bagby
Gladys Crawford ORD. 228

1-833 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

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Ward 1 Adelyne T. Treat
Hazel Rowe

Ward 2 Suzanne Spangler
Gloria Unkefer

Ward 3 Margaret Dauner
Wilma Johnston

Ward 4 Alice W. Smith
Barbara Blazer

ORD. 228

1-834 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 7, 1964. ORD. 228

1-835 ELECTION OF APRIL, 1965. The regular City election of the City of Leawood, Kansas, shall be held on April 6, 1965, between the hours of 6:00 a.m. and 7:00 p.m., for the purpose of electing for a two year term, a Mayor, a Police Judge, and a Councilman from Wards 1, 2, 3, and 4, said election to be held at the following designated wards:

Ward 1 Leawood United Presbyterian Church
2715 West 83rd Street

Ward 2 Ranch Mart Auditorium
3736 West 95th Street

Ward 3 Leawood Country Club
89th & Sagamore Road

Ward 4 Leawood City Hall
9615 Lee Blvd.

1-836 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

Ward 1 Evelyn E. Logan
Audrey Palmer
Hazel Rowe

Ward 2 Margaret Phyfe
Gloria Unkefer
Berenice Merritt

Ward 3 Kathryn Wasson
Gertrude Somers
Alice Neuner

Ward 4 Ruth Kuder
Betty Bagby
Barbara Blazer

ADMINISTRATION CH. 1

1-837 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

- Ward 1 Adelyne T. Treat
Joyce E. Perky
- Ward 2 Margaret Hall
Margaret Heuermann
- Ward 3 Margaret Dauner
Wilma Johnston
- Ward 4 Alice Smith
Jeanne Goodspeed

1-838 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 6, 1965. ORD. 233

ADMINISTRATION CH. 1.

1-839 ELECTION OF APRIL, 1966. The regular City Election of the City of Leawood, Kansas shall be held on April 5, 1966, between the hours of 6:00 a.m. and 7:00 p.m. for the purpose of electing for a two year term, a Councilman from Wards 1, 2, 3, and 4, said election to be held at the following designated wards:

Ward 1 - Leawood United Presbyterian Church,
2715 West 83rd Street

Ward 2 - Leawood Country Club
8901 Sagamore Road

Ward 3 - Brookwood School
103rd & Wenonga Road

Ward 4 - Leawood City Hall
9615 Lee Boulevard

1-840 JUDGES NAMED The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

Ward 1 - Evelyn E. Logan
Audrey Palmer
Hazel Rowe

Ward 2 - Kathryn Wasson
Wilma Johnson
Alice Neuner

Ward 3 - Gloria Unkefer
Berenice Merritt
Virginia Chenoweth

Ward 4 - Jerry Crawford
Barbara Blazer
Betty Bagby

1-841 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

Ward 1 - Adelyne Treat
Joyce E. Perky

Ward 2 - Frankie Davidson
Margaret Phylfe

Ward 3 - Margaret Hall
Margaret Heuermann

Ward 4 - Hazel Wells
Jeanne Goodspeed

1-842 PUBLICATION This ordinance shall be published at least fifteen days prior to April 5, 1966. Ord. 260.

ADMINISTRATION CHAP. I.

1-843 ELECTION OF APRIL 1967. The regular City Election of the City of Leawood, Kansas shall be held on April 4, 1967, between the hours of 6:00 a.m. and 7:00 p.m. for the purpose of electing for a two year term, a Mayor, a Police Judge, and a Councilman from Wards 1, 2, 3 and 4, said election to be held at the following designated Wards:

Ward 1 - Leawood United Presbyterian Church
2715 West 83rd Street

Ward 2 - Leawood Country Club
8901 Sagamore Road

Ward 3 - Brookwood School
103rd and Wenonga Road

Ward 4 - Leawood City Hall
9615 Lee Boulevard

1-844 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

Ward 1 - Audrey Palmer
Adelyne Treat
Hazel Rowe

Ward 3 - Virginia Chenoweth
Berenice Merritt
Margaret Hall

Ward 2 - Wilma Johnston
Alice Neuner
Frankie Davidson

Ward 4 - Betty D. Bagby
Gladys G. Crawford
Lucille Forsythe

1-845 CLERKS NAMED. The following eight citizens, not candidates for election have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

Ward 1 - Esther Johnson
Joan Flannelly

Ward 3 - Margaret Heuermann
Alice Berry

Ward 2 - Cynthia Kunkle
Marjorie Magill

Ward 4 - Jeanne Goodspeed
Eleanor Dart

1-846 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 4, 1967. Ord. No. 272

ADMINISTRATION CHAP. 1.

1-847 ELECTION OF APRIL 2, 1968. The regular City election of the City of Leawood, Kansas, shall be held on April 2, 1968 between the hours of 6:00 A.M. and 7:00 P.M. for the purpose of electing, for a two year term, a Councilman from Wards 1, 2, 3, and 4, said election to be held at the following designated wards:

Ward 1 - Leawood United Presbyterian Church
2715 West 83rd Street

Ward 2 - Corral Room, Ranch Mart Auditorium
3736 West 95th Street

Ward 3 - Brookwood School
103rd and Wenonga Road

Ward 4 - Leawood City Hall
9615 Lee Boulevard

1-848 JUDGES NAMED. The following twelve citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as judges of the election:

Ward 1 - Esther Johnson
Hazel Rowe
Margaret Dostal

Ward 3 - Berenice Merritt
Margaret Hall
Doris Petzold

Ward 2 - Wilma Johnston
Alice Neuner
Frankie Davidson

Ward 4 - Betty Bagby
Gladys Crawford
Eleanor Dart

1-849 CLERKS NAMED. The following eight citizens, not candidates for election, have been designated by the Mayor, with the approval of the Council, to act as clerks of the election:

Ward 1 - Joan Flannelly
Evelyn Logan

Ward 3 - Alice Pauls
Virginia Horton

Ward 2 - Cynthia Kunkel
Marjorie Magill

Ward 4 - Lucille Forsythe
Margaret Woodward

1-850 PUBLICATION. This ordinance shall be published at least fifteen days prior to April 2, 1968. Ord. 291

ADMINISTRATION CH. I

ARTICLE 9 GROUP INSURANCE

1-901 EMPLOYEE AUTHORIZATION OF DEDUCTION. When the governing body of the City provides group health, accident, medical, hospitalization or life insurance or any combination of two or more such forms of group insurance for the benefit of the officers and employees of the City, and an officer or employee files a written statement with the City Clerk that he elects to be covered by such insurance, such statement shall constitute an authorization to the City to deduct from such officer or employee's compensation such amount at each compensation paying time as will, with the deductions from the compensation of other officers and employees covered by such insurance, be sufficient at premium paying time to pay 50% of the premium, the City paying the other 50% of the premium. Such statement shall continue in effect until the officer or employee files a written statement with the City Clerk that he no longer desires to be covered by the insurance.

ORD. 200

1-902 RECORD OF DEDUCTIONS. The City Clerk shall at the close of the calendar year certify in writing to each officer or employee from whose compensation deductions were made during the year, the amount so deducted during such year. Appropriate records showing such deductions shall be kept by the City Clerk. ORD. 200

ADMINISTRATION CH. I

ARTICLE 10 WAGE AND SALARY ADMINISTRATION

1-1001 WAGE AND SALARY COMMITTEE A Wage and Salary Committee consisting of the appointed City Treasurer and two Councilmen who shall also be appointed by the Mayor for the purpose of assuring fair and equitable consideration of compensation for all employees. The Wage and Salary Committee shall be charged with the responsibility of periodically reviewing wage and salary problems, including wage and salary surveys, reviewing and making recommendations to the council concerning wage ranges, job classifications, merit increases and keeping abreast of and working on other matters pertaining to the direct or indirect compensation of employees. ORD. NO. 288

1-1002 ESTABLISHMENT OF PAY RATES. A minimum, mid-point and maximum rate shall be established by the wage and salary committee, with council approval, for each job classification on the salaried payrolls based on a comparison with the responsibilities and requirements of the job and similar jobs in the area and other municipalities. Each minimum and maximum rate shall be established as the minimum and maximum worth of the job, and the spread between the minimum and maximum shall be referred to as the rate range. ORD. 203

1-1003 STARTING RATES All employees shall be hired at the minimum of the rate range of the job classification covering the work to which he is assigned, except when, in the opinion of the committee, an employee possesses training or experience considerably above the minimum required for the job so as to warrant a starting rate above the minimum. ORD. 203.

1-1004 RATE CHANGES Increases in pay shall be made only in accordance with the provisions covering annual merit increases, merit increases for new employees and promotions. All such changes will be effective only after the execution of an Employee Status Form. ORD. 203.

1-1005 MERIT INCREASES On November 15th of each year, the wage and salary committee shall provide each department head with a schedule containing the names and salary information of all salaried employees in his department.

Each department head shall review the schedule and make his merit recommendations as to the employees entitled to receive merit increases, the amount thereof, and the month in which the increase is to be effective. In addition to the merit increase recommendations, the department head shall prepare a short written comment about each employee he has selected for a merit increase and who is beyond the Mid-point of the rate range, setting forth his general opinion of the employee and the basis for any merit increase recommendation. When the review has been made the department head shall submit the information to the wage and salary committee for consideration and for its recommendations to the Mayor. Approval of merit increases shall be submitted by the Mayor to the governing body for approval by resolution.

The following principles shall be followed by the department head and the wage and salary committee in determining the salary positions of employees within their rate ranges in all considerations for merit increase recommendations:

initial date of employment, shall be allowed 1/4 working shift of leave for each calendar month of service. All permanent full time employees of the Fire Department who have completed one (1) year of service or more, from initial date of employment shall be allowed leave with pay on account of sickness or injury at the rate of 1/3 working shift of leave for each calendar month of the employee's service and any such leave accrued but unused in any year shall be cumulative for the succeeding years up to but not exceeding 10 working shifts. "Working shift" shall be interpreted as defined elsewhere in the administrative code.

1-1027 DEFINITIONS. Section 12. For the purposes of the administrative chapter, the following definition of terms shall apply.

1-1027a WORKING SHIFT. Section 13. The term "working shift" shall refer to one seventy-two hour period during which each full time paid fireman shall serve one 24-hour tour of duty. Each fireman shall for the purposes of duty rotation be assigned to one of three shift squads designated "A", "B", and "C". In each complete 9-day cycle, the shift squad rotation of the first working shift shall be ABC; of the second working shift, BCA; for the third working shift, CAB; so that on an overall yearly average, each fireman shall work 56 hours per week and his daily rate shall be computed as follows:

$$\text{Shift rate} = \frac{12 \times \text{monthly rate}}{121 \frac{2}{3} \text{ working shifts}}$$

TAKE EFFECT. Section 14. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed the City Council this 18 day of May, 1970.

Approved by the Mayor this 18 day of May, 1970.



Mayor

Attest:



City Clerk

INSERT THIS PAGE IN FRONT OF 24 k dated 7-7-69 and delete the paragraphs as outlined in this ordinance.

If an employee is transferred to another position with the city, any unused vacation leave which may have accumulated to his credit shall continue to be available for his use. Vacation leaves shall not accumulate during leaves of absence.

Section 1009 shall be renumbered as follows:

1-1008e TIME OF VACATION. Vacation leave shall be arranged to the mutual satisfaction of the employee and the city. In the event an employee's services are needed by the city and as a result the vacation period is missed, the department head may make special request to the mayor and the mayor may grant permission to carry the vacation time forward to the next year.

1-1009a VACATIONS: FIRE DEPARTMENT. Section 6. All permanent, full time employees of the City of Leawood Fire Department are granted vacations in terms of their "working shifts" as defined elsewhere in the administrative code as outlined in the following procedures. Fire Department employees shall be required to utilize their vacation time within each calendar year.

1-1009b VACATIONS: FIRE DEPARTMENT: ELIGIBILITY, INITIAL. Section 7. All permanent full time employees of the City of Leawood, Kansas, Fire Department having completed one full year of service from initial date of employment, and having worked a minimum of 1400 hours during such period, shall be allowed five (5) working shifts vacation with pay at their current rate and at a time selected by the head of their department. After an employee has completed one year of service, the initial date of employment shall be considered to be January 1st of the year in which initial employment commenced for the purpose of computing vacation eligibility.

1-1009c VACATIONS: FIRE DEPARTMENT: SERVICE OVER FIVE YEARS. Section 8. All permanent full time employees of the City of Leawood Fire Department who have completed more than five years continuous service after initial date of employment, and who have worked a minimum of 1400 hours during the year immediately preceding, shall be allowed vacation in terms of working shifts with pay at their then existing rate of pay in accordance with the following schedule:

More than 5 years but less than 10 years:	6 working shifts
More than 10 years but less than 15 years:	7 working shifts
More than 15 years:	8 working shifts

1-1009d VACATIONS: FIRE DEPARTMENT: OTHER REGULATIONS. Section 9. Fire Department employees shall be subject to the same regulations as to payment in lieu of time, and time of vacation, as other city employees as set forth in above sections.

1-1013 REPEAL OF SECTION. Section 10. Section 13 of Ordinance No. 203 is hereby repealed and the following section enacted in lieu thereof.

1-1013 COMPUTATION OF SICK LEAVE FOR FIRE DEPARTMENT. Section 11. All permanent full time employees of the Fire Department who have completed six (6) months service from initial date of employment, but who have not completed more than one (1) year of service from

ORDINANCE NO. 376

AN ORDINANCE RELATING TO WAGE AND SALARY ADMINISTRATION FOR SALARIED EMPLOYEES: COMPUTATION OF VACATIONS AND SICK LEAVE FOR THE FIRE DEPARTMENT; AND REPEAL OF SECTIONS 8 AND 13 OF ORDINANCE 203.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

1-1008 REPEAL OF SECTION. Section 1. Section 8 of Ordinance No. 203 is hereby repealed and the following section enacted in lieu thereof.

1-1008a VACATIONS (EXCEPT FIRE DEPARTMENT). Section 2. All permanent full time employees of the City of Leawood, Kansas, except employees of the Fire Department, are granted vacations as outlined in the following established procedures. Employees shall be required to utilize their vacation time each year.

1-1008b VACATIONS: ELIGIBILITY, INITIAL. Section 3. All permanent full time employees of the City of Leawood, Kansas, having completed one year of service from initial date of employment, and having worked a minimum of 1400 hours during such period, shall be allowed two (2) weeks vacation with pay at their current rate and at a time selected by the head of their department. After an employee has completed one year of service, the initial date of employment shall be considered to be January 1st of the year in which initial employment commenced for the purpose of computing vacation eligibility.

1-1008c VACATIONS: ELIGIBILITY, AFTER 10 YEARS SERVICE. Section 4. All permanent full time employees of the City of Leawood, Kansas, who have completed ten (10) years of continuous service after initial date of employment, and who have worked a minimum of 1400 hours during the year immediately preceding shall be allowed three (3) weeks vacation with pay at their then existing rate of pay at a time selected by the head of their department.

1-1008d VACATIONS: PAYMENT IN LIEU OF. Section 5. No payment shall be made in lieu of vacation except as hereinafter provided. Upon termination of service of employment with the City for cause, no payment for vacation time unused shall be made.

Upon resignation from employment with the City, payment for accumulated vacation in the year in which resignation occurs, prorated from January 1 to date of resignation (to the nearest half day) shall be included in the final check.

Upon layoff from service with the City for reasons that are not discreditable to him, payment for accumulated vacation in the year in which the layoff occurs, prorated from January 1 to date of layoff (to the nearest half day) shall be included in the final check.

Should the laid-off employee be rehired within twelve months, his vacation will be computed as above from the date of initial employment less the period of layoff time and less the portion for which payment was made at the time of layoff. Remaining prorated vacation, if any, shall be taken in days off and no payment made in lieu thereof.

WAGE AND SALARY ADMINISTRATION ART. 10

- a. The minimum of the salary range generally shall reflect the salary of employees who are new with the city, new in the particular job, or who are meeting only the minimum requirements for the job.
- b. The mid-point of the salary range shall be the average worth of the job to the city, representing the appropriate salary for an employee who has adequate development and seasoning and who is meeting the quality and quantity requirements for his job. (The department heads and the wage and salary committee shall expect an employee with average qualifications and proper experience and attitude to reach the mid-point of the range at some time during his employment with the city.)
- c. The performance of an employee who progresses beyond the mid-point of the salary range shall be increasingly outstanding, he shall perform beyond the average requirements for the job in the quality and quantity produced, his time and effort devoted to the job, and his interest and attitude toward his work. The maximum of the salary range shall be reserved for those employees who are performing the maximum worth of the job. ORD. #209

On May 15th of each year, the department head shall review those employees on the previous November 15th schedule who were denied an annual merit increase and shall submit to the wage and salary committee for consideration and approval the information along with his recommendations as to the employees entitled to receive merit increases, the amount thereof, and the month in which the increase is to be effective. ORD. NO. 209

1-1006 FIRST YEAR MERIT INCREASES. New employees on salaried payrolls, and old employees transferred from hourly to salaried jobs may be considered for merit increases during their first year in such positions in accordance with the following policy:

- a. New salaried employees and old employees transferred from hourly to salaried positions, may be considered for merit increases after the completion of their first 90 days in such positions,
- b. Such increases shall not be considered as automatic, but shall be granted upon the basis of meritorious service by the employee. All such increases shall be in increments of \$25.00 and shall not exceed \$25.00. ORD. #203

1-1007 PROMOTIONS. It shall be the general policy of the governing body to promote qualified employees from within the organization to higher rated job classifications as openings occur. Employees may be granted an appropriate increase at the time of promotion. ORD. #203

~~1-1008 VACATIONS. All employees, after having completed one year of employment, are granted vacations as outlined in the following established procedures. Employees shall be required to utilize their vacation time each year.~~

WAGE AND SALARY ADMINISTRATION ART. 10

- A
F.D.
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F.D.
- a. All permanent full time employees of the City of Leawood, Kansas, having completed one year of service from initial date of employment, and having worked a minimum of 1400 hours during such period, shall be allowed two (2) weeks vacation with pay at their current rate and at a time selected by the head of their department.
 - b. After an employee has completed one year of service, the initial date of employment shall be considered to be January 1st of the year in which initial employment commenced for the purpose of computing vacation eligibility.
 - c. All permanent full time employees of the City of Leawood, Kansas, who have completed ten (10) years of continuous service after initial date of employment, and who have worked a minimum of 1400 hours during the year immediately preceding shall be allowed three (3) weeks vacation with pay at their then existing rate of pay at a time selected by the head of their department.
 - d. No payment shall be made in lieu of vacation, and except as provided in Section 1-1009, no employee shall be allowed to carry forward vacation privileges to any succeeding year. All vacation privileges shall terminate on December 31st of each year, and upon the termination of service of employment with the city, except in the case of an employee who is laid off from his position for reasons that are not discreditable to him and who may be reappointed within twelve months, such person shall have made available any unused vacation leave existing at the time of his layoff. If an employee is transferred to another position with the city, any unused vacation leave which may have accumulated to his credit shall continue to be available for his use. Vacation leaves shall not accumulate during leaves of absence. Ord. 203

1-1009 TIME OF VACATION. Vacation leave shall be arranged to the mutual satisfaction of the employee and the city. In the event an employee's services are needed by the city and as a result the vacation period is missed, the department head may make special request to the mayor and the mayor may grant permission to carry the vacation time forward to the next year. Ord. 203

1-1010 VACATION TIME USED TO EXTEND SICK LEAVE. In case of extended absence due to illness or accident, when all sick leave has been depleted or when sick leave does not provide normal working pay, an employee may request that his accrued vacation leave be used. (An employee shall not be allowed to combine sick leave and vacation leave so as to extend his normal working pay.) For purposes of this section any employee who suffers a disabling accidental injury and is compensated under Workmen's Compensation shall be paid his qualified sick leave and/or vacation leave benefit, as set out above, reduced by his Workmen's Compensation benefit. Ord. 203

1-1011 SICK LEAVE: GENERAL POLICY. The sick leave policy is designed to provide financial assistance during periods of extended absence because of illness or injury and also to provide earnings protection for

*Insert just
Ahead of 24th*

80

ORDINANCE NO. 374

AN ORDINANCE PROVIDING FOR EXTRAORDINARY SICK LEAVE.

Be it ordained by the Governing Body of the City of Leawood, Kansas:

Section 1. Section 1-1011 Shall be divided into two sections. The present Sec. 1-1011 (Ord. 203) shall become 1-1011 A and the following Sec. 1-1011 B shall be added thereto;

1-1011 B SICK LEAVE: EXTRAORDINARY. In the event that an employee of the City, regardless of his period of service shall be injured under the following conditions as certified by the head of his department:

- 1) Injury received while performing his assigned duties
- and 2) Injured as a result of factors completely beyond his control
- and 3) Sick leave accumulated under Sec 1-1012 (a) has been exhausted

then the council may by resolution authorize extension of payment of sick leave benefits for a period not to exceed three months, the periodic sum not to exceed in amount that authorized under 1-1012 less any payments made to employee under any coverage of insurance carried by the City of Leawood. Such resolution may be extended by the Council for not more than three (3) succeeding periods each not to exceed three (3) months or a total of twelve (12) months extra sick leave .

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the City Council this 20th day of April 1970

Approved by the Mayor this 20th day of April 1970

Attest

V. M. Dostal

Mayor

J. Oberlander

City Clerk

WAGE AND SALARY ADMINISTRATION ART. 10

a. reasonable number of short term absences while ill or injured. For purposes of sick leave, sickness must be of such a nature as to render the employee incapable of performing his assigned duties, and cannot be construed to include regular visits to dentists, eye doctors, or physicians for general physical examinations, or sickness in the employee's family.

Ord. 203

1-1012 COMPUTATION OF SICK LEAVE (EXCEPT FIRE DEPT.). All permanent full time employees of the City of Leawood, Kansas, except employees of the Fire Department, who have completed six (6) months service from initial date of employment, but who have not completed more than one (1) year of service from initial date of employment, shall be allowed leave with pay on account of sickness or injury at the rate of 1/2 working day of leave for each calendar month of the employees' service. All permanent full time employees who have completed one (1) year of service, or more, from initial date of employment, shall be allowed leave with pay on account of sickness or injury at the rate of one (1) working day of leave for each calendar month of service and any such leave accrued but unused in any year shall be cumulative for the succeeding years up to but not exceeding thirty (30) days. Ord. 203

1-1013 COMPUTATION OF SICK LEAVE FOR FIRE DEPT. All permanent full time employees of the Fire Department who have completed ~~six (6) months~~ service from initial date of employment, but who have not completed more than one (1) year of service from initial date of employment, shall be allowed 1/4 working shift of leave for each calendar month of service. All permanent full time employees of the Fire Department who have completed one (1) year of service or more, from initial date of employment shall be allowed leave with pay on account of sickness or injury at the rate of 1/2 working shift of leave for each calendar month of the employees' service and any such leave accrued but unused in any year shall be cumulative for the succeeding years up to but not exceeding 15 working shifts. Ord. 203

1-1014 TERMINATION OF SICK LEAVE PRIVILEGE. All accumulations of sick leave shall terminate upon termination of service of employment with the city, except in the case of an employee who is laid off from his position for reasons that are not discreditable to him. Such employee may, if re-appointed within twelve months, have available any unused sick leave existing at the time of his lay off. If an employee is transferred to another position with the city, any unused sick leave which may have accumulated to his credit shall continue to be available for his use. Sick leaves shall not accumulate during leaves of absence. Ord. 203

90 days Fed 1/2 pay
 1-1015 EXTENSION OF SICK LEAVE. Any permanent full time employee of the city who has completed more than one (1) year of service since initial date of employment, who may be absent on account of sickness or injury beyond the time for which he has accrued sick leave, may be paid at the rate of one-half the usual salary or wages such officer or employee was receiving at the time said illness or accident commenced for a period not to exceed three months. Ord. 203

1-1016 VACATION TO EXTEND SICK LEAVE. In case of extended absence due

2/5/62

* Cannot take accrued sick leave to extend vacation

11/11/11

SICK LEAVE SCHEDULE

UP TO 6 months	0 days
At end of 6 months (1/2 da. mo.)	3
(for 1st 6)	
At <u>end</u> of 7 months	3 1/2
8	4
9	4 1/2
10	5
11	5 1/2
12	12 6

Thereafter, accumulates at rate of 1 day per month

At end of 2nd year, would have ²⁴~~12~~ days if no sick leave had been used

WAGE AND SALARY ADMINISTRATION ART. 10

to illness or accident, when all sick leave has been depleted or when sick leave does not provide normal working pay, an employee may request that his accrued vacation leave be used. An employee may not combine sick leave and vacation leave to extend his normal working pay. Ord. 203

1-1017 SICK LEAVE PAY REDUCED BY WORKMEN'S COMPENSATION PAY. Any employee who suffers a disabling accidental injury and is compensated under Workmen's Compensation will be paid his qualified sick leave and/or vacation benefit, as set out above, reduced by his Workmen's Compensation benefit. Ord. 203

1-1018 METHOD OF CHARGING SICK LEAVE TIME AND ABSENCE. One day of sick leave shall be charged against the employees' accrued sick leave for each working day's absence for all employees except the Fire Department employees. One shift of sick leave shall be charged against the Fire Department employee's accrued sick leave for each working shift of absence. Ord. 203

1-1019 LIMITATION ON SHORT TERM SICK LEAVE COMPENSATION. Employees will be paid for the first day (first shift for Fire Department employees) of sick leave a maximum of three times in any one year and will be paid for the second day (second shift for Fire Department employees) of sick leave a maximum of three times in any one year. For purposes of this section an employee's period of sick leave will terminate at the time he reports back to work for one full day or one full shift for Fire Department employees. Ord. 203

1-1020 SICK LEAVE CERTIFICATE. Any permanent full time employee of the city eligible for sick leave pay, and absent on account of sickness or injury shall furnish to the head of his department a "sick leave certificate", signed by the employee and department head, stating the nature of his absence (sickness or personal injury), and the length of time it was necessary for the employee to be absent on account of such illness or injury. The department head shall forward the certificate to the City Clerk for verification of accrued sick leave. The City Clerk shall notify the Mayor of any sick leave to be granted in excess of six (6) days (3 shifts for Fire Department employees). Ord. 203 + Ord. 205

1-1021 RECORD OF SICK LEAVE. The City Clerk shall keep a permanent record of sick leaves and each employees accumulation of sick leave. If an employee is granted sick leave to a specific date and returns to work prior to said date, such officer or employee shall notify the City Clerk within five (5) days after his return or forfeit his sick leave through the original date granted. Ord. 203

1-1022 EFFECTIVE DATE OF ACCRUAL. Employees in the city's service at the time of the passage of this ordinance shall be entitled to an accumulated sick leave computed on employment with the city since January 1, 1962. Ord. 203

2/15/62

alice \$95

Don 495

Pat 410

Anna 2.20

J 80 565
Sam 120

ADMINISTRATION CHAPTER 1

WAGE AND SALARY ADMINISTRATION ART. 10

1-1023 SCHEDULE OF SALARIES AND WAGES FOR ADMINISTRATIVE EMPLOYEES. The salary range of the Administrative General Government and employees shall be as follows:

	<u>MINIMUM PER MONTH</u>	<u>MID-POINT PER MONTH</u>	<u>MAXIMUM PER MONTH</u>
(a) City Clerk	\$425.00	\$575.00	\$725.00
(b) Assistant City Clerk	350.00	425.00	525.00
(c) Sewer Clerk			125.00
(d) Bookkeeper	375.00	450.00	525.00
(e) Clerk	350.00	425.00	475.00
(f) City Attorney	125.00	300.00	500.00
(g) Assistant City Attorney	50.00	150.00	200.00
(h) Police Judge	170.00		250.00

ORD. #365

- (i) Clerk of the Court shall be paid by the hour on the basis of his or her monthly salary.
- (j) Secretary to the Plan Commission to be paid by the hour on the basis of monthly salary.
- (k) Secretary to the Board of Zoning Appeals to be paid minimum of \$2.00 per hour, -- maximum \$2.50 per hr., unless handled by regular Administrative employee, who shall be paid by the hour on the basis of regular monthly salary.
- (l) Part time Administrative clerical help shall be paid minimum of \$2.00 per hour and maximum of \$2.50 per hour.

ORD. #349

Any full time City employee not working a full number of hours per year as prescribed by the City Council for said employee's position will be allowed sick leave and vacation on the following basis:

<u>Percent of hrs. worked</u>	<u>Vacation & sick leave allowed</u>
Above 95%	Full allowance
86 to 95%	90% of full allowance
76 to 85%	80% of full allowance
Below 75%	No allowance

ORD. #365

ADMINISTRATION CHAPTER 1

WAGE AND SALARY ADMINISTRATION ART. 10

1-1024 SCHEDULE OF SALARIES AND WAGES FOR FIRE DEPARTMENT EMPLOYEES. The salary range of Fire Department employees shall be as follows:

	<u>MINIMUM PER MONTH</u>	<u>MID-POINT PER MONTH</u>	<u>MAXIMUM PER MONTH</u>
(a) Fire Chief	\$750.00	\$825.00	\$900.00
(b) Assistant Fire Chief	675.00	735.00	800.00
(c) Captain	625.00	660.00	700.00
(d) Lieutenant	575.00	610.00	650.00
(e) Fire Inspector (in addition to duty as Firefighter 1st Class)	530.00	570.00	610.00
(f) Firefighter First Class	520.00	560.00	600.00
(g) Probationary Firefighter	465.00	480.00	495.00

ORD. #359
(effective 1/1/70)

1-1025 SCHEDULE OF SALARIES AND WAGES FOR POLICE DEPARTMENT EMPLOYEES. The salary range of Police Department employees shall be as follows:

	<u>MINIMUM PER MONTH</u>	<u>MID-POINT PER MONTH</u>	<u>MAXIMUM PER MONTH</u>
(a) Police Chief (plus mileage allowance)	\$850.00	\$925.00	\$1,000.00
(b) Assistant Chief	750.00	825.00	900.00
(c) Captain	725.00	788.00	850.00
(d) Lieutenant	700.00	750.00	800.00
(e) Sergeant (or Detective)	650.00	700.00	750.00
(f) Corporal	600.00	638.00	675.00
(g) Patrolman, First Class	550.00	600.00	650.00
(h) Patrolman	500.00	513.00	525.00
(i) Police Clerk	350.00	413.00	475.00
(j) Patrolman, Reserve		(per hr.)	3.25
(k) Police Clerk-Matron, Commissioned & uniformed, based on 40 hr. week	400.00	450.00	500.00

A regular employee of the Leawood Police Department shall be paid the hourly rate equivalent to his regular salary if assigned other than disciplinary extra duty.

ORD. #357

1-1026 SCHEDULE OF SALARIES AND WAGES FOR STREET DEPARTMENT EMPLOYEES. The salary range of Street Department employees shall be as follows:

	<u>MINIMUM PER MONTH</u>	<u>MID-POINT PER MONTH</u>	<u>MAXIMUM PER MONTH</u>
(a) Street Superintendent	\$650.00	\$725.00	\$800.00
(b) Asst. Street Superintendent	525.00	600.00	700.00
(c) Hourly Rate Employees			(per hr.) 3.50

ORD. #359
(effective 1/1/70)
12/2/69

20

ORDINANCE NO. 377

AN ORDINANCE PROVIDING FOR MINIMUM, MID-POINT AND MAXIMUM RANGE OF SALARIES AND WAGES,

Be it ordained by the governing body of the City of Leawood, Kansas:

1027 SCHEDULE OF SALARIES AND WAGES OF SEWER EMPLOYEES. Section 1. The salary range of sewer employees shall be as follows:

	<u>MINIMUM</u> <u>PER MONTH</u>	<u>MID-POINT</u> <u>PER MONTH</u>	<u>MAXIMUM</u> <u>PER MONTH</u>
(a) Sewer Superintendent	\$600.00	\$675.00	\$750.00
(b) Asst. Sewer Supt.	550.00	625.00	700.00

TAKE EFFECT. Section 2. This ordinance shall take effect and be in force from and after June 1, 1970.

Passed the City Council this 17 day of June, 1970.

Approved by the Mayor this 18 day of June, 1970.

V. M. Dostal

Mayor

At test:

James Oberlander

City Clerk

CHAPTER II
POLICE COURT

ARTICLE I POLICE COURT

2-101 OFFICERS. The officers of the police court of this city shall be the police judge, clerk of police court, the city marshal, assistant marshals, and the policemen of the city. Ord. 36

2-102 MARSHAL TO ATTEND COURT. The city marshal, by himself or deputy, shall attend all sessions of the court. Policemen shall attend the sessions when the business of the court shall require attendance. Ord. 7

2-103 ARREST. The city marshal and policemen shall arrest without process every person found violating any of the ordinances of the city or the criminal laws of the state. Ord. 7

2-104 POLICE COURT RECORD. All prosecutions for violating any city ordinance shall be entitled, "The City of Leawood against _____", and the police judge shall state in his docket the name of the complainant; the nature or character of the offense; the date of the trial; the names of all witnesses sworn and examined; the findings of the court; the judgment of fine and costs; the date of payment; the date of issuing the commitment, if any; and every other fact necessary to show the full proceedings in such case. Ord. 7

2-105 PROCEDURE. The procedure in the police court, except as otherwise provided, shall be the same as the procedure before justices of the peace in criminal cases, except that no jury shall be allowed. Ord. 7

2-106 FEES. There shall be taxed as costs the following fees:

Police judge, the same fees allowed by law to justices of the peace for similar services.

City marshal, assistant marshal and policemen, the same fees as are allowed to constables for similar services.
Ord. 7

POLICE COURT CH. II

POLICE COURT ART. 1

2-107 FINES: WORKING OUT. In case of the conviction of any person charged with violation of any ordinance, the police judge shall, upon non-payment of the fine and costs of such prosecution commit such person to jail until such fine and the costs are paid and every able-bodied male prisoner confined in jail for failure to pay the fine and costs, shall be made to work at hard labor eight hours of every working day on the streets, alleys, avenues, areas and public grounds of the city under the direction of the street commissioner or other proper officer, and there shall be allowed the sum of \$5.00 per day for each day's work which shall be applied to the payment of the fine and costs. Ord. 7

2-108 REPORT OF POLICE JUDGE. At the first regular meeting of the city council in each month, the police judge shall make to the council a full and complete report of the proceedings before him for the preceding month, which report shall state the names of all parties prosecuted before him, the amount of fine and costs assessed, the amounts collected, and the final disposition of the case, and he shall deliver the report to the city clerk who shall place it on file. Ord. 7

2-109 PLACE OF HOLDING COURT. Police court shall be held at the city hall unless circumstances make that place impracticable for a particular session, in which case it may be held at any convenient place in the city. Ord. 27

2-110 BAIL. Where an arrest is made for violation of city ordinance, the offender shall be brought before the police court for trial, if the court is in session. If the police court be not in session, the officer making the arrest shall issue to the offender a summons to appear before the police judge for trial at a designated time.

If the officer has reason to believe that the offender may not appear as required in the summons, the officer may take the offender to the city hall where the clerk of the police court shall fix the amount in which the offender may give a bond for his appearance before the police court for trial at the designated time and at any subsequent session to which the trial may be adjourned. The clerk may require surety or cash deposit to secure such bond. The amount of such bond and surety or cash deposit, if required, shall be the probable amount of the fine and costs. Upon failure or refusal to sign such bond or provide such surety or make such cash deposit, if required, the offender shall be committed to the county jail and shall be brought to police court for trial at the next session thereof.

Upon delivery of the summons, and execution of the bond and surety or deposit of cash, if required, the officer shall discharge the offender from custody.

In case the offender fails to appear at the time designated in the summons or at any subsequent session to which the trial may be adjourned, the police judge shall declare a default in the condition of the bond and forfeiture of the cash deposit, if any. Any cash deposit so forfeited shall be applied toward payment of the fine and costs as finally assessed by the police judge. Ord. 36

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 1 TRAFFIC REGULATIONS

3-101 INCORPORATING STANDARD TRAFFIC ORDINANCE. There is hereby incorporated by reference for the purpose of regulating traffic upon the highways of the City of Leawood, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities", Edition of 1968, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions thereof as are hereafter omitted, deleted, modified or changed. Not less than three (3) copies of said standard ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 362" with all sections or portions thereof intended to be omitted or changed clearly marked to show any such deletion or change together with any additions thereto as authorized by this ordinance, which sheet or sheets entitled "Addenda" shall be reproduced in a convenient size for and attached to the booklet form of the Standard Traffic Ordinance, and filed with the City Clerk. Said Official Copies are to be open to inspection and available to the public at all reasonable hours. The Police Department, Police Judge and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the City, such number of Official Copies of such standard ordinance similarly marked, deleted, changed, and added to as may be deemed expedient.

ORD. # 362

3-102 CHANGES IN THE STANDARD TRAFFIC ORDINANCES, Sub-section 2 of Section 28 of said Standard Traffic Ordinance is hereby changed to read as follows:

"(2) All vehicles 25 miles per hour except as provided in Section 3-103.

ORD. #362

3-103 EXCEPTIONS TO THE STANDARD TRAFFIC ORDINANCES, SECTION 28.

(a) "Speed restrictions in school zones." The governing body having determined upon the basis of an engineering and traffic investigation that the speed limit permitted under state law and Section 28 of the Standard Traffic Ordinance is greater than is reasonable or safe under the conditions found to exist in the vicinity of school buildings within or adjacent to the City designates such areas as "School Zones" and declares that the reasonable and safe speed limit on said school zones is 20 miles per hour. School zone shall be defined as that portion of the highway abutting property used for school purposes plus the distance of 750 feet in either direction. The Chief of Police is hereby directed to erect appropriate traffic controls and notice of the hours of application thereof upon said portion of the highway or street.

(b) "Speed limit on certain streets within the City of Leawood." The governing body having determined upon the basis of an engineering and traffic investigation that the speed limit permitted under state law and Section 28 of the Standard Traffic Ordinance is less than is reasonable under the conditions found to exist upon the designated portions of the streets hereinafter listed in the City, the governing body hereby determines and declares that the reasonable and safe speed limit on said portion of said streets ^{is} as listed below. The Chief of Police is hereby directed to erect appropriate signs giving notice

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 1 TRAFFIC REGULATIONS

of such speed limit along said streets.

STREET	PORTION CONTROLLED	APPLICABLE SPEED LIMIT
Lee Boulevard	81st Street to 103rd Street	35 m.p.h.
State Line Road	Within City Limits	35 m.p.h.
Mission Road	North City Limits to 103rd Street	35 m.p.h.
83rd Street	Within City Limits	30 m.p.h.
89th Street	Within City Limits	30 m.p.h.
95th Street	Within City Limits	30 m.p.h.
Roe Boulevard	111th Street to K 150	45 m.p.h.
K 150	Within City Limits	65 m.p.h. (day) 55 m.p.h. (night)
103rd Street	Within City Limits	35 m.p.h.
85th St. Terrace	Lee Blvd. to State Line Road	30 m.p.h.

ORD. #362

3-148 RESTRICTED DRIVER'S LICENSE. The state motor vehicle department shall not issue any license to any person, as an operator, who is under the age of sixteen years, except that the state motor vehicle department may issue a restricted license as provided by state statute, to any person who is at least fourteen years of age upon the written application of a parent or guardian of said minor, provided that the parent or guardian show necessity for the issuance of such license.

The application of a parent or guardian, of such minor, shall be forwarded to the City Marshal of The City of Leawood, who shall make a recommendation thereon, and such recommendation shall be forwarded, with the application, to the state motor vehicle department. If the state motor vehicle department shall be satisfied of the necessity for the issuance of such a restricted license, it shall issue a license to such minor which shall entitle the holder thereof, while having such license in his possession, to operate a passenger motor vehicle during the hours 7 a.m. to 7 p.m. on days while school is in session, and over the most direct and accessible route between the licensee's residence and his school of enrollment for the purpose of school attendance, or at any time when accompanied by a parent or guardian who is the holder of a valid operator's or chauffer's license and who is actually occupying a seat beside the driver. A license issued is subject to suspension or revocation in like manner as any other license or permit issued under the laws of the state and in addition thereto, the state motor vehicle department may suspend such license upon receiving satisfactory evidence (1) that the licensee has violated the restriction of such license, and (2) that the licensee has been involved in two or more accidents chargeable to such licensee,

TRAFFIC OFFENSES CH. III

TRAFFIC REGULATIONS ART. 1

and (3) the approval of the City Marshal has been withdrawn. Such a suspended license shall not be reinstated for one year or until the licensee reaches the age of sixteen, whichever period is longer. Ord. #146.

3-149 POSTING OF CASH BOND FOR TRAFFIC VIOLATIONS. Persons arrested for traffic offenses within the City of Leawood may post cash bonds for their appearance at a time certain in the Police Court of Leawood, Kansas. Bonds for the following traffic offenses shall be:

- (a) Reckless driving, \$100.00
- (b) Driving a motor vehicle while under the influence of alcohol or narcotic drugs, \$300.00
- (c) Speeding, \$3.00 per mile for each mile over the speed limit
- (d) Failure to have driver's license on the person, not less than \$10.00 nor more than \$50.00
- (e) Driving overweight vehicle over posted bridge, \$100.00
- (f) All other traffic offenses not herein enumerated, not less than \$10.00 nor more than \$200.00

The City Marshal, Assistant Chief of Police, and Clerk of Police Court are hereby appointed bonding clerks to accept cash bonds.

Each offender shall be given a bond receipt to be in the following form, to-wit:

Receipt for Cash Bond

Date _____ No. _____

The amount of \$ _____ has been deposited with the Police Judge, Leawood, Kansas, by _____ for _____ Court appearance at the City Hall, 9615 Lee Boulevard, Leawood, Kansas, on the _____ day of _____, 19 _____ at _____ M.

Bonding Clerk

Disposition	(Amount of Bond	_____
	(Fine	_____
	(Costs	_____
	(Total	_____
	(Cash Refund	_____
	or Balance	_____
	Due	_____

I hereby acknowledge the return of this bond as shown above.

Depositor: _____

Note: This receipt must be signed by depositor and returned to the Police Judge of Leawood, Kansas, in order to receive part or all of refund.

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 1 TRAFFIC REGULATIONS

The bond receipts shall be made in triplicate and shall be made with indelible writing. The original shall be given to the person arrested, one copy shall remain in the bond book, and one copy shall be given the Police Judge, which shall be transmitted to the City Clerk.

ORD. #343

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 2 PENALTIES

3-201 PENALTIES FOR VIOLATIONS OF ARTICLE 1. General Penalties. Every person convicted of a violation of any of the provisions of this Ordinance shall for first conviction thereof be punished by fine of not more than \$100.00 or by imprisonment for not more than 10 days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than \$200.00 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six months or by both such fine and imprisonment; provided, the penalties prescribed in the Standard Traffic Ordinance incorporated by reference by Section 2 shall prevail as to violation of its provisions. ORD. #362

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 3 PARKING

~~3-301 ANGLE PARKING. Angle parking shall be permitted on the east side of Lee Boulevard in front of the City Hall and in front of the adjoining parking lot to the south, and on the west side of Lee Boulevard adjacent to the south thirty-five (35) feet of Lot 68 Leawood and adjacent to the north forty-five (45) feet of Lot 67 Leawood and on the south side of Somerset Drive adjacent to Lots 69 Leawood and 70 Leawood.~~

ORD. #363

3-302 NON-PASSENGER VEHICLE PARKING. No person shall park or place any truck, trailer, housetrailer, semi-trailer, bus, boat, boat trailer or any other vehicle other than private passenger cars upon the streets, alleys, boulevards and other publicways of the City of Leawood continuously between the hours of 11:00 P. M. and 6:00 A. M.

ORD. #363

3-303 PARKING LIMITATION. No person shall park or place any vehicle upon the streets, alleys, boulevards or other publicways continuously for a period of more than 24 hours. The Police Department may cause such vehicles parked in excess of 24 hours to be removed and impounded. Vehicles may be released only after bond has been made for appearance in Police Court and payment of towing and storage fees.

ORD. #363

3-304 NO PARKING AT ANY TIME. Parking of vehicles on State Line Road within the City is hereby prohibited.

ORD. #363

3-305 SIGNS. Signs shall be erected and maintained giving notice of such prohibited parking.

ORD. #363

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 4 PENALTIES

3-401 PENALTIES FOR VIOLATION OF ARTICLE 3. Any person, firm or corporation violating, disobeying, neglecting or refusing to comply with this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$1.00 nor more than \$10.00.

ORD. #363

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 5 LOCAL TRAFFIC

3-501 PROHIBITED DRIVING AREAS.

(a) Trespass by Motor Vehicle. No person shall operate a motor vehicle over private property of another except a driveway as defined in Sec. 3-101, and then only with the express or implied permission of the owner.

(b) Over Curbs. No person shall drive any vehicle over or across any curb on any of the streets or boulevards of the City of Leawood except where a driveway has been constructed and except at building or construction sites when a building permit has been issued.

ORD. #364

3-502 UNAUTHORIZED RIDES: MOLESTING VEHICLES. No person shall ride in or on any vehicle without the consent of the driver. No unauthorized person shall interfere with or molest any vehicle.

3-503 REGULATION OF TRUCK TRAFFIC; HAZARDOUS TRUCK TRAFFIC.

(a) Regulation of Truck Traffic. No vehicle or truck carrying a manufacturer's rating of one ton or more other than those carrying passengers or constructed to carry passengers shall be allowed to enter the City Of Leawood, except for vehicles carrying goods, merchandise, building material or other articles to be delivered in the City of Leawood; provided, that there are signs setting forth the regulation posted upon the streets of entry into the City.

(b) Exceptions. Except for truck traffic described hereinafter as hazardous, the following streets shall be exempt from the above regulations, to-wit: State Line Road, Somerset Drive, I 435, K 150, Mission Road from 103rd Street north, Nall, and Roe.

(c) Hazardous Truck Traffic. No truck, tank or tank trailer containing, when loaded, explosives, gasoline, liquified petroleum gases or any flammable or combustible liquid as defined in Section 16 of the Fire Prevention Code shall be operated, whether or not then loaded, over any street in the City, except in accordance with the provisions of the following: Deliveries to points within the City shall be made only by carriers holding a valid permit for such transportation. Such permits shall be issued on request by the Chief of Police without charge, setting forth the route to be followed by that carrier's vehicle when within the City and shall be good for one year.

ORD. #364

3-504 PUSHING VEHICLES. No vehicle shall be pushed for a distance exceeding three hundred (300) feet nor at a speed exceeding 20 miles per hour.

ORD. #364

CHAPTER III
TRAFFIC OFFENSES

ARTICLE 6 PENALTIES

3-601 PENALTIES FOR VIOLATIONS OF ARTICLE 5. General Penalties. Every person convicted of a violation of any of the provisions of this Ordinance shall for first conviction thereof be punished by fine of not more than \$100.00 or by imprisonment for not more than 10 days; for a second such conviction within one year thereafter such person shall be punished by a fine of not more than \$200.00 or by imprisonment for not more than 20 days or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the first conviction such person shall be punished by a fine of not more than \$500.00 or by imprisonment for not more than six months or by both such fine and imprisonment. ORD. #364

CHAPTER IV
GENERAL OFFENSES

ARTICLE I OFFENSES AGAINST PROPERTY

4-101 INJURING TREES AND SHRUBS. No person shall wilfully break, cut, take away, destroy, injure, mutilate, or attempt to wilfully break, cut, take away, destroy, injure or mutilate any tree, shrub, vine, flower or landscaping standing, growing, or being upon the premises in the possession of another, or growing on any public ground, street, sidewalk, promenade or park in the city.
ORD. 12.

4-102 INJURING MUNICIPAL PROPERTY. No person shall wilfully or carelessly break, injure, deface, damage, or destroy in any manner any property of the city. ORD. 12.

4-103 INJURING BUILDINGS, FENCES, FIRE PLUGS, ETC. No person shall wilfully break, destroy, daub with chalk, charcoal, paint or any other substance defacing or injuring any house, building, structure, or appurtenance thereto, or sever therefrom, or from any gate, fence, or inclosure, or any part thereof, any material of which it is formed, or sever from the freehold any produce thereof, or anything attached thereto, or shall pull down, injure or destroy any gate, post, railing, fence, or landscaping, or in any manner injure any goods, wares, merchandise, automobiles, art objects, or other personal property of another, or shall wilfully break, injure, deface or destroy any sign, tree, box, post, notice, hydrant, fire plug, curb, or other property belonging to any person by cutting, breaking, defacing or daubing with paint or other substance. ORD. 12.

4-104 FIRES OR OIL ON PAVED STREETS. No person shall burn any combustible matter of any kind on any paved street within the city. No person shall throw or place any coal oil or any substance likely to injure any paved street upon any street within the city. ORD. 12.

4-105 TRESPASSING BY MOTOR VEHICLE - Repealed by Ord. 335; see Sec. 3-151 Page 31.

4-106 CUTTING OR TUNNELING OF PUBLIC STREETS. No person, firm or corporation shall make or cause to be made any cut, excavation or tunnel in, through or under any street, sidewalk, alley or other public place in the City for any purpose whatsoever without a permit therefor first being obtained from the City Clerk. ORD. 183

4-106 A PERMIT.

- a. No permit shall be issued unless an application be made in writing by the person desiring to make the cut, excavation or tunnel, accompanied by a map or diagram showing the location of the proposed cut, excavation or tunnel in such a manner that the house number or lot number in front of which said excavation, cut or tunnel is to be

CHAPTER IV
GENERAL OFFENSES

made shall be plainly indicated. The map or diagram shall also show the dimensions and character of the proposed cut, excavation or tunnel. The application shall set forth the purposes for which the cut, excavation or tunnel is made and any other information indicating the need therefor.

- b. No permit for cuts in, or excavations through any paved portion of any street in the City shall be issued unless necessity therefor is shown and such necessity is certified by the Street Commissioner or City Engineer before such permit is issued by the City Clerk.
- c. The application for permit shall be accompanied by ~~certificates of insurance insuring the applicant with~~ limits as follows:

Public Liability	\$25,000.00 to any one person and
	50,000.00 for any one accident
Property Damage	5,000.00

~~Or by deposit of a bond in the penal sum of \$25,000.00~~

In a form approved by the City Attorney, conditioned that the principal thereunder shall save harmless and indemnify the city on account of damage to persons or property occurring by reason of any such excavation.
Ord. 183

4-106B PERMIT FEES AND DEPOSITS. The sum of \$5.00 shall be charged for each and every permit. The further sum of ~~\$100.00~~ shall be placed on deposit with the City Clerk to cover the costs of refilling or repaving by the city as set forth in 4-106G. The cost of said work including inspection fees shall be paid out of said deposits and the surplus if any shall be returned by the City Clerk upon approval of the Street Commissioner to the applicant not sooner than 18 months after the date of the last resurfacing work. The City Clerk shall issue the permit after the permit fee and the deposit herein set forth have been paid and the requirements in Section 4-106A have been met. Said permit shall not be assignable.

- a. No subsequent permits shall be issued to the same party unless the full cash deposit is maintained after any levies by the City may have been charged against it.
- b. ~~If the surface area of the proposed cut or excavation~~ is greater than 50 square feet, the deposit required shall be increased on the basis of \$100.00 for each additional 50 square feet or fraction thereof of surface cut or excavated. If the proposed tunnel is greater than 50 lineal feet, the deposit required shall be increased on the basis of \$50.00 for each additional 50 lineal feet or fraction thereof of tunneling. Additional

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GENERAL OFFENSES

deposits for work involving both cutting or excavating and tunneling, shall be computed on the basis of \$100.00 for each additional 50 feet (square feet of excavating or cutting plus lineal feet of tunneling) or fraction thereof.

- c. At the option of the person making the cut or tunnel and with the approval of the Street Commissioner, a Performance Bond of not less than \$1,000.00 computed within the meaning of (b) above, guaranteeing the cost of repairing the affected areas for a period of at least 18 months after completion of the job, may be accepted as a substitute for the cash bond.
Ord. 183

4-106C MANNER OF EXCAVATING AND TUNNELING. The person, firm or corporation making the cut, excavation or tunneling in any street, sidewalk, alley or public place shall cause the same to be done with the least possible injury to the street, sidewalk, alleys or public places and shall place the excavated material therefrom in such manner as to cause the least inconvenience to the public and to permit uninterrupted passage of water along the gutters. Broken pavement shall be completely removed from the site of the work. The excavation or trench shall have straight vertical sides and shoring, siding, and bracing shall be used to prevent cave-ins. No tunnel, bore, or any other subsurface excavation shall be made, constructed or placed so that any portion or point of it lies closer than two (2) feet to the overlying surface of the pavement. In the event tunneling excavations exceed six (6) inches in diameter, backfilling shall be done by forcing sand, rock dust or other inert materials by means of air pressure to fill all voids left by the tunneling operation. Police, fire and street department officials shall be notified when a road, street, alley or boulevard is blocked or opened to traffic. Ord. 230

4-106D REFILLING OF CUTS AND TUNNELS. The refilling of all cuts, excavations or tunneling made in, thru or under any street, sidewalk, alley or other public place in the City shall be performed by the person making the cut, excavation or tunneling in the following manner to the satisfaction of the Street Commissioner and in accordance with existing specifications. Earth or other suitable fill material shall be placed in six (6) inch layers and compacted to a density of at least equal to the adjacent undisturbed soil. The top twelve (12) inches of the fill shall be ninety per cent (90%) of maximum density as determined by the Standard Proctor Compaction Test. Compaction tests when deemed advisable by the Street Department Superintendent shall be ordered by him and shall be performed under his supervision at the cost of the contractor performing the backfilling. Ord. 230

4-106E CLEAN UP. Within five working days after completion of pavement repairs or any portion thereof, all equipment debris and surplus excavated materials shall be completely removed from the site. Ord. 183

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GENERAL OFFENSES

4-106F MARKING EXCAVATION. Every person, firm or corporation who shall for any purpose make or cause to be made any excavation in, upon, under, or adjoining any street, sidewalk, alley, or other public place, and shall leave any part or portion thereof open, or shall leave any part or portion thereof obstructed with rubbish, building or other material during the night time, shall cause the same to be enclosed with good, substantial and sufficient barriers not less than three feet high and shall cause one red light or pot torch to be securely and conspicuously posted in or near such excavation, building material, or obstruction. If such obstruction extends over ten feet and less than fifty feet in length, two red lights or pot torches shall be placed one at each end. One additional red light or pot torch shall be placed for each additional fifty feet of obstruction or part thereof; all such lights or torches shall be lit from sunset to sunrise.

Whenever a person shall excavate the full width of any street, alley, sidewalk, or public place, he shall maintain a substantial walkway or driveway across said excavation until it is refilled. Ord. 183

4-106G REPLACEMENT OF STREET. The replacement of all pavement and resurfacing including the fill and base course shall be performed by the person making the cut, excavation or tunneling within 5 days exclusive of Saturdays, Sundays and holidays after the refilling of the excavation. The resurfacing material shall match the general surfacing in quality and appearance and shall be approved upon completion by the Street Commissioner.

- a. In the event the fill and pavement replacement is disapproved by the Street Commissioner, or in the event of subsequent deterioration of the surface due to the cut, excavation or tunnel, within a period of 18 months following initial replacement, the Street Commissioner shall request the person making such cut, excavation or tunnel to repair said defect, and if within a reasonable time, repairs are not commenced and diligently prosecuted to completion, the Street Department shall repair said defect and levy the cost of said repairs against the deposit set forth in Section 4-106B.
- b. Repairing by the Street Department of the City of Leewood shall be computed on the basis of cost of labor, materials and equipment used within a minimum charge of \$10.00 for each cut, excavation or tunnel. Ord. 230

4-106H PROVISIONS APPLICABLE TO STREET AREAS. The provisions of this ordinance shall apply to all paved surfaces, including curbs and sidewalks, the areas beneath them and to all unpaved shoulders or parkways lying within 2½ feet of such paved surfaces owned by the City. Ord. 183

4-106I EMERGENCY CUTS. Cuts and excavations may be made by or in behalf of any public utility without prior permit or deposits when necessary, in the opinion of such utility, to prevent loss or damage

Plumbers should take
care of replacing
street when they make
a cut - St. Dept. does
not

Paul inspects when
work is completed

CHAPTER IV
GENERAL OFFENSES

to property or life, providing that, (a) such utility immediately notify the Police Department that such cut is being made, and (b) such utility obtain a permit and make the deposits required not later than the next business day following any such cut or excavation. Ord. 183

4-107 DEPOSITING OF MATERIAL IN CURBS AND GUTTERS AND EXCEPTIONS. No person, firm or corporation shall cause or permit the curbs and gutters in the City to be filled with any material which tends to restrict or divert the flow of water therein except that the Street Commissioner or his duly authorized representative may upon request grant written permission for exception thereto. Ord. 201

4-108 FORM OF REQUEST. Request for permission for such exception shall be made in person at the City Hall by the property owner. The Street Commissioner or his duly authorized representative may grant such permission for exception hereto upon the property owner signing the following form:

"I hereby acknowledge receipt of a copy of the Street Department's specifications pertaining to the filling of City streets, curbs and gutters. I further understand that the Street Department may, if it deems necessary, remove such fill material in whole or in part."

Address: _____

I hereby grant permission for filling the curb and gutter at the above address.

Street Commissioner Ord. 201

4-109 REMOVAL OF EXISTING SIDEWALKS. No person, firm or corporation shall use any part of a sidewalk for driveway purposes unless such sidewalk has been removed to the next expansion joint beyond said driveway on either side and replaced with a six-inch concrete sidewalk on that portion of the sidewalk to be used for driveway purposes, with a proper base all reinforced with wire mesh not smaller than No. 10 wire and not larger than six-inch squares. In lieu of removing the existing sidewalk to the next expansion joint adjacent to said sidewalk, said sidewalk may be sawed with a cement saw and reinstalled as set forth above. Ord. 223

4-109 CONSTRUCTION OF DRIVEWAY AND REPLACEMENT OF SIDEWALK. No driveway shall be poured at the same time the sidewalk area is repoured, unless a dummy joint is installed along either edge of the sidewalk abutting said driveway at least one and one-half inches deep. Ord. 223

GENERAL OFFENSES CH. IV

ARTICLE 2. OFFENSES AGAINST PERSONS AND PROPERTY

4-201 THROWING SUBSTANCES IN SEWERS. No person shall deposit and throw, or cause to be deposited or thrown into any sewer, sewer inlet, manhole, any animal or vegetable substance, or any hay, straw, ashes, cinders, sticks, shavings, trash, cans, rubbish, rags, pieces of iron, or other material or any other article or thing whatever that is liable to cause the sewer to choke up or otherwise obstruct the free flow of water therein. Ord. 1281 to 100 June 30 day.

4-202 DUMPING. No person shall dump or deposit or cause to be dumped or deposited on any street of the city or upon the property of any other person, nor allow to fall or wash upon any street or upon any property of any other person, any dirt, earth, building material, cans, garbage, debris, rubbish or any other material.

Domestic Garbage, Preparation by the Householder. All domestic garbage shall be drained to eliminate free water and excess moisture and shall then be placed in a bag or other suitable paper or plastic container, or wrapped in the minimum amount of paper which will contain it. The wrapped garbage shall then be placed in a garbage can which meets the requirements below stated.

Each and every owner, tenant, housekeeper, or other person occupying any dwelling house, or other building, in The City and producing garbage, shall provide, and renew when necessary, a sufficient number of garbage cans to hold the garbage accumulating thereat. All garbage cans shall be of metal with tight-fitting covers and shall be watertight. All garbage cans shall be maintained by the user in a good and sanitary condition.

The garbage can shall be set at the rear of the house in an accessible location, at the ground level, and so placed that it may be reached from the ground by the collector. If underground cans are used, then the locations shall be clearly indicated.

Contents of Domestic Garbage Cans. It shall be unlawful for any person to deposit in any garbage can any material other than garbage, excepting only that wrapping which is prescribed in this Section. It shall be unlawful to place any excess paper, trash, tin cans or bottles in the garbage can.

Nothing in this section shall prevent anyone performing public work in the grading of streets or making of improvements thereon from putting necessary materials at such places as may be prescribed by the specifications of this contract or by the street commissioner, nor prevent anyone from feeding animals or birds, provided the food is not offered or made accessible to domestic animals of other persons without the expressed or implied permission of the owner. Ord. 89

4-203 LIQUIFIED PETROLEUM GAS. No person shall use liquified petroleum gas for the purpose of heating any building, hot water heating, cooking or lighting.

For the purposes of this section the term "liquified petroleum gas" shall include but not be limited to butane and propane. Ord. 32

GENERAL OFFENSES Ch. IV

OFFENSES AGAINST PERSONS and PROPERTY ART. 2

Sections 4-204, 204A, 204B, 204C, 4-204D, 204E, 204F, 204G, 204H, 204I, are deleted by repeal of Ordinance 239. Ord. 239

USE OF THE FOLLOWING FIREWORKS PERMITTED: auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap, and toy pistols, toy canes, toy guns, or other devices for use of such caps, the sale and use of which shall be permitted at all times.

From 13.1 D. 54 Fire Prev. Code

SALE OF FIREWORKS PROHIBITED.

*(Not even sparkless
Not giant caps)*

APPLICATION FOR PERMIT FOR PUBLIC EXHIBITION: application for permits shall be made in writing at least fifteen (15) days in advance of the date of the display. After such privilege shall have been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. The permittee shall furnish a bond in an amount deemed adequate by the Chief of the Fire Department for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors.

FOR ADDITIONAL INFORMATION CONCERNING FIREWORKS: see pages 54 and 55 in the "FIRE PREVENTION CODE", edition of 1960, on file in the City Clerk's office.

GENERAL OFFENSES CH. IV.
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

4-204 SALE, POSSESSION AND USE OF FIREWORKS. DEFINITION. The term "fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman Candles, Daygo Bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any tablets, or other device containing any explosive substance. Nothing in this regulation shall be construed as applying to toy paper caps containing not more than twenty-five hundredths of a grain of explosive composition per cap, and to the manufacture, storage, sale or use of signals necessary for the safe operation of railroads or other classes of public or private transportation, nor applying to the military or navy forces of the United States or of this state, or to peace officers, nor as prohibiting the sale or use of blank cartridges for ceremonial or theatrical or athletic events. Ord. 165

4-204A SALE AND USE OF FIREWORKS PROHIBITED. Except as hereinafter provided, it shall be unlawful for any person, firm, copartnership, or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks in the City. No person shall allow or permit fireworks to be used or exploded on his premises or premises under his control. Ord. 165

4-204B The following fireworks are allowed and permitted within the City of Leawood, Kansas, on the dates hereinafter specified:

- (a) Firecrackers and salutes with casings, the external dimensions of which do not exceed one and one-half inches in length by one-quarter inch in diameter, designed to produce an audible effect, total pyrotechnic composition not to exceed 2 grains in weight.
- (b) Nonpoisonous snake and items of similar composition.
- (c) Cone fountains and whistling fountains without report, total pyrotechnic composition not to exceed 50 grams each in weight.
- (d) Sparklers and dipped sticks, total pyrotechnic composition not to exceed 100 grams each in weight. Pyrotechnic composition containing any chlorate or perchlorate shall not exceed 5 grams.

4-204C No fireworks shall be thrown from an automobile or other moving vehicle. Ord. 165

Permitted

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

~~4-204D The fireworks permitted by this ordinance shall be allowed only on July 3 and July 4 and no fireworks shall be used or exploded between 11:30 PM and 8:00 A.M. Ord. 165~~

~~4-204E The sale of fireworks allowed according to 4-204B may be sold within the City of Leawood for the five days next preceding July 4. Ord. 165~~ *jak*

~~4-204F Nothing in this ordinance shall apply to a public exhibition of fireworks where a pyrotechnic expert is used and where a permit has been obtained from the City Clerk. Ord. 165~~

~~4-204G An applicant for a permit for a public exhibition or display of fireworks shall file with the City Clerk a written application, in triplicate, therefor, duly subscribed and sworn to by the applicant. Such application shall set forth the following:~~

- ~~(a) The name of the association, organization, or corporation sponsoring the display, together with the names of the persons to be in charge of the firing or discharging of the display.~~
- ~~(b) The date and time of day at which the display is to be held.~~
- ~~(c) The exact location planned for the display.~~
- ~~(d) A description setting forth the age, experience, residence, and physical characteristics of the persons who are to do the actual firing and discharging of the fireworks.~~
- ~~(e) The number and kinds of fireworks to be discharged.~~
- ~~(f) The manner and place of the storage of such fireworks between the date of purchase and the date of display.~~
- ~~(g) A diagram or sketch of the grounds on which the display is to be held, showing the point at which the fireworks are to be discharged, the location of all buildings, streets, and other lines of communication, the lines behind which the public will be restrained, and the location of all nearby trees, telegraph or telephone lines or other overhead obstruction. Ord. 165~~

~~4-204H An application for a permit for a public exhibition or display of fireworks shall be filed with the City Clerk at least ten days before the date set for the display. A copy of such application shall be sent at once to the Chief of Police, who shall make or cause to be made an investigation of the site of the proposed display and investigate the competence and skill of the persons in charge of the firing and discharge of the fireworks. If satisfied that the display will be conducted lawfully and in accordance with this Chapter, he shall so advise~~

GENERAL OFFENSES Ch. 1V

OFFENSES AGAINST PERSONS and PROPERTY ART. 2

4-205 OUTSIDE FIRES: No person shall burn any scrap lumber, forms, trees, or tree limbs outside of any building, in order to minimize the fire hazard to the person and property of others, but this section shall not apply to fires as respects which such person shall have obtained the written approval of the fire chief after he shall have concluded that the circumstances are such that the fire will not create a fire hazard to the person and property of others.

All fires shall be supervised by a responsible person or persons at all times. Such person or persons shall have a garden hose attached to a water supply near the fire at all times and the fire must be extinguished before leaving said fire. Ord. 70

~~4/16/69 Chief says permits are not issued to residents - only to business, etc.~~

~~Nothing but grass & leaves to be burned by residents
no plants even~~

3/24/70

Take a large residential area (area 9) by a stockpile of brush & limbs which w/b impossible to handle in lg. amt.)

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

~~the City Clerk, who shall issue the permit. The applicant for a permit shall, at the time of filing application therefor, pay to the City Clerk a fee of \$10.00, which sum shall be refunded in the event the application for such permit is denied. Ord. 165~~

~~4-204I Any person violating this ordinance shall be fined not to exceed \$100.00 or ninety days in jail or both. Ord. 165~~

4-205 OUTSIDE FIRES. No person shall burn any scrap lumber, forms, trees, or tree limbs outside of any building, in order to minimize the fire hazard to the person and property of others, but this section shall not apply to fires as respects which such person shall have obtained the written approval of the fire chief after he shall have concluded that the circumstances are such that the fire will not create a fire hazard to the person and property of others.

All fires shall be supervised by a responsible person or persons at all times. Such person or persons shall have a garden hose attached to a water supply near the fire at all times and the fire must be extinguished before leaving said fire. Ord. 70

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

4-206 SOUND TRUCKS AND CARS. No person shall operate or cause to be operated, any sound truck or car within the city limits. ORD. 58

4-207 DISTRIBUTION OF HAND BILLS. No person, firm or corporation shall distribute handbills within the city, this does not prohibit the distribution of recognized publications. ORD. 58

* 4-208 CHANGING OF NATURAL DRAINAGE. No person, firm or corporation shall change, or cause to be changed, the natural course or flow of any stream, creek or drainage ditch within the city limits, without first obtaining a written permit from the city council. The person, firm or corporation desiring to make such change in the natural course or flow of any stream, creek or drainage ditch shall notify the council of their intentions at least 30 days prior to the time they desire to start the work. ORD. 64

4-209 CERTAIN PRACTICES OF ITINERANT PEDDLERS DECLARED TO BE A NUISANCE. The practice of going in and upon private premises in the City of Leawood, Kansas by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise not having been first requested or invited to do so by the owner or owners, occupant or occupants of said private premises for the purpose of soliciting orders for the sale of goods, wares, and merchandise and/or disposing of and/or peddling or hawking the same is declared to be a nuisance and punishable as a misdemeanor. ORD. 69

Soliciting info. for summary
OK P
per M208
5/15/69

4-210 EXCEPTIONS The provisions of Section 1 of Ord. 69 (4-209) shall not apply to the sale or solicitation of orders for the sale of milk, dairy products, vegetables, poultry, eggs and other farm and garden products nor shall the provisions of said ordinance be applicable to solicitations conducted by religious, racial or charitable organizations and associations providing such solicitations are made between the hours of 10 A.M. and 7 P.M. and providing further such organization has first made application to the City Council furnishing its name, address, telephone number and the names and addresses of each solicitor so engaged together with the area in which such solicitor intends to solicit and the dates, hours and purpose of such public solicitation.

4-210A NOTICE BY PRIVATE OWNERS. No provision of this ordinance shall be construed to authorize the solicitation of any home or residence where the occupant thereof has posted a notice forbidding solicitation. ORD. 259

4-211 PLANTING OF SHRUBS, TREES AND BUSHES IN THE DEDICATED STREET AREA NEAR FIRE HYDRANTS. No person shall plant, or cause to be planted any shrubs, trees or bushes of any type within ten feet of any fire hydrant in the City of Leawood, in order that every fire hydrant shall be in full view, day or night, to fire apparatus approaching from any direction. Shrubs, trees or bushes that grow within ten feet of any fire hydrant shall be cut back by the owners of the property adjoining the street where such condition exists. ORD. 74

** Ice Cream Vendors in Jeeps - N.C.B. Says No - 1. Not non-profit. 2. Takes Council Action. Memo in pocket of this book.

* Cannot concrete creek bed. Would be in violation of State Statutes and of City Ord. (per City Att'y.)

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

4-212 INTOXICATING LIQUORS, INTOXICATION AND INTOXICATED PERSONS DRINKING IN PUBLIC PLACES. No person shall be in a state of intoxication in or upon any private house, building or premise not occupied by such intoxicated person, to the annoyance of any other person, nor shall any person be in a state of intoxication in or upon any street, public place or place open to the public view. No person shall, open to the public view, consume or drink any intoxicating liquor of any kind or any beer in or upon any public street, sidewalk, park or other public place. No person shall transport in any vehicle upon a public highway, street, or alley any alcoholic liquor except in the original package or container which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed, unless the opened package or container be in the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to the driver or any other person in said vehicle while it is in motion. Ord. 78

4-213 INDECENT ACTS, EXHIBITIONS AND CONDUCT. No person shall be or appear in or upon any street, sidewalk, park, public place or place open to the public view in a state of nudity, or in any indecent or lewd dress, or shall make any indecent exposure or exhibition of his person for any reason whatsoever, or be guilty of an unseemly, obscene or filthy act, or any lewd, indecent, immoral or insulting conduct, language or behavior. Ord. 78

4-214 WORTHLESS CHECKS. Any person who shall obtain any article or personal property of any value whatever, from any store or other place of business, by means of any worthless check, draft or money order, knowing the same to be worthless, shall be deemed guilty of a misdemeanor. Ord. 78

4-215 OBSTRUCTING AND RESISTING OFFICERS. No person shall hinder, obstruct, resist or otherwise interfere with any city officer or member of the police force of the city in the discharge of his official duties or shall attempt to prevent any member of such police force from arresting any person, or shall attempt to rescue from such member of the police force, or from anyone called to his aid, or any person in his custody. Ord. 78

4-216 BURGLARS' TOOLS. Any person having in his possession or upon his person, any instrument, concealed or unconcealed weapon of any kind, tool or thing used or constructed for committing burglary, murder, or the picking of locks or pockets; and failing to give a good account of the possession of the same, shall be deemed guilty of a misdemeanor. Ord. 78

4-217 MOLESTATION: INDECENT LOOKING. Every person who shall be guilty of placing hands on an infant in such a manner as to suggest lascivious behavior, and every person who shall be guilty of trespassing on the premises of another to gaze, look, or notice the person of another, shall on conviction be adjudged guilty of a misdemeanor. Ord. 78

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

4-218 PEACE BOND. Whenever, in any prosecution for a violation of the terms and provisions of the Revised Ordinances of The City of Leawood, it appears to the court that the safety of any person or the peace and quietude of any neighborhood will best be conserved thereby, the court trying said case may, in addition to, or in lieu of, the assessment of any form of the imposition of any punishment, place the person so convicted of such violation under bond to keep the peace in such amount, for such duration of time and under such condition as, in the opinion of the court, the facts and circumstances connected with or surrounding the particular case shall justify. Ord. 78

4-219 PETTY LARCENY. Every person who shall steal, take and carry away any money or personal property or effects of another, under the value of ~~twenty~~ ⁵⁰ dollars (not being the subject of grand larceny, without regard to value), shall be deemed guilty of petty larceny, and upon conviction shall be punished by (a) a fine of not less than \$1.00 nor more than \$100.00 and costs, or (b) confinement in jail for not more than thirty days. Ord. 88

4-220 CARRYING CONCEALED WEAPONS. No person shall, in the city wear under his clothes or concealed about his person any pistol or revolver; nor shall any person wear under his clothes, or concealed about his person, any slingshot, cross knuckles, knuckles of lead, brass or other metal, or any bowie knife, razor, billy, dirk, dirk knife or dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon; provided, however, that this section shall not be construed as to prevent any United States, state, county or city officer, or any member of the city government from carrying such weapons as may be necessary in the proper discharge of his duties. Ord. 106

4-221 CARRYING FIREARMS. It shall be unlawful for any person to have upon his person any kind of firearm or deadly weapon, concealed or exposed, unless:

(1) Such person be then engaged upon a lawful mission requiring the carrying of firearms or deadly weapons upon the person, or

(2) Such person be employed as a special guard, special police officer or special detective and be lawfully commissioned or licensed to carry firearms or deadly weapons, and then be on or in the immediate vicinity of the premises of any employer or going from one place of employment to another of any employer whose occupation lawfully requires the employment of persons carrying firearms or deadly weapons upon their person while in the discharge of the duties of such employment, or

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OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

(3) Such person be then lawfully engaged in military or police service under commission of lawful authority.

Nothing herein contained shall be deemed to prohibit:

(a) The carrying of unloaded firearms for lawful hunting, sport, drill or training, or

(b) The carrying of unloaded firearms by any night watchman duly licensed as such, while going to or returning from his tour of duty or place of employment. Ord. 106

4-222 DISCHARGING FIREARMS WITHIN CITY LIMITS PROHIBITED. It shall be unlawful for any person within the limits of the City of Leawood to shoot or discharge any gun, revolver, air rifle or air gun, pistol or spring gun, or firearm of any description, whether the same be loaded or unloaded with powder and ball or shot; with loaded or "blank" cartridges, or any kind of explosives whatsoever; provided that nothing contained in this section shall apply to persons discharging firearms in the defense of person or property; and nothing contained in this section shall apply to legally qualified sheriffs or police officers and other persons whose bona fide duty is to execute process, civil or criminal, make arrests, or aid in conserving the public peace. Ord. 106

4-223 VAGRANTS. Any person who, in the city, has no visible means of support, and cannot give a good account of himself, shall be considered and treated as a vagrant and guilty of a misdemeanor. Ord. 122

4-224 DISTURBING THE PEACE. No person shall, in the City, disturb the peace of any other person by unseemly, profane or obscene language calculated to provoke a breach of the peace; or by violent, tumultuous, offensive or obstreperous conduct or carriage; or by loud or unusual noises; or by causing outside lights to be placed so that they illuminate the property of others unduly and excessively; or by assaulting, striking or fighting another, or by allowing or permitting any such conduct, act or language in or upon any house or premises owned or occupied by him or under his control, so that any other person in the vicinity thereof is disturbed thereby. Ord. 185

4-225 INTERFERING WITH FIRE DEPARTMENT. No person driving or having charge of any vehicle or animal shall wilfully or carelessly permit the same to obstruct, impede or otherwise interfere with the progress or working of any engine, hose truck, hook and ladder truck or other apparatus of the fire department while the same is going to or remaining at a fire. Ord. 141

4-226 INJURING FIRE APPARATUS. No person shall wilfully, carelessly cut, mark or otherwise injure or deface any engine house hose, engine or other apparatus of the fire department. Ord. 141

4-227 RUNNING OVER HOSE. No person shall, at any time, run over or attempt to run over, the hose of the fire department with an automobile, motor vehicle, wagon, streetcar, railroad car, locomotive,

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tender or any other kind of vehicle. Ord. 141

4-228 DISTURBING FIRE ALARM WIRES. No person shall injure, cut, break, dislocate or interfere with any fire alarm wires used by the fire department of the city, without first obtaining permission from the director of the fire department. Ord. 141

4-229 FALSE FIRE ALARMS. No person shall intentionally give or make, or cause to be given or made, any false alarm of fire. Ord. 141

4-230 BLOCKING STREETS AT FIRES. Whenever a fire shall occur in the city, it shall be lawful for the chief of the fire department, or acting chief of the fire department, to blockade any street, sidewalk, or any other place, if, in his judgment, it is necessary to insure the efficient working of the men, hose, engine or hook and ladder apparatus under his command; and, to protect the hose of said department from injury, he is hereby authorized to require of the chief of police, or other officer in charge of any police station, a detail of policemen sufficient in his judgment therefor. Ord. 141

4-231 SAME - BREAKING THROUGH. No person shall break through, or attempt to break through, any blockade established as provided in Section 4-230. Ord. 141.

4-232 FIRE PLUGS AND HYDRANTS. No person, except employees of the water district, firemen, and employees of the City of Leawood, while engaged in carrying out their regular duties, shall turn on the valve, open, or in any other way disturb the fire plugs or hydrants within the City of Leawood without first obtaining permission in writing from both the water district superintendent and the fire chief of the City of Leawood, or their designated representatives, Ord. 186.

4-233 PROHIBITED PARKING OF CERTAIN VEHICLES. No person shall park, place or cause to be placed, any vehicle not in operating condition, upon any lot, plot or tract within the City of Leawood for a period of more than one week.

Ord. 199 *Chief Jarrin says complainant must keep track of time, & file a formal [Complaint with P. D.]*

[THE FOLLOWING PENALTY SECTION APPLIES TO THE FOREGOING OFFENSES, (ARTICLES 1 & 2)]

ARTICLE 3 PENALTIES

4-301 PENALTIES FOR VIOLATIONS OF ARTICLES 1 AND 2. Any person violating any of the provisions of article 1 or article 2 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by (a) a fine of not less than \$1.00 nor more than \$100 and costs, or (b) confinement in jail for not more than thirty days. Ord. 12

OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

Sections 4-234; 4-235; 4-236 and 4-237 covering specifically Ord. #285 relating to mob action and other civil disobedience have been repealed and the following sections covered by Ord. #300 have been enacted in lieu thereof:

4-2(a)01 DETERMINATION OF EMERGENCY: Whenever, in the judgment of the Mayor or in the event of his inability to act, the President of the Governing Body, determines that an emergency exists as a result of mob action or other civil disobedience within the Kansas City Standard Metropolitan Statistical area causing danger of injury to or damage to persons or property, he shall have power to impose by proclamation any or all of the following regulations necessary to preserve the peace and order of the City:

- (a) To impose a curfew upon all or any portion of the City thereby requiring all persons in such designated curfew areas to forthwith remove themselves, and or their motor vehicles, from the public streets, alleys, public parking lots, parks or other public places; provided, however, that physicians, nurses and ambulance operators performing medical services, utility personnel maintaining essential public services, firemen and city authorized or requested law enforcement officers and personnel may be exempted from such curfew.
- (b) To order the closing of any business establishment anywhere within the City for the period of the emergency, such businesses to include, but not limited to, those selling intoxicating liquors, cereal malt beverages, gasoline or firearms.
- (c) To designate any public street, thoroughfare or vehicle parking area closed to motor vehicles and pedestrian traffic.
- (d) To call upon regular and auxiliary law enforcement agencies and organizations within or without the City, including the sheriff's department under provisions of mutual emergency police protection compact, to assist in preserving and keeping the peace within the city.
- (e) That any and all of said regular and auxiliary law enforcement agencies, organizations and their individual officers shall have the full power and authority to make arrests and to act on behalf of the City in order to enforce the provisions provided for herein and any and all other City ordinances that might be violated as a result of any mob action or other civil disobedience.
- (f) That the Mayor is hereby authorized to enter into a mutual emergency police protection compact with any and all governing bodies of Johnson County, Kansas and any other duly authorized governing body within the Kansas City Standard Metropolitan area.

OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

4-2(a)02 EFFECTIVE PERIOD. The Proclamation of Emergency provided herein shall become effective upon its issuance and dissemination to the public by appropriate news media.

4-2(a)03 EXPIRATION OR EXTENSION OF EMERGENCY. Any emergency proclaimed in accordance with the provisions of this ordinance shall terminate after forty-eight (48) hours from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first; provided, however, that such emergency may be extended for such additional periods of time as determined necessary by resolution of the Governing Body.

4-301A PENALTIES FOR VIOLATION OF ARTICLE 2(a). Any person who shall willfully fail or refuse to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the Proclamation of Emergency authorized herein shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be punished by a fine of not more than \$100.00, or by imprisonment in the City or County Jail for a period not to exceed three (3) months, or by both such fine and imprisonment. ORD.#300

4-2(A)04 PROHIBITED ACTS. It shall be unlawful at any time for any person, partnership, company, corporation or association to have in their possession or under their control or supervision; or to make, manufacture, offer for sale, and sell, or distribute, whether the same be with or without consideration, any type of gasoline or other inflammable explosive or incendiary bombs, including all such devices commonly known as a Molotov Cocktail, within the corporate limits of the City of Leawood, Kansas.

4-301A PENALTIES FOR VIOLATION OF ARTICLE 2a. Any person who shall violate the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be punished by a fine of not more than \$100.00, or by imprisonment in the City or County Jail for a period not to exceed three (3) months, or by both such fine and imprisonment for each offense. ORD#301

4-2(a)05 UNLAWFUL TRESPASS. It shall be unlawful for any person to voluntarily enter into, upon or over any property without the consent of the owner or persons in charge thereof.

4-301A PENALTIES FOR VIOLATIONS OF ARTICLE 2A. A violation of any portion of this ordinance shall constitute a misdemeanor and upon conviction therefor, shall be punished by a fine of not more than \$100.00 or by imprisonment in the City or County Jail for a period of not to exceed three (3) months, or by both such fine and imprisonment for each offense. ORD. #302

4-2(a)06 PROHIBITED ACTS. It shall be unlawful for any person to use, throw, possess or have on their person, transport other than in the regular course of trade, or cause to be used, thrown, possessed on their person, or transported other than in the regular course of trade, any acid, caustic or other burning material or substance which causes or could cause damage or injury to any personal property or cause damage or injury to any part of the body of any person.

4-2(a)07 NO RELEASE OF CIVIL DAMAGES. Nothing herein contained shall be in lieu of any civil damages.

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OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

4-301A PENALTIES FOR VIOLATIONS OF ARTICLE 2A. A violation of any portion of this ordinance shall constitute a misdemeanor and upon conviction therefor, shall be punished by a fine of not more than \$100.00, or by imprisonment in the City or County Jail for a period not to exceed three (3) months, or by both fine and imprisonment for each offense. ORD. #303

4-2(a)08 DEFINITIONS.

- (a) "Parade": is any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in the City of Leawood, Kansas.
- (b) "Parade Permit" is a permit as required by this Ordinance.
- (c) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

4-2(a)09 PERMIT REQUIRED. No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the Chief of Police.

- (a) Exceptions. This Ordinance shall not apply to:
 - 1. funeral processions;
 - 2. students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities;
 - 3. a governmental agency acting within the scope of its functions.

4-2(a)10 PROCEDURE. A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by such officer.

- (a) Filing Period. An application for a parade permit shall be filed with the Chief of Police not less than forty-eight (48) hours before the date on which it is proposed to conduct the parade.
- (b) Contents. The application for a parade permit shall set forth the following information:
 - 1. the name, address and telephone number of the person seeking to conduct such parade;
 - 2. if the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization;
 - 3. the name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;
 - 4. the date the parade is to be conducted;
 - 5. the route to be traveled, the starting point and the termination point;

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OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

6. the approximate number of persons, animals and vehicles that will constitute such parade; the type of animals and description of the vehicles;
7. the hours when such parade will start and terminate;
8. a statement as to whether the parade will occupy all or only a portion of the width of the streets to be traversed;
9. the location by streets of any assembly areas for such parade;
10. the time at which units of the parade will begin to assemble at any such assembly area or areas;
11. the interval of space to be maintained between units of such parade;
12. if the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Chief of Police a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf;
13. any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued.

(c) Late Applications. The Chief of Police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than forty-eight (48) hours before the date such parade is proposed to be conducted.

(d) Fee. There shall be paid at the time of filing the application for a parade, permit fee of Ten Dollars (\$10.00).

4-2(a)11 STANDARDS FOR ISSUANCE. The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- (a) the conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- (b) the conduct of the parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the City;
- (c) the conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the City other than that to be occupied by the proposed line of march and areas contiguous thereto;
- (d) the concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;
- (e) the conduct of such parade will not interfere with the movement of firefighting equipment enroute to a fire;

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OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

- (f) the conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;
- (g) the parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute;
- (h) the parade is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.

4-2(a)12 NOTICE OF REJECTION. The Chief of Police shall act upon the application for a parade within reasonable time after the filing thereof.

4-2(a)13 APPEAL PROCEDURE. Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within ten (10) days after notice.

4-2(a)14 ALTERNATIVE PERMIT. The Chief of Police, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within ten (10) days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate parade permit shall conform to the requirements of, and shall have the effect of a parade permit under this Ordinance.

4-2(a)15 NOTICE TO CITY AND OTHER OFFICIALS. Immediately upon the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following:

- | | |
|------------------|-------------------|
| (a) Mayor | (d) City Attorney |
| (b) City Manager | (e) City Engineer |
| (c) City Clerk | (f) Fire Chief |

4-2(a)16 CONTENTS OF PERMIT. Each parade permit shall state the following information:

- (a) starting time;
- (b) minimum speed;
- (c) maximum speed;
- (d) maximum interval of space to be maintained between the units of the parade;
- (e) the portions of the streets to be traversed that may be occupied by the parade;
- (f) the maximum length of the parade in miles or fractions thereof;
- (g) such other information as the Chief of Police shall find necessary to the enforcement of this Ordinance.

4-2(a)17 DUTIES OF PERMITEE. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

- (a) Possession of Permit. The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

GENERAL OFFENSES CHAPTER IV.

OFFENSES AGAINST PERSONS AND PROPERTY ART. 2.

4-2(a)18 PUBLIC CONDUCT DURING PARADES.

- (a) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.
- (b) Driving through Parades. No driver of a vehicle, streetcar or trackless trolley shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
- (c) Parking on Parade Route. The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this Ordinance.

4-2(a)19 REVOCATION OF PERMIT. The Chief of Police shall have the authority to revoke a parade permit issued hereunder upon applications of the standards for issuance as herein set forth.

4-310A PENALTIES FOR VIOLATIONS OF ARTICLE 2A. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount of \$100.00 or by imprisonment in the County or City Jail for a period of three (3) months, or by both such fine and imprisonment for each offense. ORD. #304

GENERAL OFFENSES CH. IV

ARTICLE 4 OFFENSES AGAINST PROPERTY

4-401 PERMIT FOR CONSTRUCTION, ALTERATION AND REPAIR OF DAMS & LEVEES. No person, firm or corporation shall construct, alter or repair, or cause to be constructed, altered or repaired a dam or levee within the city limits without first obtaining a written permit therefor from the city clerk. No such permit shall be issued until a permit is obtained and plans are approved by the Kansas State Board of Agriculture, Division of Water Resources* and evidence thereof filed with the clerk. Ord. 113. *Chief Engineer

KSA 24-126 KSA 82 at 301 to 305
4-402 CONSTRUCTION AND REPAIRS ACCORDING TO PLANS. All of such construction, alteration or repair of dams or levees shall be in strict compliance with the approved plans and any amendments thereto. Ord. 113.

4-403 PERMIT FOR CONSTRUCTION OR ALTERATION OF SWIMMING POOLS. No person, firm or corporation shall construct or alter, or cause to be constructed or altered, a swimming or bathing pool within the city limits without first obtaining a written permit therefor from the city clerk. No such permit shall be issued until the plans therefor have been filed with the City Clerk and approved by the building inspector. Ord. 115.

4-404 SWIMMING POOLS ENCLOSED. No person, firm or corporation shall maintain, build, use, or locate a swimming or bathing pool within the city limits, without completely enclosing the same with an approved fence or wall before such pool is filled with water. The height and type of construction of such fence shall conform to those specified in zoning regulations of Chapter 5 Article IV Revised Ordinances of ^{A. 53 C} the City of Leawood, Kansas. If access to the pool is other than through the adjacent dwelling, such outside entrance or entrances must have gates that are kept locked, except when a person 18 years of age or older is actually in attendance at the pool. This ordinance shall not apply to any organized club maintaining a pool which is protected by a lifeguard or a watchman at all times that it is in operation. For the purposes of this ordinance a swimming or bathing pool is defined as any confined body of water not completely within a building the surface of which is open, the sides and bottom of which pool are of formed construction and the water depth of which is greater than two feet and the surface area greater than 100 square feet. Ord. 172.

Drain so water goes down storm sewer or into street - not in sanitary sewer & not in some one's yard.

Can be directed to any creek or pool, which is -42a- considered natural drain. Per Branstetter 3/14/66 9/19/60 pS 1/03/69

GENERAL OFFENSES CHAPTER IV.

ARTICLE 4 OFFENSES AGAINST PROPERTY

4-405 All elm trees affected by the Dutch Elm Tree Disease which have substantial portions thereof dead or dying and all dead trees, erect or fallen, and the branches thereof, whether elm or otherwise, on any private property or in the parking areas abutting on any public sidewalk or street are hereby declared to be a nuisance affecting the health, welfare and safety of the inhabitants of the City of Leawood. The maintenance of any tree in the above condition is hereby forbidden.

4-406 The owner or owners of any property upon which a nuisance exists as defined in section 4-405 hereof shall abate the same within thirty days after written notice to abate such nuisance has been given. The City Clerk shall send a notice by certified mail to the owner or owners of record of said property at the address or addresses shown on the tax rolls of Johnson County, Kansas, stating that a nuisance exists and describing the same.

4-407 Upon failure of the owner to abate such nuisance within said period of thirty days, the Governing body may abate the same and assess the cost thereof against the property upon which the nuisance exists. Ord #332

GENERAL OFFENSES CH. IV

ARTICLE 5 PENALTIES

4-501 PENALTIES FOR VIOLATIONS OF ARTICLE 4. Any person violating any of the provisions of Article 4 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$1.00 nor more than \$100.00 and costs. Each and every day that such violation continues shall constitute a separate offense. Ord. 113. + ORD 332

GENERAL OFFENSES CHAPTER IV.

ARTICLE 6

4-601 POSTING OF CASH BOND FOR OTHER THAN TRAFFIC VIOLATIONS. Persons arrested for offenses other than traffic violations within the City of Leawood, Kansas, may post cash bonds for their appearance at a time certain in the Police Court of the City of Leawood, Kansas. All such bonds shall be in the amount as set by the Bonding Clerk, but in no event less than \$10.00 nor more than \$120.00.

4-602 BOND CLERKS. The City Marshal, Assistant Chief of Police and Clerk of the Police Court are hereby appointed Bonding Clerks to accept cash bonds.

4-603 RECEIPT FOR BOND. Each offender shall be given a bond receipt to be in the following form, to-wit:

Receipt for Cash Bond

Date _____ No. _____

The amount of \$ _____ has been deposited with the Police Judge, Leawood, Kansas, by _____ for _____ Court appearance at the City Hall, 9615 Lee Blvd., Leawood, Kansas, on the _____ day of _____ 19 _____ at _____ M.

Bonding Clerk

	(Amount of Bond	_____
	(Fine	_____
Disposition	(Costs	_____
	(Total	_____
	(Cash Refund or	_____
	(Balance Due	_____

I hereby acknowledge the return of this bond as shown above. Depositor _____

Note: This receipt must be signed by depositor and returned to the Police Judge of Leawood, Kansas, in order to receive part or all of refund.

The bond receipts shall be made in triplicate and shall be made with indelible writing. The original shall be given to the person arrested, one copy shall remain in the bond book, and one copy shall be given the Police Judge, which shall be transmitted to the City Clerk.

ORD. #344

CHAPTER V
REAL ESTATE

ARTICLE 1 CITY MAP

5-101 OFFICIAL CITY MAP There is hereby established as the official City Map, the map of the city which is on file in the office of the City Clerk on March 17th, 1969, showing the boundaries of the City, the streets and their names, the platted areas, the street numbers assigned to each lot, part thereof, parcel or homesite, the use and area districts into which the city is divided; R-1 Single Family Residential District, R-2 Planned Single Family Residential District, R-3 Planned Multi-family District, B-1 Planned Business District, B-2 Heavy Industrial District, B-3 Light Industrial District, B-4 Limited Office District and C-1 Park, Recreation and Club District. ORD. #346

5-101 A BOUNDARIES OF THE CITY OF LEAWOOD, KANSAS. The entire boundary of the City of Leawood, Kansas, as of the date hereof, is described as follows, to-wit:

Beginning at the Northeast corner of fractional Section 11, Township 13, Range 25, Johnson County, Kansas; thence South, along the East line of said fractional Section 11 and the East line of fractional Section 14, Township 13, Range 25 of said Johnson County and the East line of fractional Section 23, Township 13, Range 25 of said Johnson County and the East line of fractional Section 26, Township 13, Range 25, of said Johnson County, to the Southeast corner of the North $\frac{1}{2}$ of said fractional Section 26; thence West, along the South line of the $\frac{N}{2}$ of said fractional Section 26, to the Southwest corner thereof; thence continuing West, along the South line of the $\frac{NE}{4}$ of Section 27, Township 13, Range 25 of said Johnson County, Kansas, to the Northeast corner of the $\frac{NW}{4}$ of the $\frac{SE}{4}$ of said Section 27; thence South, along the East line of the $\frac{NW}{4}$ of the $\frac{SE}{4}$ of said Section 27, to the Southeast corner thereof; thence West along the South line of the $\frac{NW}{4}$ of the $\frac{SE}{4}$ of said Section 27, to the Northeast corner of the $\frac{W}{2}$ of the $\frac{SW}{4}$ of the $\frac{SE}{4}$ of said Section 27; thence South, along the East line of the $\frac{W}{2}$ of the $\frac{SW}{4}$ of the $\frac{SE}{4}$ of said Section 27, to the Southeast corner of said Section 27, to the Southeast corner thereof, said point also being on the North line of Section 34, Township 13, Range 25, Johnson County, Kansas; thence West along the North line of said Section 34, to a point which is 208.71 feet East of the Northwest corner of the $\frac{E}{2}$ of the $\frac{NW}{4}$ of said Section 34; thence South, parallel to the West line of the $\frac{E}{2}$ of the $\frac{NW}{4}$ of said Section 34, a distance of 417.42 feet; thence West, parallel to the North line of said Section 34, a distance of 208.71 feet, to the East line of the $\frac{W}{2}$ of the $\frac{NW}{4}$ of said Section 34; thence South, along the East line of the $\frac{W}{2}$ of the $\frac{NW}{4}$ of said Section 34, to the Southeast corner thereof; thence West, along the South line of the $\frac{W}{2}$ of the $\frac{NW}{4}$ of said Section 34, to the Southwest corner of the $\frac{NW}{4}$ of said Section 34; thence South, along the West line of said Section 34 to the Southwest corner thereof; thence continuing South, along the West line of Section 3, Township 14, Range 25, Johnson County, Kansas, to the Northwest corner of the $\frac{N}{2}$ of the $\frac{SW}{4}$ of said Section 3; thence East, along the North line of the $\frac{SW}{4}$ of said Section 3, to the Northeast corner of the $\frac{SW}{4}$ of said Section 3; thence North, along the West line of the $\frac{S}{2}$ of the $\frac{NE}{4}$ of said Section 3 to its Northwest corner; thence East along the North line of the $\frac{S}{2}$ of the $\frac{NE}{4}$ of said Section 3, to its Northeast corner; thence South, along the East line of said Section 3, to the Southeast corner of the $\frac{N}{2}$ of the $\frac{SE}{4}$ of said Section 3; thence West, along the South line of the $\frac{N}{2}$ of the $\frac{SE}{4}$ of said Section 3, to the West line thereof; thence continuing West, along the South line of the $\frac{N}{2}$ of the $\frac{SW}{4}$ of said Section 3, to the West line of said Section 3, said point being also on the East line of Section 4, Township 14, Range 25, Johnson County, Kansas; thence South, along the East line of said Section 4, to the Southeast corner thereof; thence West, along the South line of said Section 4, to the Southwest corner thereof; thence North, along the West line of said Section 4, to the Northwest corner thereof; thence continuing

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North, along the West line of Section 33, Township 13, Range 25, Johnson County, Kansas, to the Northwest corner of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 33; thence East, along the North line of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 33, to the East line of the $SW\frac{1}{4}$ of said Section 33; thence North, along the East line of the $SW\frac{1}{4}$ of said Section 33, to the Northeast corner thereof; thence West, along the South line of the East 68 acres of the $NW\frac{1}{4}$ of said Section 33, to the Southwest corner of said East 68 acres; thence North, along the West line of said East 68 acres, to the Southeast corner of the East 375 feet of the North 813 feet of the West 92 acres of the $NW\frac{1}{4}$ of said Section 33; thence East, parallel to the North line of said Section 33, a distance of 375 feet; thence North, parallel to the East line of the West 92 acres of the $NW\frac{1}{4}$ of said Section 33, a distance of 813 feet, to the North line of said Section 33, said point also being the South line of Section 28, Township 13, Range 25, Johnson County, Kansas; thence West, along the South line of said Section 28, to the Southwest corner of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of said Section 28; thence North, along the West line of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SW\frac{1}{4}$ of said Section 28, to the Northwest corner thereof; thence East, along the North line of said $E\frac{1}{2}$ to the Northeast corner thereof; thence North, along the West line of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 28, to the Northwest corner of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 28; thence West, along the South line of the $NW\frac{1}{4}$ of said Section 28, to the Southwest corner of the $NW\frac{1}{4}$ of said Section 28; thence North, along the West line of the $NW\frac{1}{4}$ of said Section 28, to the Northwest corner thereof; thence continuing North, along the West line of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of Section 21, Township 13, Range 25, Johnson County, Kansas to the Northwest corner thereof; thence East, along the North line of the $S\frac{1}{2}$ of the $SW\frac{1}{4}$ of said Section 21, to a point on the centerline of Tomahawk Creek; thence Northeasterly, along the centerline of said Tomahawk Creek, to its intersection with the East line of the $NW\frac{1}{4}$ of said Section 21, said point being 170 feet North of the Southeast corner of the $NW\frac{1}{4}$ of said Section 21; thence East, along a line perpendicular to the West line of the $NE\frac{1}{4}$ of said Section 21, a distance of 150 feet; thence continuing along a line that deflects 18 degrees to the left from the last described course, a distance of 115.51 feet; thence continuing along a line that deflects 44 degrees to the left from the last described course, a distance of 198.8 feet; thence continuing along a line that deflects 47 degrees 20' to the right from the last described course, a distance of 460.14 feet; thence continuing along a line that deflects 57 degrees 10' 30" to the left from the last described course, a distance of 605.19 feet; thence continuing along a line that deflects 18 degrees 05' 30" to the left from the last described course, a distance of 537.85 feet; thence continuing along a line that deflects 90 degrees to the left from the last described course, a distance of 74.13 feet; thence continuing West along an extension of the last described course a distance of 418.72 feet; thence continuing along a line that deflects 81 degrees .05' 26" to the right from the last described course a distance of 176.0 feet; thence continuing along a line that deflects 83 degrees 51' .01" to the left from the last described course a distance of 470.65 feet to a point on the West line of the $NE\frac{1}{4}$ of said Section 21, said point being 1.762.6 feet North of the SW corner of the $NE\frac{1}{4}$ of said Section 21; thence North along the West line of the $NE\frac{1}{4}$ of said Section 21 to the $N\frac{1}{4}$ corner of said Section 21, said point also being on the South line of Section 16, Township 13, Range 25 of said Johnson County, Kansas thence West along the South line of said Section 16, to the Southwest corner thereof; thence North, along the West line of said Section 16, to the Northwest corner thereof; thence East, along the North line of said Section 16, to a point 1097 feet, more or less, East of the Northwest corner of the $NE\frac{1}{4}$ of said Section 16, said point being in the right-of-way of a public road, as said road is now constructed and used; thence Northerly, Northeasterly and Easterly, along the right-of-way

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of a public road, as said road is now constructed and used, to a point on the East line of the SE $\frac{1}{4}$ of Section 9, Township 13, Range 25 of said Johnson County, Kansas, said point being 1293.01 feet North of the Southeast corner thereof; thence North, along the West line of Section 10 and 3, Township 13 Range 25 of said Johnson County, Kansas, to the Southwest corner of the NW $\frac{1}{4}$ of said Section 3; thence East, along the South line of the NW $\frac{1}{4}$ of said Section 3, to the Southeast corner thereof; thence North, along the East line of the NW $\frac{1}{4}$ of said Section 3, to the Northeast corner thereof; thence West, along the North line of said Section 3, to the Northwest corner thereof; thence North, along the West line of Sections 34 and 27, Township 12, Range 25 of said Johnson County, Kansas, to the Northwest corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27; thence East, along the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27, to the Southwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence North along the West line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27, to the Northwest corner thereof; thence North along the West line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, to the Northwest corner thereof; thence East, along the North line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27, to the Northeast corner thereof; thence North along the West line of the NE $\frac{1}{4}$ of said Section 27, to the centerline of Somerset Drive as now located; thence Northeasterly, and Easterly, along the centerline of said Somerset Drive, to its intersection with the North line of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 27; thence East, along the North line of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 27, to the East line of said Section 27; thence North, along the East line of said Section 27, said line also being the West line of NEL-ARO, a subdivision of land in Johnson County, Kansas, to its intersection with the Westerly extension of the South line of Lot 3, of said Nel-Aro; thence East along the South line of said lot 3, and its extensions, to the East line of fractional Section 26, Township 12, Range 25 of said Johnson County, Kansas; thence South, along the East line of said fractional Section 26 and the East line of fractional Section 35, Township 12, Range 25 of said Johnson County, Kansas and the East line of fractional Section 2, Township 13, Range 25 of said Johnson County, Kansas, said line also being the common line between the states of Kansas and Missouri, to the point of beginning, except a part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10; thence East, along the South line of the SW $\frac{1}{4}$ of said Section 10, a distance of 659.0 feet, to a point on the West line of the property owned by Indian Creek Sewer Sub-District No. 1; thence North, at right angles to the South line of said Section 10, a distance of 242.0 feet; thence continuing 83 degrees 51' to the left from the last described course, a distance of 170 feet; thence continuing 10 degrees 33' to the right from the last described course, a distance of 317 feet; thence continuing 16 degrees 58' to the left from the last described course, a distance of 85 feet; thence Westerly, to a point on the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10 and 337.8 feet North of the Southwest corner thereof; thence South along the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10, a distance of 337.8 feet, to the point of beginning; and except a 10 acre tract in Section 3, Township 14, Range 25, described as follows: the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 3.

Ord. #345 (2-17-69)

5-101 B VALIDATING CLAUSE. Should any section, clause, or provision of this ordinance be declared invalid by any court or tribunal, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

ORD. #345 (2-17-69)

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5-101 C REPEALING CLAUSE. That all ordinances and parts of ordinances defining the exterior boundaries of the City of Leawood, Kansas, in conflict or inconsistent herewith be and the same are hereby repealed. ORD. #345 (2-17-69)

REALESTATE CH. V

ARTICLE 2 STREET NAMES AND NUMBERS

5-201 STREET NAMES. The streets within the city are hereby named or renamed in accordance with the names designated on the official city map. Ord. 15

5-202 STREET NUMBERS ASSIGNED TO LOTS. There is hereby assigned to each lot, part thereof, parcel or homesite within the city the number designated for such lot, part thereof, parcel or homesite on the official city map. Ord. 15

5-203 REVOCATION OF INCONSISTENT NAMES AND NUMBERS. Any street name or street number assigned or used by whatever authority or permission is hereby revoked insofar as it is inconsistent with the name designated for such street or the number designated for the particular lot, part thereof, parcel or homesite on the official city map. Ord. 15

REAL ESTATE CH. V

ARTICLE 3 PLATS AND RESTRICTIONS

5-301 FILING OF PLATS AND RESTRICTIONS. All plats of lands laid out in building lots, including plans and descriptions of all streets, alleys, public ways or other land intended to be deeded or dedicated for public use, and all declarations of restrictions and restriction agreements, relating to land located within the city limits of The City of Leawood, shall be filed with the city clerk. Ord. 17

5-302 APPROVAL OF EXISTING PLATS. Any such plat which is accompanied by adequate proof that it or a duplicate thereof was of record in the office of the register of deeds in and for Johnson County, Kansas on June 6, 1949 is hereby approved by the city council. Ord. 17

5-303 APPROVAL OF NEW PLATS. Any other plat shall be filed in triplicate and shall be submitted by the city clerk to the city council for approval or disapproval and shall not be filed in the office of the register of deeds until approved by the city council by resolution. If any such proposed plat conforms in all respects with the ordinances of the city, and if the lots as shown thereon are not less than (100) feet in width at the front building line established by this chapter, and if the area included in the plat is made subject to restrictions which impose burdens on the property and its use which are equal to or greater than those imposed by this chapter or which, in lieu thereof, are otherwise satisfactory to the council as protecting the public health, safety, morals and general welfare, and if the proposed streets, alleys and public ways conform in location and width with existing and planned streets and provide for the proper handling of traffic, and if the proposal includes adequate provision financial and otherwise for the improvement, surfacing and completion of proposed or existing streets and curbs included in or bordering upon the area involved, and for installation and servicing of utilities, sewer or other sanitary arrangements, and includes proper access for fire fighting apparatus, adequate park, playground and recreational facilities, adequate provision for light and air and for the avoidance of congestion, the city council shall by resolution approve such plat. Ord. 50

This superseded sec "e" on page 48.

June 6, 1949

Sec 5-302 above

This is the one to be used
100'

REAL ESTATE CH. V

PLATS AND RESTRICTIONS ART. 3

5-304 CERTIFICATE OF APPROVAL. In the case of each plat approved as provided in Section 5-303, the City Clerk shall certify, upon the triplicates so filed, the following legend, to-wit:

I hereby certify that the above plat of

an addition in The City of Leawood, Johnson County, Kansas, has been approved by the City Council of said city on the _____ day of _____, 19____.

City Clerk of The City of Leawood
Dated this _____ day of _____, 19____.

and two of such triplicates shall be released to the person making the filing for the purpose of filing with the register of deeds and county clerk respectively. Ord. 17

REAL ESTATE CHAPTER V

ARTICLE 4 ZONING REGULATIONS

5-401 DEFINITIONS. For the purpose of Articles 4, 5, and 6 of this Chapter, certain terms and words are herein defined as follows:

- (a) Building. A structure having a roof, supported by columns or walls, whether or not completely enclosed.
- (b) Structure. Anything constructed or erected, the use of which demands a permanent location on the soil; or attached to something having a permanent location on the soil.
- (c) Appurtenance. A subordinate or accessory building or structure or portion of main building, the use of which is incidental and customary to that of the main building.
- (d) Dwelling. A building designed exclusively for residential occupancy.
- (e) Single Family. A single individual living upon the premises as a separate housekeeping unit or a collective body of persons, the relation between whom is of a permanent and domestic character, subsisting in common and living together upon the premises as a separate housekeeping unit.
- (f) Garage. An appurtenance for the storage of motor vehicles.
- (g) Board. The board of zoning appeals as established by Section 5-601.
Ord. 18

5-402 USE DISTRICT AND AREA REGULATIONS. In order to regulate and restrict the location of trades, callings, industrial commercial enterprises and location of buildings in the eight (8) "use and area districts" designated as R-1 Single Family Residential District; R-2 Planned Single Family Residential District; R-3 Planned Multi-family District; B-1 Planned Business District; B-2 Heavy Industrial District; B-3 Light Industrial District; B-4 Limited Office District and C-1 Park, Recreation and Club District, the City of Leawood is hereby divided into the aforesaid districts, and within the boundaries of which no building, structure or appurtenance shall be erected, altered structurally or otherwise changed, repaired, restored or improved nor shall any building, structure, appurtenance, lot, plot, tract or premise be used for any purpose, other than is permitted by this article in the use and area district in which said building, structure, appurtenance, lot, plot, tract or premise is located. Ord. #347

5-403 A. SINGLE FAMILY RESIDENTIAL DISTRICT. This district is designed to permit the development of single family residences and community facilities of a public or semipublic nature which are customarily considered an integral part of residential neighborhood development.

1. PERMITTED USES. The following uses are permitted in Single Family Residential Districts:

- A. Single Family Dwellings and uses customarily incident to and located on the same lot or premises as the dwellings.
- B. All public and semipublic uses enumerated herein, after a public hearing and review and recommendation by the CITY PLAN COMMISSION and approval of the CITY COUNCIL by ordinance.

1. Athletic fields
2. Cemeteries
3. Churches and synagogues
4. Community center buildings
5. Convents, when a part of a school or church complex
6. Country Clubs and other public or private clubs of a recreational nature
7. Day nurseries associated with a public, private or parochial school, or a church
8. Dormitories in conjunction with a college or university
9. Fire station
10. Golf course, with the exception of miniature golf or driving ranges
11. Libraries
12. Nurseries and truck gardens limited to the propagation and cultivation of plants. No retail or wholesale business shall be conducted on the premises. No obnoxious fertilizer shall be stored upon the premises and no obnoxious soil or fertilizer renovation may be conducted thereon.
13. Parks, playgrounds, and other recreational areas of a non-commercial nature
14. Police stations
15. Schools (public, private or parochial)
16. Swimming pools (public or private)
17. Telephone exchanges
18. Utility stations and substations

- C. Accessory Uses - Uses customarily incident to and located on the same lot or premises as the uses enumerated in paragraph 1. (B.) above.

The uses enumerated in paragraph 1 (B) and (C) above may be approved only after the Planning Commission and the City Council has found that the plans submitted for approval clearly demonstrate that:

1. The use does not materially damage or curtail the appropriate use of neighboring property.
2. The use is compatible with the general character of the district,
3. The use does not jeopardize the public health, safety or welfare.
4. The use does not violate the general spirit and intent of the zoning ordinance and is compatible with the long-range plan used as a guide for the development of the City.
5. Adequate hard surfaced, all weather, dustless off-street parking space is provided for the employees and patrons of the use.
6. Any other ordinance to the contrary notwithstanding peripheral landscape screening and/or walls, and/or fences are provided at least six (6) feet in height of sufficient depth to adequately screen the view of all proposed structures and parking facilities during the four seasons of the year from all abutting properties zoned for or developed with residential structures.
7. Structures and off-street parking areas, taken as a whole, do not occupy more than 60% of the building site, and at least 40% of the site is maintained as open, unobstructed green space.

ZONING REGULATIONS ARTICLE 4

- 8. Vehicular access to the use is provided only from a major thoroughfare or trafficway unless specifically waived by the City Council.
- 9. A landscape plan and construction details for walls and/or fences accompany the development plan and have been approved by the City Plan Commission and the City Architect.

II. HEIGHT, SETBACK, WIDTH AND AREA REGULATIONS.

A. Height.

- 1. Residential structures shall not exceed 2 stories in height except that structures may be built on a natural slope in such a manner as to expose a third story on the downhill side of the slope. The three story portion of a structure shall not face on any street and the overall height shall not exceed 30 feet.
- 2. Public and semipublic buildings enumerated in this Section shall be erected to a height approved by the City Plan Commission and the City Council provided that such buildings shall set back one additional foot on all sides for each additional foot that such buildings exceed the specified height limit of 30 feet.
- 3. Parapets, ornamental railings, chimneys, gables, false mansards, cupolas, and mechanical appurtenances on residential structures may extend not more than 4 feet above the specified height limit unless approved by the Board of Zoning Appeals.

* Part of the
bedg.
Per JG 2/24/69

B. Setback.

- 1. All buildings and structures shall set back a distance of at least 35 feet from any property line adjacent to a street.
- 2. All buildings and structures shall set back a distance of at least 30 feet from any rear property line,
- 3. All buildings and structures shall set back a distance of at least 10 feet from any side property line.

Set back line
on bedg. line
show on plat
Parapets - not
covered by Ord.
Per JG 8/1/69

Width.

- 1. The homesite upon which a dwelling is to be erected shall not be less than 100 feet in width at the front building line. No more than one dwelling shall be erected upon any such 100 foot plot. In the case of a homesite including not more than one lot which is narrower than 100 feet in width at the front building line and which is included in a plat which was of record in the office of the register of deeds in and for Johnson County, Kansas, on June 6, 1949, the 100 foot restriction set forth in this subsection shall not apply but in lieu thereof the restriction shall be the width of the lot as shown on such plat.
- 2. The property upon which a public or semipublic use is located shall not be less than 150 feet in width at the front building line.

D. Area.

- 1. No building shall be erected or altered on a lot which makes provision for less than 12,000 square feet of lot area. In the case of a single platted lot of record or an unplatted lot having an area of less than 12,000

square feet on or before April 1, 1968, as an owner-ship separate and apart from the ownership of any adjoining property, this regulation will not prohibit the erection of a one family dwelling or the modification or alteration of an existing dwelling provided the setback regulations described herein are observed. If the average size of lots in an existing subdivision in single ownership or under unified control is established at over 12,000 square feet, abutting undeveloped property in the same ownership may not be subdivided with lots of less area than the established average size on the existing subdivision unless specifically waived by the Board of Zoning Appeals after a public hearing.

2. A one story dwelling shall have a ground floor area of not less than 1500 square feet, and a one and a half or two story dwelling shall have a ground floor area of not less than 1200 square feet, and such area requirements shall be exclusive of porches, patios or other appurtenances but inclusive of attached garages, but such garage shall be considered in this connection to contain in excess of 200 square feet, provided that if such dwelling is within an area for which a plat shall have been approved by the City Council and for which a higher minimum ground floor area requirement is established by a declaration of restrictions, or a restriction agreement, which shall have been filed with the City Clerk, such dwelling shall have a ground floor area not less than the requirement established by such declaration or agreement.

III. TYPE OF CONSTRUCTION.

Exterior walls of all dwellings shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot, shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, asbestos shingles, slate or tile. *Perf. concrete asbestos slate roofs okay 5/22/69.*

IV. EXCEPTIONS.

The Board may, in its discretion, when deemed advisable, authorize exceptions to the within regulations and restrictions (1) by a special temporary permit for a period not exceeding two years or (2) by a special permit for a specific purpose, after conducting a public hearing thereon with due notice thereof by publication prior thereto. ORD. NO. 294

Board of Zoning Appeals cannot
hear cases 48 B. different cases

4/6/68 (Zoning)

ARTICLE 4 ZONING REGULATIONS

5-403 B PLANNED SINGLE FAMILY RESIDENTIAL DISTRICT. The purpose of a Planned Single Family Residential District is to provide flexibility in the design, location and arrangement of homes of superior quality within large self-contained residential developments. The wider latitude permitted in the design of Planned Single Family Residential Districts requires more stringent regulations and standards than in a Single Family Residential District in order to provide an aesthetically pleasing development having an appropriate and compatible relationship with adjacent land uses.

I. PERMITTED USES. The following uses are permitted in Planned Single Family Residential Districts:

- A. Single Family Dwellings subject to the requirements of this Section 5-403B.
- B. All public and semipublic uses enumerated herein, after a public hearing and review and recommendation of the CITY PLAN COMMISSION and approval of the CITY COUNCIL by ordinance.
 - 1. Athletic fields
 - 2. Cemeteries
 - 3. Churches and synagogues
 - 4. Community center buildings
 - 5. Convents, when a part of a school or church complex
 - 6. Country clubs and other public or private clubs of a recreational nature
 - 7. Day nurseries associated with a public, private or parochial school, or a church
 - 8. Dormitories in conjunction with a college or university
 - 9. Fire stations
 - 10. Golf courses, with the exception of miniature golf or driving ranges
 - 11. Libraries
 - 12. Nurseries and truck gardens limited to the propagation and cultivation of plants. No retail or wholesale business shall be conducted on the premises. No obnoxious soil or fertilizer shall be stored upon the premises and no obnoxious soil or fertilizer renovation may be conducted thereon.
 - 13. Parks, playgrounds, and other recreational areas of a non commercial nature
 - 14. Police Stations
 - 15. Schools (public, private or parochial)
 - 16. Swimming pools (public or private)
 - 17. Telephone exchanges
 - 18. Utility stations and substations
- C. Accessory Uses - Uses customarily incident to and located on the same lot or premises as the uses enumerated above.

The uses enumerated in paragraph I (B) & (C) may be approved only after the City Council has found that the plans submitted for approval clearly demonstrate that :

- 1. The use does not materially damage or curtail the appropriate use of neighboring property
- 2. The use is compatible with the general character of the district
- 3. The use does not jeopardize the public health, safety or welfare

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ARTICLE 4 ZONING REGULATIONS

4. The use does not violate the general spirit and intent of the zoning ordinance and is compatible with the long range plan used as a guide for the development of the City
 5. Adequate hard surfaced, all weather, dustless off-street parking space is provided for the employees and patrons of the use
 6. Any other ordinance to the contrary notwithstanding, peripheral landscape screening and/or walls, and/or fences are provided at least 6 feet in height of sufficient depth to adequately screen the view of all proposed structures and parking facilities during the four seasons of the year from all abutting properties zoned for or developed with residential structures
 7. Structures and off-street parking areas, taken as a whole, do not occupy more than 60 per cent of the building site, and at least 40 per cent of the site is maintained as open, unobstructed green space
 8. Primary Vehicular access to the use is provided only from a major thoroughfare or trafficway unless specifically waived by the City Council
 9. A landscape plan and construction details for walls and/or fences accompany the development plan and have been approved by the City Plan Commission and the City Architect
- II. LOT AREA AND DENSITY. A Planned Single Family Residential District must provide for an average lot area of at least 12,000 square feet per dwelling unit or not more than a density of 3.63 dwelling units per net residential acre. A net residential acre is the total area of the District less the area in streets and nonresidential uses.

III. HEIGHT, SETBACK, AREA, FRONTAGE AND DEPTH REGULATIONS.

A. Height

1. Residential structures shall not exceed 2 stories in height except that structures may be built on a natural slope in such a manner as to expose a third story on the downhill side of the slope. The three story portion of a structure shall not face on any street, and the overall height shall not exceed 30 feet.
2. Public and semipublic buildings enumerated in this Section shall be erected to a height approved by the City Plan Commission and the City Council provided that such buildings shall set back one additional foot on all sides for each additional foot that such buildings exceed the specified Height limit of 30 feet.
3. Parapets, ornamental railings, chimneys, gables, false mansards, cupolas, and mechanical appurtenances on residential structures shall not extend more than 4 feet above the specified height limit unless approved by the Board of Zoning Appeals.

B. Setback

1. All buildings, structures, and parking facilities shall set back a distance of at least 40 feet from any property line which defines the boundary of the Planned Single Family Residential District.

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2. All buildings and structures shall set back a distance of at least 25 feet from any property line adjacent to a street except where the street is also the boundary line of the District in which case a setback of 40 feet is required.
3. All buildings and structures shall set back a minimum of 20 feet from any adjacent structure.
4. Buildings and structures shall not extend closer than 5 feet from any side or rear property line.

C. Area

1. A Planned Single Family Residential District shall comprise a contiguous area of at least 40 acres in single ownership or under unified control if in more than one ownership.
2. No building or structure shall be built on a lot which has less than 9,350 square feet.
3. A one-story dwelling shall have a ground floor area of not less than 1,500 square feet, and a one and a half or two-story dwelling shall have a ground floor area of not less than 1,000 square feet, and such area requirements shall be exclusive of porches, patios or other appurtenances or attached garages. Each garage in the district shall provide for the parking of at least two automobiles.

D. Width

No lot shall have less than 85 feet at its least dimension.

E. Depth

No lot shall have less depth than an average of 110 feet.

IV. OPEN SPACE AND BUILDING COVERAGE REQUIREMENTS.

- A. Minimum Open Space Requirement. All buildings and structures shall provide for a minimum amount of open, unobstructed green space, exclusive of off-street parking facilities, patios, and other accessory uses, equal to 40 per cent of the gross area of the lot.
- B. Maximum Building Coverage. Structures or buildings shall not occupy in excess of 25 per cent of the gross area of the lot on which they are constructed.

V. BUFFER AND LANDSCAPE REQUIREMENTS.

- A. The required setback along the perimeter of the Planned Residential Development shall be landscaped with grass, trees, shrubs, and/or other appropriate materials.
- B. All required open space shall be landscaped with grass, trees, shrubs, and/or other appropriate materials in such a manner as to provide a park-like setting for the residence. These areas shall be kept free of debris and refuse and shall be maintained by the owner, occupant or developer.
- C. Fences shall be permitted only around patios and swimming pools. Notwithstanding the provisions of any other ordinance to the contrary, such patio fences shall be for screening purposes only, shall not exceed 6 feet in height, and shall be approved by the City Architect prior to the issuance of a fence permit.

VI. SIGN REGULATIONS.

- A. Only the following types of signs are permitted in this district:
1. Identification signs giving only the name of the development. Said signs shall be located only at the entrances to the development and shall be incorporated into the design of an entrance gate or other ornamental design motif which identifies the development. All such designs shall accompany the development plan for approval by the City Plan Commission and the City Architect.
 2. No sign of any kind or description shall be placed or permitted to remain in any residence district or in any street adjacent thereto. This prohibition shall not apply to street markers, traffic signs and other appropriate signs displayed by the City of Leawood nor shall this prohibition apply to a sign not exceeding 100 square inches in area, upon which there shall be exhibited the street number, or emblem, picture or decal, in color or colors, or name of a resident or both, or to a contractor's job number or to identification signs as described in 1. above.

VII. OFF STREET PARKING REGULATIONS.

- A. Off street parking shall be provided at the ratio of at least 2 spaces for each dwelling unit.
- B. A club house or community building serving the development shall provide at least one off-street space for every eight lots as shown on the approved development plan.
- C. One off-street parking space and the back-up space adjacent thereto shall be an area of at least 30 feet by 10 feet (300 square feet).
- D. All off-street parking areas and all access drives shall be improved with a permanent, dustless, all-weather surface approved by the City Engineer.
- E. Parking lot lighting - Fixtures for the lighting of parking lots shall not be higher than 12 feet above the surface that they illuminate. The fixtures shall be designed, constructed and positioned so that their light radiation does not extend directly beyond the property line and so that the light intensity at the parking area surface does not exceed 1.5 foot candles.

VIII. SUBMISSION REQUIREMENTS. The proponent of a Planned Single Family

Residential District shall submit a PRELIMINARY DEVELOPMENT PLAN to the City Plan Commission for its analysis, comments and recommendations. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall prepare a FINAL DEVELOPMENT PLAN incorporating the Commission's recommendations to the extent believed feasible by the proponent. The required plans shall cover the entire tract within the proposed district and shall comply with the regulations, requirements and standards set forth in this section. All plans shall be drawn to a scale of 1" = 100' or larger to clearly demonstrate the intent of the proponent. The plans, which shall be submitted at regular meetings of the City Plan Commission open to the public, shall include the following information and meet the following conditions:

- A. PRELIMINARY PLAN. This plan must accompany the proponent's initial application and shall contain the following:
1. The existing topographic pattern with contour intervals not greater than two (2) feet except in areas where slopes are in excess of 10 per cent in which case intervals of 5 feet will be acceptable.
 2. The proposed size, location and arrangement of all existing and proposed buildings and structures other than single family houses.
 3. The location of all streets and off-street parking areas showing the arrangement of the parking bays, entrance and exit drives, means of drainage, and means of illumination.
 4. A schedule giving the total number of acres in the proposed development; the total area covered by buildings, the total area in off-street surface parking, the total number of off-street parking spaces provided, the proposed density of development, and a legal description of the property under consideration.
 5. A generalized landscape plan.
 6. A vicinity sketch at a legible scale showing the relationship of the development plan to the properties within 500 feet of its boundaries. Utility connections too remote to be shown on the development plan shall be shown on the sketch. Land uses of properties outside the development shall be shown on the sketch.
 7. The proponents shall also submit a true copy of existing private covenants or restrictions and a copy of any proposed covenant or restriction to be placed by the proponents, on the property proposed for rezoning.
- B. FINAL PLAN. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall submit a FINAL DEVELOPMENT PLAN that contains at least the following:
1. The existing and proposed topographic pattern with contours at sufficient intervals to give a clear understanding of the proposed grading, but in no case shall the contour inter-

ARTICLE 4 ZONING REGULATIONS

- val be greater than two (2) feet except in areas where slopes are in excess of 10 per cent, in which case intervals of 5 feet will be acceptable.
2. The proposed size, location and arrangement of all existing and proposed buildings, structures, streets, alleys, railroads, utility lines and easements with all site and building dimensions, the width of buffer strips, the distance between buildings, and all set back distances clearly shown. Single family residences need not be shown if designated on platted lots; however, the use of each lot shall be shown.
 3. The location of all off-street parking areas, other than for single family homes, showing the arrangement of each individual parking stall, entrance and exit drives, means of drainage, means of illumination, and type of surface material.
 4. A landscape plan for perimeter planting, prepared by a qualified landscape architect, showing the location and arrangement of all trees, shrubs, and other plant materials, giving their species and specifying their size at the time of planting.
 5. A schedule giving the total number of acres in the proposed development, the total area covered by buildings, the total area in off-street parking, the total number of off-street parking spaces provided, the proposed density of development and a legal description of the property under consideration.
 6. Architectural elevations in sufficient detail to give the Commission a clear understanding of the architectural character of the development. An 8x10 photograph of an architectural rendering of the proposed development may be substituted for architectural elevations if it shows sufficient detail to clearly establish the character of the development.
 7. All public facilities and utilities must be shown and identified and the proposals approved by the City Engineer.
 8. A subdivision layout, when the property is to be subdivided, showing all proposed lots and blocks.
 9. Street profiles shall be furnished for each street proposed to be dedicated showing existing grades and proposed approximate grades and gradients on the centerline and along the property lines of the street. Proposed culverts and bridges shall also be shown.
 10. The location and size of any area to be considered for dedication to public use or to be reserved by deed or covenant for the use of all property owners in the development and any condition of such dedication or reservation.
 11. A true copy of all existing private covenants and a copy of any proposed private covenant which is to be placed by the proponent on the property proposed for rezoning.

LX. PROCESSING OF ZONING CLASSIFICATION ORDINANCES AND AMENDMENTS.

- A. If the City Plan Commission recommends tentative approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall give public notice and hold a public hearing on said recommendation as required by law.

- B. If, at the conclusion of the public hearing, the City Plan Commission recommends approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall cause a proposed ordinance to be prepared for the establishment of a Planned Single Family Residential District and shall incorporate the approved plan as part of said ordinance. All subsequent action on the proposed ordinance by the City Plan Commission and the City Council shall be in conformance with the Kansas Statutes, City Ordinances, and internal procedures of the City Plan Commission and the City Council of the City of Leawood, Kansas.
- C. If, at the conclusion of the public hearing, the action of the City Plan Commission is other than approval of the Planned Single Family Residential District, the City Plan Commission shall submit the PLAN and the proposed zoning amendment, together with all other required information, for action by the City Council. All subsequent action by the City Council and the City Plan Commission shall be in conformance with the Kansas Statutes, City Ordinances, and internal procedures of the City Plan Commission and the City Council of the City of Leawood, Kansas.

X. ADJUSTMENTS OR CHANGES IN THE FINAL PLAN AFTER ADOPTION BY ORDINANCE.

After an area has been zoned for a Planned Single Family Residential District, changes in the approved development plan may not be made except through a new application to the City Plan Commission and the City Council; however, minor building location adjustments necessitated by unforeseeable circumstances may be approved by the Board of Zoning Appeals, after report and recommendation from the City Plan Commission, at a public hearing,

XI. TYPE OF CONSTRUCTION

Exterior walls of all dwellings shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot, shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, asbestos shingles, slate or tile. All plans must be approved for design and construction by the City Architect before the issuance of a building permit. ORD. # 292

ZONING REGULATIONS

ART. 4

REAL ESTATE CHAPTER V.

5-403 C PLANNED MULTIFAMILY RESIDENTIAL DISTRICT. This district is designed to permit the development of garden apartment or townhouse projects of superior quality consisting of 2 or more buildings on tracts of 5 or more acres at a density not exceeding 12 units per acre in an aesthetically pleasing and compatible relationship with adjacent land uses.

I. PERMITTED USES. The following uses are permitted in Planned Multifamily Residential Districts:

- A. Any use permitted in the Single Family Residential District subject to the same conditions and restrictions.
- B. Garden apartment and townhouse projects.
- C. All uses customarily incident to multifamily developments provided they are located on the same lot or premises as the main buildings in the project.

II. PERFORMANCE STANDARDS. All buildings in garden apartment and townhouse projects shall meet the following minimum standards:

- A. All lights, other than publicly installed street lights, shall be situated and installed to reflect away from abutting properties zoned for or developed with single family residential structures.
- B. A Planned Multifamily Residential District must have direct access to at least one major thoroughfare. In the event that the major thoroughfare is a freeway, direct access will be from a marginal access road. (No direct access to a street zoned for or developed with single family residences will be permitted unless it is a major thoroughfare.)
- C. The City Plan Commission and the City Council shall find that the Planned Multifamily Residential District will not adversely affect the appropriate use of abutting properties or endanger the public health, safety and welfare.
- D. The City Plan Commission and the City Council shall find that the location of the proposed Planned Multifamily Residential District is in keeping with the general development plan adopted by the City Council as a guide for the orderly development of all areas within the City's jurisdiction.

III. HEIGHT, SETBACK, AREA, AND DENSITY REGULATIONS.

A. Height.

Apartment and townhouse buildings and all structures accessory thereto shall not exceed 2 stories in height except that buildings and structures may be built on a natural slope in such a manner as to expose a third story on the downhill side of the slope; however, the three-story portion of a building shall not face on any street, and the overall height shall not exceed 30 feet.

B. Setback

1. All buildings and structures except covered parking facilities as described in Section VII shall set back a distance of at least: (a) 30 feet from any property line adjacent to a street, (b) 30 feet from any rear property line, (c) 30 feet from any other interior property line adjacent to a single family residential district or a lot developed with a single family residence, and (d) 20 feet from any interior property line adjacent to an area zoned for apartment, commercial or industrial use.
2. All apartments within the development shall observe the following minimum distances between buildings measured from facade to facade. (Balconies, porticoes, patios, lanais, and other living area extensions of a similar nature shall not infringe upon the required minimum separation.)
 - a. Minimum distance between buildings when the facades opposite each other are windowless - 20 feet;
 - b. Minimum distance between the corner of one building and the corner of an adjacent building - 15 feet;
 - c. Minimum distance between buildings when one or more facades opposite each other contain windows or when the common space between buildings is utilized as public or private living area - 60 feet.

C. Area:

1. Apartment and townhouse projects shall comprise a contiguous area of at least 5 acres in single ownership or under unified control if in more than one ownership.
2. In a townhouse project a one-story dwelling shall have a ground floor area of not less than 1200 square feet, and a one and a half or two-story dwelling shall have a ground floor area of not less than 700 square feet, and such area requirements shall be exclusive of porches, patios or other appurtenances or attached garages.

D. Density:

Overall density may not exceed 12 units per acre, exclusive of streets:

IV. OPEN SPACE AND BUILDING COVERAGE REQUIREMENTS.

- A. Minimum Open Space Requirement. All apartment and townhouse projects shall provide for a minimum amount of open, unobstructed green space, exclusive of off-street parking facilities, patios, and other accessory uses, equal to 40 percent of the gross area of the property to be developed.
- B. Maximum Building Coverage. Apartments, townhouses and accessory structures shall not occupy in excess of 30 per cent of the gross area of the lot or property on which they are constructed.

V. BUFFER AND LANDSCAPE REQUIREMENTS.

- A. Any other ordinance to the contrary notwithstanding the periphery of all off-street parking facilities, service yards, and trash receptacles shall be permanently screened from adjoining premises in all residential districts by shrubbery and/or fences and/or walls at least 6 feet in height of sufficient thickness to serve the purpose of a solid screen. All fences shall be approved by the City Architect prior to the issuance of a fence permit.
- B. All required setback areas and open space shall be landscaped with grass, trees, shrubs, and other appropriate materials in such a manner as to provide a park-like setting for the building or buildings. These areas shall be kept free of debris and refuse and shall be maintained by the owner, occupant or developer.

VI. SIGN REGULATIONS.

- A. Only the following types of signs are permitted in this district:
 1. Identification signs giving only the name of the development. Said signs shall be located only at the entrances to the development and shall be incorporated into the design of an entrance gate or other ornamental design motif which identifies the development. All such designs shall accompany the development plan for approval by the City Plan Commission and the City Architect.
 2. No sign of any kind or description shall be placed or permitted to remain in any residence district or in any street adjacent thereto. This prohibition shall not apply to street markers, traffic signs and other appropriate signs displayed by the City of Leawood nor shall this prohibition apply to a sign not exceeding 100 square inches in area, upon which there shall be exhibited the street number, or emblem, picture or decal, in color or colors, or name of a resident or both, or a contractor's job number or to identification signs as described in 1. above.

VII. OFF-STREET PARKING REGULATIONS.

- A. All apartment and townhouse projects shall provide off-street parking at the ratio of two spaces for each dwelling unit, at least one-half of which shall be covered parking as described in sub-paragraph (G) hereof.
- B. A club house or community building serving an apartment or townhouse project shall provide at least one off-street parking space for every eight (8) units in the project.
- C. One off-street parking space and the back-up space adjacent thereto shall be considered an area of at least 30 feet by 10 feet (300 square feet).
- D. All off-street parking areas and all access drives shall be improved with a hard-surfaced, dustless, all-weather surface approved by the City Engineer.

- E. Parking lot lighting - fixtures for the lighting of parking lots shall not be higher than 12 feet above the surface that they illuminate. The fixtures shall be designed, constructed and positioned so that their light radiation does not extend directly beyond the property line and so that the light intensity at the parking area surface does not exceed 1.5 foot candles.
- F. Off-street parking areas constructed on the ground surface shall not extend closer than 25 feet to any property line adjacent to an area developed with or zoned for single family residential use. Such areas shall not extend closer than 10 feet to any property line adjacent to an area developed or zoned for commercial or industrial use. There shall be no yard requirements for subsurface parking facilities except that any portion of a subsurface parking structure which extends above the ground surface shall have the yard requirements for surface parking facilities. If the parking facility extends more than 10 feet above the ground, it shall have the same setback requirement as a building.
- G. All covered off-street parking areas (carports, garages, automobile canopies, etc.) shall have the same setback requirements as uncovered surface off-street parking areas described in paragraph F above. Such areas shall be designed in a manner which is compatible with the architectural style of the development, and shall be arranged on the site in a manner which will conceal the automobiles parked therein from view along the perimeter of the apartment development.

VIII. SUBMISSION REQUIREMENTS. The proponent of a Planned Multifamily Residential District shall submit a PRELIMINARY DEVELOPMENT PLAN to the City Plan Commission for its analysis, comments and recommendations. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall prepare a FINAL DEVELOPMENT PLAN incorporating the Commission's recommendations to the extent believed feasible by the proponent. The required plans shall cover the entire tract within the proposed district and shall comply with the regulations, requirements and standards set forth in this section. All plans shall be drawn to a scale of 1" - 100' or larger to clearly demonstrate the intent of the proponent. The plans, which shall be submitted at regular meetings of the City Plan Commission open to the public, shall include the following information and meet the following conditions:

- A. PRELIMINARY PLAN. This plan shall accompany the proponent's initial application and shall contain the following:
 - 1. The existing topographic pattern with contour intervals not greater than two (2) feet except in areas where slopes are in excess of 10 per cent in which case intervals of 5 feet will be acceptable.

2. The size location and arrangement of all existing and proposed buildings and structures other than single family houses.
 3. The location of all streets and off-street parking areas showing the arrangement of the parking bays, entrance and exit drives, means of drainage, and means of illumination.
 4. A schedule giving the total number of acres in the proposed development, the total area covered by buildings, the total area in off-street surface parking, the total number of off-street parking spaces provided, the proposed density of development, and a legal description of the property under consideration.
 5. A generalized landscape plan.
 6. A vicinity sketch at a legible scale showing the relationship of the development plan to the properties within 500 feet of its boundaries. Utility connections too remote to be shown on the development plan shall be shown on the sketch. Land uses of properties outside the development shall be shown on the sketch.
 7. The proponents shall also submit a true copy of existing private covenants or restrictions and a copy of any proposed covenant or restriction to be placed by the proponents, on the property proposed for rezoning.
- B. FINAL PLAN. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall submit a FINAL DEVELOPMENT PLAN that contains at least the following:
1. The existing and proposed topographic pattern with contours at sufficient intervals to give a clear understanding of the proposed grading, but in no case shall the contour interval be greater than two (2) feet except in areas where slopes are in excess of 10 per cent, in which case intervals of 5 feet will be acceptable.
 2. The proposed size, location and arrangement of all existing and proposed buildings, structures, streets, alleys, rail-roads, utility lines and easements with all site and building dimensions, the width of buffer strips, the distance between buildings, and all set back distances clearly shown. Single family residences need not be shown if designated on platted lots; however, the use of each lot shall be shown.
 3. The location of all off-street parking areas, other than for single family homes, showing the arrangement of each individual parking stall, entrance and exit drives, means of drainage, means of illumination, and type of surface material.
 4. A landscape plan for perimeter planting, prepared by a qualified landscape architect, showing the location and arrangement of all trees, shrubs, and other plant materials, giving their species and specifying their size at the time of planting.
 5. A schedule giving the total number of acres in the proposed development, the total area covered by buildings, the total area in off-street parking, the total number of off-street parking spaces provided, the proposed density of development and a legal description of the property under consideration.

6. Architectural elevations in sufficient detail to give the Commission a clear understanding of the architectural character of the development. An 8x10 photograph of an architectural rendering of the proposed development may be substituted for architectural elevations if it shows sufficient detail to clearly establish the character of the development.
7. All public facilities and utilities shall be shown and identified and the proposals approved by the City Engineer.
8. A subdivision layout, when the property is to be subdivided, showing all proposed lots and blocks.
9. Street profiles shall be furnished for each street proposed to be dedicated, showing existing grades and proposed approximate grades and gradients on the centerline and along the property lines of the street. Proposed culverts and bridges shall also be shown.
10. The location and size of any area to be considered for dedication to public use or to be reserved by deed or covenant for the use of all property owners in the development and any condition of such dedication or reservation.
11. A true copy of all existing private covenants and a copy of any proposed private covenant which is to be placed by the proponent on the property proposed for rezoning.

IX. PROCESSING OF ZONING CLASSIFICATION ORDINANCES AND AMENDMENTS.

- A. If the City Plan Commission recommends tentative approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall give public notice and hold a public hearing on said recommendation as required by law.
- B. If, at the conclusion of the public hearing, the City Plan Commission recommends approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall cause a proposed ordinance to be prepared for the establishment of a Planned Multifamily Residential District and shall incorporate the approved plan as part of said ordinance. All subsequent action on the proposed ordinance by the City Plan Commission and the City Council shall be in conformance with the Kansas Statutes, City Ordinances, and internal procedure of the City Plan Commission and the City Council of the City of Leawood, Kansas.
- C. If, at the conclusion of the public hearing, the action of the City Plan Commission is other than approval of the Planned Multifamily Residential District, the City Plan Commission shall submit the PLAN and the proposed zoning amendment, together with all other required information, for action by the City Council. All subsequent action by the City Council and the City Plan Commission shall be in conformance with the Kansas Statutes, City Ordinances, and internal procedures of the City Plan Commission and the City Council of the City of Leawood, Kansas.

X. ADJUSTMENTS OR CHANGES IN THE FINAL PLAN AFTER ADOPTION BY ORDINANCE.
After an area has been zoned for a Planned Multifamily Residential

District, changes in the approved development plan may not be made except through a new application to the City Plan Commission and the City Council; however, minor building location adjustments necessitated by unforeseeable circumstances may be approved by the Board of Zoning Appeals, after report and recommendation from the City Plan Commission, at a public hearing.

XI. TYPE OF CONSTRUCTION

Exterior walls of all dwellings shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, tile or any combination thereof. Windows, doors, and louvers shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot, shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, asbestos shingles, slate or tile. All plans must be approved for design and construction by the City Architect before the issuance of a building permit. ORD. #295

B-1
5-404 PLANNED BUSINESS DISTRICT. This district is designed to encourage the development of unified centers of business activity which are primarily retail or service oriented. This district shall be established upon property which is in single ownership or under unified control. Said District shall consist of ten or more uses on five or more acres. Said district shall have a unique identity which is assured through the organized arrangement of buildings and services into a single architectural entity with a consistent design motif.

Planned Business Districts shall be located at, or near, the center of their trade territory and shall not be indiscriminately located along traffic routes without relationship to the neighborhoods and communities which they serve. Planned Business Districts are intended to supplant strip commercial districts and shall not be so employed as to create them.

I. PERMITTED USES. The following land uses are permitted in Planned Business Districts:

A. Enumerated Uses.

1. Airline Ticket Sales
2. Amphitheater (when physically integrated with the design of the shopping center as part of a mall, court or plaza)
3. Amusement Devices (for special promotions of philanthropic organizations or the merchants' association. Not permitted over three (3) times in 1 calendar year for a duration not to exceed 1 week on each occasion.)
4. Antique Shop
5. Apparel Shop
6. Appliance Store
7. Art Shop or Studio
8. Athletic Club
9. Athletic Equipment Store

10. Automotive Service (all operations to be conducted in a soundproof building)
11. Automobile Dealership (no outside automobile storage or used car lots permitted. All service operations to be conducted within a soundproof building.)
12. Automobile Parking
13. Bakery (retail only)
14. Bank (drive-in facilities permitted)
15. Barber Shop
16. Beauty Shop
17. Bicycle Shop (no outside storage display or repairs permitted)
18. Blueprinting and Photocopying Service
19. Book Store
20. Bowling Alley (permitted only in a soundproofed and air conditioned building)
21. Building and/or Savings and Loan Associations
22. Cafe (no food or drink shall be served for consumption within a car on the premises)
23. Cafeteria
24. Camera Shop (including photographic supplies)
25. Candy Store
26. Carpet Showroom
27. Catering Service
28. Ceramic Shop
29. Children's Day Nursery
30. China and Glass Shop
31. Cigar and Tobacco Store
32. Clothing Store
33. Clubs (private)
34. Coffee Shop
35. Confectionary Store
36. Dairy Products Store (no product to be served for consumption within a car on the premises)
37. Dancing School or Studio
38. Delicatessen
39. Department Store
40. Drapery Store
41. Dress Shop
42. Dressmaking Shop
43. Drugstore
44. Dry Cleaning Shop and Laundry Pick-up Station
45. Dry Goods Store
46. Duplicating Service
47. Electrical Appliance Store
48. Embroidery Shop
49. Filling or Service Station (merchandise shall not be displayed, stored or offered for sale outside the building except for gasoline and oil. All repair operations must be conducted within the building. Penants, signs in motion, twirlers, and other similar attention getting devices will not be permitted)
50. Finance and Loan Company
51. Floor Covering Store
52. Food Specialty Shop
53. Frozen Food Locker (no killing or butchering of whole animals)
54. Furrier

55. Gift Shop
56. Glass and China Shop
57. Grocery Store
58. Gymnasium
59. Hardware Store
60. Hat Shop
61. Health Shop
62. Health Food Store
63. Hemstitching and Pleating Shop
64. Hobby Shop
65. Household Furnishings Store
66. Ice Cream Parlor (no product to be served for consumption within a car on the premises)
67. Interior Decoration Shop
68. Jewelry Store
69. Juice Bar
70. Laundry Pick-up station and Dry Cleaning Shop
71. Launderette or Washateria (self service laundries)
72. Leather Goods Store
73. Legitimate Theater
74. Lighting Fixture Store
75. Linen Shop
76. Loan and Finance Companies
77. Luggage Shop
78. Magazine and Newspaper Store
79. Mail Order House
80. Massage Parlor
81. Meat market
82. Millinery Shop
83. Miniature Golf (when physically integrated with the design of the shopping center as part of a mall, court or plaza)
84. Movie Theater (drive-in theaters are not permitted)
85. Music store or Studio
86. Newspaper and Magazine Store
87. Notions Store
88. Novelty Store
89. Offices and Office Buildings
90. Optical Goods
91. Package Liquor Store
92. Paint Store
93. Pastry Shop
94. Pet Shop (to be operated entirely within a building. No outside pens will be permitted)
95. Pharmacy
96. Photocopying and Blueprinting Service
97. Photographic Studio
98. Photographic Supplies
99. Pipe Shop
100. Play Lot (noncommercial-integrated with the design of the shopping center)
101. Plumbing Supplies Showroom (no repairs or outside storage permitted)
102. Portrait Studio
103. Post Office
104. Pottery Shop

105. Printing Shop (permitted only in a soundproofed and air conditioned building)
106. Private Clubs
107. Professional Offices
108. Radio and Television Stores and Service
109. Radio and Television Broadcasting Studios
110. Reducing Salon
111. Restaurant (no product to be served for consumption within a car on the premises)
112. Roller Skating Rink (permitted only in a soundproofed and air conditioned building)
113. Savings and/or Building and Loan Associations
114. Service or Filling Stations (merchandise shall not be displayed, stored or offered for sale outside the building except for gasoline and oil. All repair operations must be conducted within the building. Pennants, signs in motion, twirlers, and other similar attention getting devices will not be permitted)
115. Shoe Repair Shop
116. Shoe Shine Shop
117. Shoe Store
118. Skating Rink (Ice or Roller) (permitted only in a soundproofed and air conditioned building)
119. Souvenir Shop
120. Sporting Goods Store
121. Stationery Store (including office supplies)
122. Stenographic Service
123. Supermarket
124. Tailor Shop
125. Tea Room
126. Telegraph Service
127. Television and Radio Stores and Service
128. Television and Radio Broadcasting Studios
129. Theater (Legitimate or Movie) (drive-in theaters are not permitted)
130. Tie Shop
131. Tobacco Store
132. Tourist Information Center
133. Tot Lot (noncommercial-integrated with the design of the shopping center)
134. Toy Shop
135. Variety Store
136. Veterinary Clinic (to be operated entirely within a soundproofed and air conditioned building. No outside pens will be permitted)
137. Washateria or Launderette (self service laundries)
138. Watch Repair Shop

B. Nonenumerated Uses.

A use not enumerated above which is of a retail, service or recreational nature may be permitted by the Board of Zoning Appeals after a public hearing provided:

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1. It is not enumerated elsewhere in this chapter as a use permitted in another district.
2. It is of the same character and intensity as the uses permitted in this district.
3. It does not violate the performance standards set forth in this chapter in paragraph II below.
4. It is in compliance with the general spirit and intent of the Zoning Ordinance.

II. PERFORMANCE STANDARDS. All uses enumerated above shall meet the following minimum standards.

- A. All businesses shall be conducted within an enclosed building unless specifically excepted from this provision in Paragraph II. (B) below.
- B. There shall be no outside storage of supplies, merchandise, equipment, waste material, garbage and/or other material, unless specifically excepted from this provision below.
 1. Filling or Service Stations may dispense gasoline and oil products outside the main building. However, all repair operations shall be conducted within the building.
 2. Merchandise may be displayed outside an enclosed building in connection with a special promotion sponsored by a philanthropic organization or the merchant's association for a limited time not to exceed one week during not more than 3 nonconsecutive 1 week periods in any one calendar year.
 3. Amusement devices may be operated outside an enclosed building in connection with a special promotion sponsored by a philanthropic organization or the merchant's association. This use shall not be permitted over 3 nonconsecutive times in 1 calendar year for a duration not to exceed 1 week on each occasion.
 4. Open air newsstands, bookstalls, sidewalk cafes, miniature golf course, information kiosks, playlots, and noncommercial amphitheaters may be permitted outside an enclosed building when the design of these uses is clearly integrated with the design of the other public open space.
- C. No use shall create noise in excess of that normal of daily traffic, measured at the lot lines of the business center.
- D. No use shall create smoke, radiation, vibration or concussion, heat or glare which is perceptible without special instruments outside a building, and no dust, obnoxious odor, vapor or gas that is toxic, caustic, or injurious to humans or property shall be produced.
- E. All lights, other than publicly installed street lights, shall be located and installed to reflect the light away from abutting properties in an area zoned for or developed with residential structures.

- F. A Planned Business District shall have direct access to at least one major thoroughfare. In the event that the major thoroughfare is a freeway, direct access shall be from a marginal access road. (No direct access to a street zoned for or developed with single family residence shall be permitted unless it is a major thoroughfare.)
- G. The City Plan Commission and the City Council shall find that the Planned Business District will not adversely affect the appropriate use of abutting properties or endanger the public health, safety, or welfare.
- H. The City Plan Commission and the City Council shall find that the location of the proposed Planned Business District is in keeping with the general development plan adopted by the City Council as a guide for the orderly development of all areas within the City's jurisdiction.
- I. The use shall be free from all fire hazards.

III. HEIGHT, SETBACK AND AREA REGULATIONS.

A. Height.

- 1. The height of any building shall not exceed 3 stories or 36 feet. (Not including cooling towers, elevator bulkheads, stairway penthouses, chimneys, and mechanical equipment appurtenances.)
- 2. Ornamental structures such as pylons, minarets, towers, flagpoles, motif sculptures, and carillons may exceed this height when set back an additional foot for each foot that the structures exceed the 36 foot height limitation. (Identification pylons are specifically excluded.) (See Paragraph VI, SIGN REGULATIONS.)

B. Setback.

- 1. There shall be a setback from any street right-of-way line of at least 40 feet for any building or structure and at least 10 feet for any surface parking facility. (Loading docks and service areas are not permitted on the street side.)
- 2. There shall be a setback from any other property line of at least 40 feet for any building or structure and at least 25 feet for any surface parking facility, loading dock, service area or entrance drive except where adjoining a commercial or industrial district in which case the minimum setback requirements may be reduced, or in some special cases even nullified, by the City Plan Commission if, in reviewing the plan, they find that the provision of the required setback would not serve a useful public purpose, such as but not limited to an instance where the parking lot of one commercial district abuts the parking lot of another commercial district.

3. Multistory parking facilities shall have the same setback requirements as a building.

C. Area.

1. A Planned Business District shall consist of at least 10 or more uses on at least 5 contiguous acres in single ownership or under unified control if in more than one ownership.

IV. OPEN SPACE AND BUILDING COVERAGE REQUIREMENTS.

- A. Minimum Open Space Requirement. At least 30 per cent of the Planned Business District shall be set aside as open space exclusive of all buildings, parking facilities, and access drives. This open space shall be utilized for plazas, courts, malls, and other public open spaces.
- B. Maximum Building Coverage. The area covered by buildings in a Planned Business District shall not exceed 25 per cent of the total gross area of the property on which the planned business district is located, exclusive of all public streets abutting the property.

V. BUFFER AND LANDSCAPE REQUIREMENTS.

- A. Along any property line adjacent to an area zoned for or developed with residential structures, a wall and/or fence and/or landscape buffer at least 6 feet high (any other ordinance to the contrary notwithstanding) and of sufficient depth to serve the purpose of a solid screen shall be provided except that along any property line abutting a major street which is also the primary entrance to the planned business district, the required height may be reduced to 3-1/2 feet. At street intersections the required screen or buffer shall be set back a sufficient distance to not interfere with the vision of approaching vehicles or create a traffic hazard. All fences shall be approved by the City Architect prior to the issuance of a fence permit.
- B. All required setback areas and open spaces shall be landscaped with grass, trees, shrubs or other appropriate materials. These areas shall be kept free of debris and refuse and shall be maintained by owner, occupant or developer.

VI. SIGN REGULATIONS.

- A. In a Planned Business District, (any other ordinance to the contrary notwithstanding) only flat, stationary signs affixed against and parallel to the face of a wall or flat stationary signs on the face of or beneath a marquee, canopy, or awning shall be permitted to advertise the individual uses. Signs hanging beneath a canopy, marquee or awning shall not exceed 4 square feet in area. Signs affixed to the face of a building, marquee, canopy or awning shall not exceed 30 square feet in area. Individual letters with no background shall be measured by the minimum rectangular area necessary to encompass the letters or by a combination of rectangles as necessary to encompass the letters of irregular dimensions.

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- B. One pole (or pylon) sign shall be permitted to identify the planned business district. This sign shall not exceed 36 feet in height.
- C. Signs showing only the name of the shopping center shall be permitted at driveway entrances. These signs shall not extend more than 4 feet above the ground and shall not exceed 20 square feet in area.
- D. No sign shall extend above the roof line of the building on which it is located. A sign shall not extend into a required yard area.

VII. PARKING REGULATIONS.

- A. Six off-street parking spaces shall be provided in the Planned Business District for each 1000 square feet of gross leaseable floor area.
- B. One off-street parking space and the back-up space adjacent thereto shall be an area of at least 30 feet by 9 feet (270 square feet).
- C. All off-street parking areas, service areas and all access drives shall be improved with a hard-surfaced, dustless all-weather material approved by the City Engineer.
- D. There shall be a setback from any street right-of-way line of at least 10 feet for any surface parking facility. There shall be a setback from any other property line of at least 25 feet for any surface parking facility except where adjoining a commercial or industrial district, in which case the minimum setback requirement may be reduced, or in some special cases even nullified, by the City Plan Commission if, in reviewing the plan, it finds that the provision of the required setback would not serve a useful public purpose, such as, but not limited to, an instance where the parking lot of one commercial district abuts the parking lot of another commercial district.
- E. Multistory parking facilities shall have the same setback requirements as a building.
- F. There shall be no yard requirements for subsurface parking facilities except that any portion of a subsurface parking structure which extends above the ground surface shall have the yard requirements for surface parking facilities. If the subsurface parking facility extends more than six feet above the ground it shall have the same setback requirements as a building.
- G. Parking Lot Lighting. Fixtures for the lighting of parking lots shall not be higher than 12 feet above the surface that they illuminate. The fixtures shall be designed, constructed and positioned so that their light radiation does not extend directly beyond the property line and so that the light intensity at the parking area surface does not exceed 1.5 foot candles.

VIII. SUBMISSION REQUIREMENTS. The proponent of a Planned Business District shall submit a PRELIMINARY DEVELOPMENT PLAN to the City Plan Commission for its analysis, comments and recommendations. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall prepare a FINAL DEVELOPMENT PLAN incorporating the Commission's recommendations to the extent believed feasible by the proponent. The required plans shall cover the entire tract within the proposed district and shall comply with the regulations, requirements, and standards set forth in this section. All plans shall be drawn to a scale of 1" = 100' or larger to clearly demonstrate the intent of the proponent. The plans, which shall be submitted at regular meetings of the City Plan Commission open to the public, shall include the following information and meet the following conditions..

- A. Preliminary Plan. This plan shall accompany the proponent's initial application and shall contain the following:
1. The existing topographic pattern with contour intervals not greater than two (2) feet except in areas where slopes are in excess of 10 per cent in which cases intervals of 5 feet will be acceptable.
 2. The size, location and arrangement of all existing and proposed buildings and structures (including pylon identification sign), streets, alleys, railroads, utility lines and easements.
 3. The location of all off-street parking areas showing the arrangement of the parking bays, entrance and exit drives, means of drainage, and means of illumination.
 4. A schedule giving the total number of acres in the proposed development, the total area covered by buildings, the total area in off-street parking, the total number of off-street parking spaces provided, the total leasable floor area, the total area in open space, the total number of uses proposed in the development, and the legal description of the property under consideration.
 5. A generalized landscape plan.
 6. A vicinity sketch at a legible scale showing the relationship of the development plan to the properties within 500 feet of its boundaries. Utility connections too remote to be shown on the development plan shall be shown on the sketch. Land uses of properties outside the development shall be shown on the sketch.
 7. The proponents shall also submit a true copy of existing private covenants or restrictions and a copy of any proposed covenant or restriction to be placed by the proponents, on the property proposed for rezoning.
- B. Final Plan. After receipt of the City Plan Commission's comments and recommendations pertaining to the PRELIMINARY DEVELOPMENT PLAN, the proponent shall submit a FINAL DEVELOPMENT PLAN that contains at least the following:
1. The existing and proposed topographic pattern with contours at sufficient intervals to give a clear understanding of

- the proposed grading, but in no case shall the contour interval be greater than two (2) feet except in areas where slopes are in excess of 10 per cent, in which case intervals of 5 feet will be acceptable.
2. The proposed size, location and arrangement of all existing and proposed buildings and structures (including pylon identification sign), streets, alleys, railroads, utility lines, and easements with all site and building dimensions, the width of buffer strips, the distance between buildings, and all setback distances clearly shown.
 3. The location of all off-street parking areas showing the arrangement of each individual parking stall, entrance and exit drives, means of drainage, means of illumination and type of surface material.
 4. A landscape plan, prepared by a qualified landscape architect, showing the location and arrangement of all trees, shrubs, and other plant materials, giving their species and specifying their size at the time of planting, and construction details for walls and fences.
 5. A schedule giving the total number of acres in the proposed development, the total area covered by buildings, the total leaseable floor area, the total area in off-street surface parking, the total area in open space, the total number of off-street parking spaces provided, the total number of uses proposed in the development, and the legal description of the property under consideration.
 6. Architectural elevations of the proposed buildings in sufficient detail to give the Commission a clear understanding of the architectural character of the development. An 8X10 photograph of an architectural rendering of the proposed development may be substituted for architectural elevations if it shows sufficient detail to clearly establish the character of the development.
 7. All public facilities and utilities shall be shown and identified and the proposals approved by the City Engineer.
 8. Street profiles shall be furnished for each street proposed to be dedicated showing existing grades and proposed approximate grades and gradients on the centerline and along the property lines of the street. Proposed culverts and bridges shall also be shown.
 9. A true copy of all existing private covenants and a copy of any proposed private covenant which is to be placed by the proponent on the property proposed for rezoning.

IX. PROCESSING OF ZONING CLASSIFICATION ORDINANCES AND AMENDMENTS.

- A. If the City Plan Commission recommends tentative approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall give public notice and hold a public hearing on said recommendation as required by law.
- B. If, at the conclusion of the public hearing, the City Plan Commission recommends approval of the FINAL DEVELOPMENT PLAN and the proposed zoning amendment, it shall cause a proposed

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ordinance to be prepared for the establishment of a Planned Business District and shall incorporate the approved plan as part of said ordinance. All subsequent action on the proposed ordinance by the City Plan Commission and the City Council shall be in conformance with the Kansas Statutes, City Ordinances and internal procedures of the City Plan Commission and the City Council of the City of Leawood, Kansas.

- C. If, at the conclusion of the public hearing, the action of the City Plan Commission is other than approval of the Planned Business District, the City Plan Commission shall submit the PLAN and the proposed zoning amendment, together with all other required information, for action by the City Council. All subsequent action by the City Council and the City Plan Commission shall be in conformance with the Kansas Statutes, City Ordinances, and internal procedures of the City Plan Commission and the City Council of the City of Leawood, Kansas.

X. ADJUSTMENTS OR CHANGES IN THE FINAL PLAN AFTER ADOPTION BY ORDINANCE.

After an area has been zoned for a Planned Business District, changes in the approved development plan may not be made except through a new application to the City Plan Commission and the City Council; however, minor building location adjustments necessitated by unforeseeable circumstances may be approved by the Board of Zoning Appeals, after report and recommendation from the City Plan Commission, at a public hearing.

...

- XI. APPROVAL OF CITY ARCHITECT. All plans must be approved for design and construction by the City Architect before the issuance of a building permit. ORD. #296.

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5-405 LIGHT INDUSTRIAL DISTRICT. In a light industrial district no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered, structurally or otherwise changed, repaired, restored or improved, unless otherwise provided in this article, except as follows, to-wit:

(a) Municipal buildings. For a municipal building, city hall, community center, or fire station.

(b) Warehouse. For the storage of materials and tools of a sub-divider or contractor.

(c) Garage. For the storage of automobiles and trucks and other machinery of a sub-divider or contractor.

(d) Woodwork shop. For a sub-divider or contractor.

(e) Other businesses. Any and all uses enumerated in sub-sections (a), (b) and (c) of section 5-404, but any building, structure or appurtenance to be used for any such purposes shall be subject to the provisions of section 5-404.

(f) Other uses. Any and all uses enumerated in section 5-403, but any building, structure or appurtenance to be used for any such purposes shall be subject to the provisions of section 5-403. *Page 49*

(g) Type of construction. Exterior walls of all buildings, structures and appurtenances thereto shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, glass blocks, tile, or any combination thereof. Windows, doors and louvres shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, asbestos shingles, slate or tile.

(h) Building lines, setbacks and height requirements. Buildings, structures and appurtenances to be used for any of the purposes enumerated in sub-sections (a), (b), (c) and (d) of this section shall not exceed two stories in height and no such building, structure or appurtenance shall be erected closer to the property lines than the building lines for such premises as shown on the official city map.

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(i) Exceptions. The board may in its discretion, when deemed advisable, authorize exceptions to the within regulations and restrictions (1) by a special temporary permit for a period not exceeding two years or (2) by a special permit for a specific purpose after conducting a public hearing thereon, with due notice thereof by publication prior thereto. ORD. 49

5-406 HEAVY INDUSTRIAL DISTRICT. In a heavy industrial district no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered structurally, or otherwise changed, repaired, restored or improved, unless otherwise provided in this article, except as follows to-wit:

- (a) Manufacturing, process, fabrication or assembling of any commodity except junk or salvage.
- (b) Warehousing, wholesaling and storage of any commodity except junk or salvage.
- (c) Offices
- (d) Public utility facilities
- (e) Structures and uses clearly accessory and necessary to the normal operation of the above uses unless otherwise specifically prohibited.

(f) Other uses and businesses. ^{Page 50} Any and all uses enumerated in sub-section a), (b), (c), and (d) of Section 5-405, but any building, structure or appurtenance to be used for any such purposes shall be subject to the provisions of Section 5-404 and any and all uses enumerated in Section 5-403 but any building, structure or appurtenance to be used for any such purpose shall be subject to the provisions of Section 5-403.

(g) Type of Construction. Exterior walls of all buildings, structures and appurtenances thereto shall be of brick, stone, stucco, painted concrete block, wood shingles, wood siding, wood paneling, glass blocks, tile, or any combination thereof. Windows, doors and louvres shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate, tile or approved metal. Roofs with a pitch of three inches or more per foot shall be covered with metal, wood shingles, wood shakes, asbestos shingles, slate, tile or approved metal. All construction shall be subject to and conform with the Building Code and Fire Prevention Code.

(h) Building lines, setbacks and height requirements. Buildings, structures and appurtenances to be used for any of the purposes enumerated in sub-sections (a), (b), (c), (d), (e) and (f) of this section shall not exceed two stories in height and shall not be erected closer than 35 feet to the front property line, nor closer than 10 feet to the side property line unless said side property line borders on a street in which case said side setback line shall be 30 feet.

(i) Screening. Any materials, products, or equipment stores outside of a building shall be so screened that they are not visible from a Leawood residential district. Any such screen shall be of a permanent type and constructed of materials compatible with and the color of the materials in the main building. All such screens shall be approved by the city architect.

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(j) Off-street parking and loading requirements.

1. Off-street parking requirements. - Off-street parking shall be provided on the premises or in a community parking lot which is within five hundred (500) feet from the premises to be served, and in accordance with the following requirements. All parking areas shall be hard-surfaced, and bordered on sides facing any street by a solid fence, wall, or screen planting at least three (3) feet in height which shall be well-maintained.

A. For industrial uses. - Off-street parking for industrial uses shall be provided on the basis of the following requirements: One off-street parking space for each 1.5 employees on the largest of any shifts except that where the number of employees is not known at the time of submitting the final site plan, parking shall be provided at the rate as tabulated below:

1 parking space per each 1,000 square feet of floor area up to 10,000 square feet, plus;

1 parking space per each 2,500 square feet of floor area in excess of 10,000 square feet but not exceeding 20,000 square feet, plus;

1 parking space per each 5,000 square feet of floor area in excess of 20,000 square feet.

No industrial building, however, shall be occupied which provides less than a total of one parking space per each 1.5 employees on the largest of any shifts.

(k) Performance Standards.

1. All heavy and light industrial operations shall be conducted within a fully enclosed building normal loading and unloading of materials excepted.

2. No use shall be permitted or so operated as to produce or emit:

- aa Smoke or particulate matter of a number 1 or darker on the Ringelmann Chart.
- bb Dust, fly ash, radiation, gases, heat glare or other effects which are obviously injurious to humans at the property line.
- cc Vibration or concussion perceptible without instruments at the property line.
- dd The noise level shall not exceed the following levels at any point along the property line:

Octave Band

0-75 CPS	55 db
75-1200 CPS	40 db
1200-4800 CPS	25 db
above 4800 CPS	22 db

ee Industrial wastes shall be of such a quantity and nature as to not overburden the public sewage disposal facilities or to cause odor and unsanitary effects beyond the property line.

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(1) Exceptions. The board may in its discretion, when deemed advisable, authorize exceptions to the within regulations and restrictions (1) by a special temporary permit for a period not exceeding two years or (2) by a special permit for a specific purpose, after conducting a public hearing thereon, with due notice thereof by publication prior thereto. ORD. 225

5-407 PARK, RECREATION AND CLUB DISTRICT. In a park, recreation and club district no building, structure, appurtenance, lot, plot, tract or premise shall be used and no building, structure or appurtenance shall be hereafter erected, altered, structurally or otherwise changed, repaired, restored or improved, unless otherwise provided in this article except as follows, to-wit:

(a) Park. For a private or public park.

(b) Private or public clubs for recreational purposes. For a private or public club and club house, bath houses, locker room, having swimming pools, tennis courts, picnic areas, horse shoe courts, ice skating arenas and other facilities or structures usually incident thereto, and such structures may be used for the operation of snack bars, soda fountains, restaurants, and dining rooms for the benefit of the members of such clubs or of the public in general.

(c) Golf Course: For a public or private golf course.

(d) Other uses: Any and all uses enumerated in Section 5-403, but any building, structure or appurtenance to be used for any such purposes shall be subject to the provisions of section 5-403.

(e) Type of Construction. Exterior walls of all buildings, structures and appurtenances thereto shall be of brick, stone, stucco, wood shingles, wood siding, wood paneling, glass blocks, tile or any combination thereof. Windows, doors and louvers shall be of wood or metal and glass. Flat roofs or roofs with a pitch of less than three inches per foot shall be covered with tin, built-up asphalt, wood shingles, wood shakes, asbestos shingles, slate or tile. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, asbestos shingles, slate or tile.

(f) Building Lines, setbacks and height requirements. Buildings, structures and appurtenances to be used for any of the purposes enumerated in subsections (a), (b) and (c) of this section shall not exceed two stories in height and no such building, structure or appurtenance shall be erected closer to the property lines than the building lines for such premises as shown on the official city map.

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(g) Exceptions. The Board may in its discretion, when deemed advisable, authorize exceptions to the within regulations and restrictions (1) by a special temporary permit for a period not exceeding two years or (2) by a special permit for a specific purpose, after conducting a public hearing thereon, with due notice thereof by publication prior thereto. ORD. 284

5-407 A Limited Office District. A limited office district classification is established to provide for the development of offices for activities of limited contact with the general public, in a reasonable manner and in keeping with the general intent and spirit of the zoning regulations. The requirements of this classification shall not be interpreted or implemented in a manner that will adversely affect the uses of property immediately adjacent to the property proposed for a limited office district zoning, or that will be detrimental to the public welfare and the interests of the community. The plan for developments proposed under sub-classifications (2) and (3) of limited office districts shall present a unified and organized arrangement of buildings and service facilities which shall have a fundamental relationship to the properties comprising the proposed development.

ORD. 254 A

- I. SUB-CLASSIFICATIONS: There are hereby created three (3) sub-classifications of "Limited Office District" as follows:

passed
7/3/67

Sub-Classification (1)

To cover small tracts on which only one building will be erected (one-half acre minimum; up to, but not including three acres).

Sub-Classification (2)

To cover intermediate tracts on which one or more buildings will be erected (three acre minimum up to but not including ten acres).

Sub-Classification (3)

To cover large tracts on which two or more buildings will be erected (ten acres minimum).

- (a) The size of the sub-classifications of the limited office district as used above shall be exclusive of any dedicated highways, streets, alleys or other public ways or public property.
- (b) In order to qualify for any of the sub-classifications set forth above for limited office district zoning, the entire area in the sub-classification shall be in single ownership or legally binding control or under unified control and evidence thereof shall be furnished by any person, group or corporation seeking such zoning.

ORD. #353

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Each and every plan submitted under any of the above sub-classifications shall first have the approval of the planning commission before submission to the City Council for action.

II. OFFICES PERMITTED. Usage in Limited Office Districts shall be as follows:

(a) Office Buildings to be used only for the administrative functions of companies, corporations, social or philanthropic organizations or societies.

(b) Other offices limited to the following:

- Brokers
- Accountants
- Architects
- Engineers
- Lawyers
- Real Estate and Insurance Agencies
- Manufacturer's Agents

Any other administrative function that is approved by the Board of Zoning Appeals prior to use as being of a nature that has limited contact with the general public and that otherwise conforms to the intent and requirements of this article.

Customary accessory and incidental uses, except that there shall be no display or handling of products and merchandise other than as display and demonstration samples not visible from outside the building and no manufacturing.

- (c) Equipment, material or vehicles other than passenger motor vehicles shall not be stored outside a building in this district. The outside burning of trash and other waste or combustible materials shall be prohibited within this district.
- (d) Parking areas within Limited Office Districts may be used by employees and customers of retail districts, light or heavy industrial districts, or park-recreational-club districts, only to the extent that the parking area so occupied is specifically designated for this purpose and does not reduce the parking area provided for office facilities to less than the minimum requirements specified for Limited Office Districts. Use of parking areas within Limited Office Districts for other purposes not related to uses permitted within the district shall be prohibited.
- (e) The following usages may be permitted in sub-classifications (2) and (3) of this district if approved by the Board of Zoning Appeals after a public hearing to determine that they will not adversely effect the surrounding community.

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Laboratories and Research Facilities
Offices and Clinics of Doctors, Dentists, Psychologists
and similar professional individuals engaged in the treat-
ment of humans.

- (f) The normal business hours for Limited Office areas shall be within the period from 6:00 A.M. through 6:00 P.M. on Monday through Saturday. Occasional and infrequent usage during other periods shall be permissible. ORD. #254 A

III. LOCATIONS ENTIRELY WITHIN CITY. Property proposed for development as a Limited Office District shall abut a major thoroughfare that is capable of carrying the additional traffic generated by the development, and property proposed for zoning in sub-classification (1) shall either:

- (a) Abut an existing district zoned for purposes other than single or multifamily residential use, or
- (b) Have its largest dimension parallel to the major thoroughfare and abut a district zoned for single or multifamily residential purposes only at its rear and not more than one side. ORD. #353

IV. LOCATIONS PARTLY IN THE CITY. Any proposed Limited Office District, the location of which will include land both within and without the city limits, shall be considered in its entirety and the portion lying within the city limits will be considered as part of the entire development in the consideration of area, set-back, off-street parking, and land coverage requirements. If the major portion of the development is outside the city, and the governing body having jurisdiction over that portion of land has similar provisions for control of a Limited Office District, some of the requirements for Limited Office District pertaining to the presentation of a plan for that portion lying within the city may be varied or waived by the City plan commission, and its recommendations concerning the entire project may be forwarded to the above-mentioned governing body.

V. TYPE OF CONSTRUCTION.

- (a) The exterior design of all buildings and appurtenances shall be compatible with the style and materials predominant in developed districts adjacent to the proposed district and shall be approved by City Architect prior to construction. All construction shall be in accordance with existing building codes and fire ordinances.
- (b) In sub-classification (1) of this district, only buildings having an exterior design that is predominantly residential in character shall be permitted.

VI. HEIGHT REQUIREMENTS.

- (a) In sub-classification (1) of this district, the building shall not exceed one story.
- (b) Height of buildings in sub-classifications (2) and (3) of this district shall not exceed two stories excluding basements. ORD. #254 A
- (c) A basement is defined as a story having part but not more than one half the area of any given side above finished grade, but in any case not more than 5 feet may be exposed at any given point - a story being the height between the finished grade of one floor and the finished grade of the adjacent floor. ORD. #360.

VII. SETBACK REQUIREMENTS.

- (a) In sub-classification (1) of this district, there shall be a side yard on each side of the building not less than twenty (20) per cent of the width of the lot, except that such side yard shall not be less than fifteen (15) feet and need not be more than fifty (50) feet with the further exception that side yards abutting residentially zoned property shall not be less than thirty-five (35) feet, Rear yards shall not be less than 30 feet and front yards shall not be less than 35 feet. ORD. 254 A
- (b) In sub-classifications (2) and (3) of this district, all buildings or structures in the district shall be set back as follows:
 - 1. At least one hundred twenty five (125) feet from any boundary of a residentially zoned district.
 - 2. A minimum of one hundred (100) feet from the right-of-way line of the major thoroughfare.
 - 3. A minimum of one hundred (100) feet from their front lot lines.
 - 4. A minimum of fifty (50) feet from their side lot lines.
 - 5. A minimum of fifty (50) feet from their rear lot lines.

VIII. LOT AREA PER BUILDING UNDER SUB-CLASSIFICATIONS (2) and (3)

- (a) Lot area for building sites. Each building shall be situated on a lot with a net area of at least three (3) acres. The net area of any lot shall be the area bounded by the lot lines, the right of way line of any street adjoining the lot and the easement right of way line of any private access road adjoining the lot. Except as otherwise provided by VIII.b., each building site shall have a minimum frontage of three hundred (300) feet on a major thoroughfare, or three hundred (300) feet frontage on a private interior access road, when building sites are to be served by such

interior roads as proposed in a development plan.

- (b) Lot area for sub-lots of building sites. Any lot of a building site, which is platted in the preliminary plan to a net area of seven (7) or more acres, may be further subdivided, in the final plan, into not more than two (2) sub-lots, each of which shall have a net area of at least three (3) acres and each may be used for a building. Any building site lot so divided into sub-lots shall have direct access to a major thoroughfare or private interior access road, as required by VIII.(a). However, any sub-lot within the building site lot may have access by means of a private easement drive, to be made of record, through the adjoining sub-lot, as set forth for this district under provisions for interior access roads. ORD. #353

IX. INTERIOR ACCESS ROADS, SUB-CLASSIFICATIONS (2) AND (3).

- (a) When the approved plan includes private roads to serve as access to building site lots in the interior of the district, such private roads shall be established by easement, to be made of record. Where serving less than six (6) interior building site lots within the district, such private access road shall provide a pavement width of not less than twenty-six (26) feet, and where serving six (6) or more interior building site lots within the district, shall provide a pavement width of not less than thirty (30) feet. In addition to the above minimum pavement widths, such private roads shall provide easement for an additional ten (10) feet of right of way on the side of the pavement toward any interior building site lot served by such private road. Any such private road shall provide access to the interior of the district only from the major thoroughfare bordering the district. ORD. #254 A
- (b) Any building site lot which is divided into sub-lots, as set forth in VIII. (b)., may provide within the interior of the building lot area, a private easement driveway, to be made of record, and with a pavement width of not less than twenty (20) feet, to serve as access to any sub-lot. Such private easement driveway shall provide access to any sub-lot only from a major thoroughfare bordering the district or from a private access road within the interior of the district. ORD. #353

X. PARKING AREAS AND EXCEPTIONS.

- (a) Off-street parking shall be provided on the basis of six off-street parking places for each one thousand (1000) square feet of floor area including basement area devoted to the usages stated in Section 6 but excluding any area

ZONING REGULATIONS ART. 4.

devoted to dead storage, building mechanical equipment rooms and parking.

- (b) Off-street parking areas constructed on the ground surface shall not extend closer than six (6) feet from any property line except when such property line is also a dedicated street property line. In such case, there shall be a setback from such street property line of at least twenty-five (25) feet. For subclassification (2) and (3) off-street surface parking areas shall have a setback of at least ten (10) feet from the edge of the pavement of interior access roads. There shall be no yard requirements for sub-surface parking facilities except that any portion of a sub-surface parking structure which may extend above the ground surface shall observe the yard requirement for surface parking lots.
- (c) Along any property line abutting or adjoining a residentially zoned district there shall be a setback of at least twenty-five (25) feet, unless proponents have previously provided a setback in that amount or larger.
- (d) Parking compounds may be provided to serve more than one building, if they are located within six hundred (600) feet of the building or buildings they serve. All such parking compounds shall meet the required setbacks enumerated above.
- (e) The parking area shall be hard surfaced and surrounded on all sides where visible from a residential district, with a fence, wall or hedge at least six (6) feet in height that is sufficiently thick to serve the purpose of a screen and that shall be maintained in good condition.
- (f) The location and limitation of access streets and other area-ways for ingress and egress within the districts described within this Zoning Regulation shall be reserved to the Commission and to the approval of the City Council. Any plan for the proposed development shall present a unified and organized arrangement of such access streets and area-ways and shall be approved by the Commission and City Council before development may be commenced within the use district.
- (g) Exceptions to Parking Area Requirements. The Board of Zoning Appeals may modify any of the specific off-street parking requirements after a public hearing if undue hardship in complying with any of said provisions is shown. Before granting any modification of the requirements of this section, the board shall determine:

ZONING REGULATIONS ART. 4.

1. That the amount of off-street parking to be provided is reasonable in relation to the nature of the use to be served and that the number of parking spaces as required by this section is not compatible with the actual off-street parking requirements of the particular use because of unusual circumstances regarding any such use.
2. That any off-street parking proposed to be provided other than on the lot of the use to be served is reasonably located and readily accessible in relation to the use to be served and is reasonably related to surrounding uses of land and that said parking area is either within the same block or not more than five hundred (500) feet distant from the boundaries of the lot to be served.
3. That modification of any setback or yard requirement for the parking area or modification of any construction requirement is necessary because of unique or unusual circumstances which render the specific requirements of this section unreasonable and without benefit to surrounding property.

XI. EXTERIOR LIGHTING.

- (a) Flood Lighting of Buildings. Flood lights shall be mounted at ground level with the top of the fixture not over 2 feet above the ground and not more than 25 feet from the building. The light fixtures shall be concealed by low hedges, shrubbery, or walls, or by other suitable inconspicuous methods. Other methods of lighting exterior building surfaces may be used if approved by the City Architect as being of a substantially concealed type that will concentrate the radiated light predominantly on the building surfaces. Flashing or rapidly changing lighting shall not be permitted. Light intensity at the building surface shall not exceed 20 foot candles.
- (b) Parking Lot Lighting. Fixtures for the lighting of parking lots shall not be higher than 12 feet above the surface that they illuminate. The fixtures shall be designed, constructed and positioned so that their light radiation does not extend directly beyond the property line and so that the light intensity at the parking area surface does not exceed 1.5 foot candles. Parking lot lighting shall be turned off not later than 10:00 P.M.
- (c) The radiating elements of all lighting fixtures shall be mounted inside of suitable opaque shields, reflectors, etc.

ZONING REGULATIONS ART. 4.

XII. EXTERIOR SIGNS. Only one sign or nameplate shall be allowed, not over twenty (20) square feet in size, and giving the name only of the organizations occupying the building and located as approved by the Planning Commission. Any such sign affixed upon or against a canopy or wall of the building shall not extend above the roof line and shall be in harmony with the general architectural design of the structure to which it is affixed.

XIII. SUBMISSION OF PRELIMINARY AND FINAL PLANS. Plans and supplementary information shall be submitted in accordance with the following requirements:

Preliminary Plan -

The proponents of a Limited Office District shall prepare and submit a preliminary development plan to the Planning Commission for its inspection and review.

This preliminary plan of the property to be zoned as a Limited Office District, drawn to scale, shall show the boundaries of the property proposed to be zoned, the existing topography with contour intervals not greater than five (5) feet, unless waived by the Commission, and the proposed size, location and arrangement of buildings, parking area, with proposed arrangement of stalls and number of cars, entrance and exit driveways, and their relationship to existing and proposed streets, alleys and other public ways or public property, drainage plans and any additional information required by the Commission. The Plan shall show sufficient proposed control grades to interpret the intent of the developer. The preliminary plan shall also show the development of adjacent properties within two hundred (200) feet, including the location and type of buildings and structures thereon. If the Limited Office District is proposed in an unplatted area, the preliminary plan shall be accompanied by a plat, giving the full legal description of the boundaries of the property to be included in the areas sought to be zoned as a Limited Office District.

It shall also be accompanied by a plan, drawn to scale, showing the general arrangements of streets within the remainder of this ownership, which plat need not include more than one thousand (1000) feet from the boundaries of the area to be zoned as a Limited Office District.

The Developer shall indicate on the preliminary plan the stages which will be followed in the construction of the Limited Office District.

The proponents shall also submit whatever private covenants exist, or are to be placed by the proponents, on the property proposed for rezoning.

If this preliminary plan is found to be in substantial compliance with the intent of the requirements set forth in this section the Commission shall by resolution recommend that the Council provide for and establish a Limited Office District zoning for the land covered by the preliminary plan and as bounded in the plat.

ZONING REGULATIONS ART. 4.

Upon approval of the zoning change by the City Council, the proponent shall submit a final development plan to the Commission for its review and approval. The final development plan may be submitted separately for the first and each successive stage of construction.

Final Plan -

It shall be the responsibility of the Commission to determine that each stage, or all, of the final development plan conforms to the intent of the preliminary plan on which the zoning change was made. The Commission, having reviewed the final development plan, for any and all stages of the development, and finding that it conforms to the intent of the preliminary plan, shall approve such plan and recommend its approval to the City Council, and such plan shall be filed for record in the office of the City Clerk.

If, in the opinion of the Commission, the final development plan fails to conform to the intent of the preliminary plan such final development plan may be submitted to the Commission as an amended preliminary plan, upon which the Commission may, if it deems proper, advertise and hold a public hearing. All subsequent procedure shall be the same as for the original preliminary plan.

A final development plan, prepared for each successive stage, shall also be reviewed by the Commission and when approved shall be submitted to the City Council for approval and, if approved by the Council, shall be filed in the office of the City Clerk.

The proponents of a Limited Office District shall prepare and submit a schedule of construction in one or more stages which construction shall begin within a specified period following the approval of the final development plan or any stage thereof. Failure to begin the construction as scheduled shall void the plan, as approved, unless a request for an extension of time is made by the proponents to the Commission and Council and approved by both bodies. If, for any reason, the plan is abandoned, or if the construction is terminated during or after completion of any stage, and there is ample evidence that further development is not contemplated, the Commission may recommend to the City Council the rezoning of any remaining portion of the district to a suitable classification.

After the final development plan has been approved and the zoning change made, and when in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights or open spaces are requested by the proponents and such requests do not conform to the standards established by the approved final development plan such adjustments shall be approved by the Commission and the City Council.

The plan shall meet the requirements as to use, height, open spaces, off-street parking, methods of ingress and egress, and all other criteria applicable to the appropriate Limited Office District sub-classification described within this ordinance.

ZONING REGULATIONS ART. 4.

No building permit shall be issued for any construction in this district until the City Council has approved the final development plan covering the applicable stage of development and until the City Architect has reviewed the construction plans to be certain they conform to the final development plan and the proponent makes application for building permit as set forth in section 113.0 in the BOCA Code and other applicable sections as provided in City Ordinance #210.

ORD. #254A

5-408 PROHIBITIONS.

(a) No dwelling shall be constructed or converted or used for occupancy by more than a single family. ORD. #94

Bus. Zone

(b) No business building shall be erected in a residentially zoned district, nor shall any dwelling be converted to or used for any business purpose or character in a residentially zoned district, which business or service is secondary to the main use of the premises as a dwelling place or which changes the character thereof, or changes the appearance with signs, material or equipment, or emits noise, odor, or other nuisances or causes unusual pedestrian or vehicular traffic pertinent to such business occupation or service, or which business or service uses or requires employment by others than members of a family residing in the dwelling, or which business, occupation or service uses or requires stock in trade, or commodities for sale, or solicitation, which are located on the premises. ORD. NO. 333

(b-1) No person, firm, or corporation shall erect, maintain or use for residential purposes, either temporarily or permanently, any temporary or incompleated building, automotive equipment, trailer, garage or appurtenance incident to a family dwelling. ORD. NO. 334

(c) No incompleated building, structure or appurtenance shall be permitted or maintained for a period longer than six months.

(d) No building, structure or appurtenance damaged by fire or windstorm shall be permitted to remain in such damaged condition for a period longer than three months. Ord. #94

(e) No sign of any kind or description shall be placed or permitted to remain in any residence district or in any street adjacent thereto. This prohibition shall not apply to street markers, traffic signs and other appropriate signs displayed by the City of Leawood nor shall this prohibition apply to a sign not exceeding 100 square inches in area, upon which there shall be exhibited the street number, or emblem, picture or decal, in color or colors, or name of a resident, or both, or a contractor's job number. ORD. #282

70

Police Dept.

DATE:

5/2/69

SUBJECT:

Ord. #287

*Put in my
Ord. book by
hand over.*

Page 52b, paragraph (j)

Page 52b- (1), paragraph (1)

Message

A Mr. Robt. Chenoweth was contacted by one of our officers this morning concerning a complaint received about the trailer he has had parked on his property.

Mr. Chenoweth began a ~~we~~vegetation screen about 6 mos. after this ord. was passed. According to the City Attorney, he is completely complying with the ord. and can keep the trailer parked on his property all the time.

Mr. Chenoweth obtained Permit No. 1 - Trailer Parking on Premises today. We will keep a card file relating to this type of permit as we do for other permits. This will be available to you, as always.

SIGNED Jinny

Reply

TO

DATE:

*Can have trailer parked
on premises all the time
if screening is started
to comply with Ord.*

SIGNED

SENDER: RETAIN THIS COPY.

ZONING REGULATIONS ART. 4

(f) No building material, construction equipment, machinery, or refuse shall be maintained or kept in the open upon any lot, plot, tract or premise within a residence district other than during actual construction operations upon said premises or related premises.

(g) No building, structure or appurtenance, or any lot, plot, tract or premise shall be used or occupied for any of the following purposes, to wit: (1) junk yard, (2) tourist cabin or trailer camp, (3) slaughter house, poultry house, rendering or processing establishment, (4) multiple family residence, duplex apartment house, loding house or hotel, (5) tavern, saloon, liquor, wine or beer.

(h) No weeds or grass shall be permitted to exceed 12 inches in height in any platted area. No weeds or grass shall be permitted to exceed 12 inches in height within 100 feet of any paving in any unplatted area. Each property owner shall be responsible for areas between his property and the paving. Any person violating this subsection shall be given notice of such violation by the ^{* call} street commissioner. Such notice shall be sent by registered mail. Unless such condition is corrected within 10 days after such mailing the street commissioner shall cause to be cut the weeds and grass and such violator shall pay the City for the reasonable cost of such cutting, in an amount to be determined by the street commissioner. Liability for such cost shall be separate from, and in addition to any criminal penalties under section 5-501. *Police Clerk*

(i) The use of septic tanks for disposal of sewage from buildings hereafter erected or moved into the City of Leawood is prohibited, except in areas where sewer mains of a public or private sewer system are economically or physically impractical. In such cases use of septic tanks shall be subject to the approval of the Board of Zoning Appeals. Ord. 94.

← (j) PARKING OF CERTAIN VEHICLES IN RESIDENTIALLY ZONED AREAS AND EXCEPTIONS THERETO. Other than children's toys, garden carts or lawn equipment no wheeled vehicle, boats, helicopters, campers, trailers, mobile homes (self propelled or otherwise) or any other type of wheeled vehicle, other than private passenger cars, station wagons, motorcycles and bicycles, shall be parked or placed for a time exceeding fifteen (15) days during any three consecutive months in any area zoned for residential use or in the street adjacent thereto so that such prohibited vehicle or any part thereof is visible from the street in front of the residence or in the view of any adjoining property owners, whether from the side streets or from their residences or businesses. For the purposes of this ordinance a part of a day shall be considered a full day. This ordinance shall not apply to vehicles so parked during construction of a residence or addition thereto. It shall be unlawful for any person to occupy any camper or mobile home or permit such use thereof by another.

(k) PERMIT FOR ADDITIONAL TIME Upon application to the Board of Zoning Appeals and for good cause shown the Board of Zoning Appeals may grant in its discretion additional time during any three (3) consecutive months in which such prohibited vehicle may be parked or placed provided, however, if objections are received from two or more owners of separate properties who can view such prohibited vehicle from their premises no such permit shall be granted.

REAL ESTATE CH. V.

ZONING REGULATIONS ART. 4

(1) GRACE PERIOD The present owner or owners of any such prohibited vehicle shall have a period of one year after the effective date of this ordinance in which to construct an attached garage to house the same or otherwise screen the same from the visibility described in 5-408 (j) above and in the event of screening by vegetation such vegetation shall be planted within a period of one year from the effective date of this ordinance and shall effectively screen said prohibited vehicle within a period of three (3) years. All such screening by vegetation shall be located to the rear of the residence.

(m) PERMIT. The permit for such construction or screening shall be granted by the City Clerk after approval of the plans therefor by the City Architect. ORD. No. 287

5-409 NON CONFORMING USES. No provision of Articles 3, 4, 6, 7, 10 or 11 of this chapter shall apply to existing buildings, structures or appurtenances, nor to the existing use of any building, structure or appurtenance or land, at the time of the adoption of such provision, but the provisions of Articles 3, 4, 6, 7, 10 and 11 of this chapter shall apply to any alteration, change structural or otherwise, repair or restoration of a building, structure or appurtenance to provide for a purpose or a use in a manner different from the use or purpose to which it was put before such alteration, change, structural or otherwise, repair or restoration; provided nothing in Articles 3, 4, 6, 7, 10 and 11 of this chapter shall prevent the restoration or repairs of a building, structure, or appurtenance damaged not more than 50% of its value by fire, explosion, act of God or public enemy or prevent the continuance of the use of such building, structure or appurtenance, or part thereof, as such use existed at the time of such damage. A non-conforming use changed to a conforming use may not thereafter be changed back to a non-conforming use. When a non-conforming use has been discontinued for a period of six months, it shall not be re-established and future use shall be in conformity with the provisions of these articles 3, 4, 6, 7, 10 and 11 of this chapter, notwithstanding the purposes for which the premises were erected or used. Ord. 175

*Passed Jan. 2, 1968
Kron 15 app. necessary also
per RB*

No fence closer than 35' to front line

REAL ESTATE CH. V.

ZONING REGULATIONS ART. 4

PATIOS, COVERS OR ROOFS *am 9.25 9/24/69*

5-410 FENCES AND WALLS. No fence or wall, detached or attached to any building, shall be erected or constructed upon any lot, plot, tract or premises, unless the owner, contractor or duly authorized agent shall have first applied for and received from the City Clerk a permit therefor and except pursuant to the application upon which such permit is based. The fence and wall requirements shall be as follows: (a) No fence or wall shall exceed four (4') feet in height if located within ten (10') feet of any property line; (b) No fence or wall shall exceed four (4') feet in height if located at or in front of the front building line; (c) No fence or wall shall be located closer than 35' to the front property line, or closer than 35' to a side property line where the lot or tract is adjacent to a street on more than one side; (d) Fences or walls around swimming and/or bathing pools shall not be less than four (4') feet or more than six (6') feet in height. Such pool fences shall not be greater than 4' if located ten (10') feet or less from any property line. Pool fences, if greater than four (4') feet in height shall not be more than twenty (20') feet from the adjacent water's edge of the pool being fenced. (e) Privacy or screening fences shall be allowed provided that said privacy and screening fences shall not exceed six (6') feet in height and shall be constructed in an area not to exceed six (6') feet from the patio. All other sections and provisions shall be applicable to this section of the ordinance. All fences and walls must be suitable to and conforming with the improvements with respect to type and design. Application for such permit shall be filed with the City Clerk upon prescribed form setting forth the type, height and location of the fence or wall. No such permit will be issued by the City Clerk unless the applicant sets forth in reasonable detail all the information herein required and the information supplied conforms with the above regulations.

The Board may, in its discretion, when deemed advisable, authorize exceptions to the above regulation and restriction by (1) a special temporary permit for a period not exceeding two years, or (2) by a special permit for a specific purpose, after conducting a public hearing thereon with due notice thereof by publication prior thereto. ORD. #283.

5-411 DETACHED STRUCTURES. No garage, barn, doll house, tool shed, greenhouse or any other type of detached structure whose maximum height is greater than three (3) foot above the prevailing ground level, except a structure whose total ground area is 12 sq. ft. or less, shall be placed, built, or constructed on any lot, plot or tract within the City limits of Leawood, Kansas.

The Board of Zoning Appeals may, in its discretion, when deemed advisable, authorize exceptions to this regulation and restriction, by a special permit for a specific purpose, after conducting a public hearing thereon, with due notice thereof by publication in the official city newspaper prior thereto.

ORD. 174 *Nov 1960*

REAL ESTATE CH. V

ARTICLE 5 PENALTIES

5-501. PENALTIES FOR VIOLATION OF ARTICLES 3, 4 and 9. Any person, firm or corporation violating any of the provisions of articles 3, 4 and 9 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100 for such offense. Each and every day that such violation continues shall constitute a separate offense. Ord. 46

REAL ESTATE CH. V.

ARTICLE 6 BOARD OF ZONING APPEALS

5-601 BOARD OF ZONING APPEALS. There is hereby created a Board of Zoning Appeals consisting of five taxpayers and residents of the City. Ord. 321

5-602 TERMS. At the meeting at which this ordinance becomes effective, the Mayor shall, by and with the consent of the Council, appoint such members, two to serve until the first regular meeting of the City Council in the first succeeding month of May, two to serve until the first regular meeting in the second succeeding month of May and one to serve until the first regular meeting in the third succeeding month of May. Thereafter, members shall be so appointed at the first regular meeting in May of each year to serve for a term of three years. Vacancies shall be filled by appointment for the unexpired term. The members of such Board shall serve without compensation. Ord. 321.

5-603 POWERS. Such board is authorized to administer the details of the application of Article 4 of this chapter and regulations adopted in accordance with such Article 4 and to exercise the powers set forth in respect to such board and such articles. In the event a public hearing is necessary to administer such details of application, the person, firm or corporation requesting or causing said public hearing to be necessary, shall pay a fee of \$10.00 to the City of Leawood. Ord. 94

CORRECTED PAGE

REAL ESTATE CH. V

ARTICLE 7 VALIDITY OF CHAPTER

5-701 VALIDITY OF CHAPTER. Should any section, clause or provision of this chapter be invalid or unconstitutional, the same shall not affect the validity of the chapter as a whole, or any part thereof, other than the part so invalid or unconstitutional. Ord. 18

REAL ESTATE CH. V

ARTICLE 8 ANNEXATION OF TERRITORY

5-801 ANNEXATION OF TERRITORY. The following described unincorporated territory, to wit:

All that part of the West 69.209 acres of the Southeast Quarter of Section 27, Township 12, Range 25, in Johnson County, Kansas, described as follows: Beginning at the Northwest corner of said Quarter Section; thence Southerly along the West line of said Quarter Section a distance of 2650.18 feet to the Southwest corner of said Quarter Section; thence East along the South line of said Quarter Section a distance of 1143.93 feet to a point; thence North along a straight line a distance of 2644.42 feet to a point in the North line of said Quarter Section, said point being 181.25 feet West of the Northeast corner of the West half of said Quarter Section; thence West along the North line of said Quarter Section a distance of 1133.82 feet to the point of beginning;

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 33

5-802 EXTENSION OF ORDINANCES. The territory described in section 5-801, hereby annexed to The City of Leawood and made a part thereof, shall become subject to and the provisions of all ordinances of the city made applicable therein and thereto as of the 19th day of June, 1950. Ord. 33

5-803 SECOND ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

Commencing at a point in the north line of Section 10, Township 13, Range 25, Johnson County, Kansas which point is 3.33 chains west of the northwest corner of the northwest fractional quarter of Section 11, Township 13, Range 25, Johnson County, Kansas; thence east along said north line of Sections 10 and 11, to the northeast corner of fractional Section 11; thence south 18.59 chains to a stone on the north bank of Indian Creek; thence southwesterly along the north bank of Indian Creek to a point 27 chains south of the point of beginning; thence north to point of beginning, all in Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 48

5-804 SECOND EXTENSION OF ORDINANCES. The territory described in section 5-803, hereby annexed to The City of Leawood and made a part thereof, shall become subject to and the provisions of all ordinances of the city made applicable therein and thereto as of the 17th day of May, 1952. Ord. 48

REAL ESTATE CH. V

5-805 THIRD ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All that part of the East one-half of Section 3, Township 13, Range 25, lying westerly of the center line of Lee Blvd., Johnson County, Kansas and that part of Section 10, Township 13, Range 25, Johnson County, Kansas described as follows: Beginning 25 feet east of the northwest corner of the northeast quarter of Section 10, Township 13, Range 25, thence East along the north line of said northeast quarter a distance of 660 feet; thence south 660 feet; thence west a distance of 660 feet; thence north a distance of 660 feet to point of beginning, all in Johnson County, Kansas and the East one-half of the East one-half of the Southeast quarter of the Southwest quarter of Section 3, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 56

5-806 THIRD EXTENSION OF ORDINANCES. The territory described in section 5-805, hereby annexed to The City of Leawood and made a part thereof, shall become subject to and the provisions of all ordinances of the city made applicable therein and thereto as of the 12th day of December, 1952. Ord. 56

5-807 FOURTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All that part of the North 35 acres of the West 1/2 of the Northeast 1/4 of Section 27, Township 12, Range 25, Johnson County, Kansas, lying South of the center line of Somerset Road and the South 45 acres of the West 1/2 of the Northeast 1/4 of Section 27, Township 12, Range 25, Johnson County, Kansas, except the following described 10 acres more or less: Beginning at the Southwest corner of said Northeast 1/4; thence East along the South line of said Northeast 1/4 a distance of 635 feet to a point; thence North and at right angles to the said South line of Northeast 1/4 a distance of 689.26 feet to a point; thence West and parallel to the South line of said Northeast 1/4 to the West line of said Northeast 1/4; thence South along the West line of said Northeast 1/4 to the point of beginning, all in Johnson County, Kansas, except parts thereof in public roads or highways.

The Southeast 1/4 of the Northwest 1/4 of Section 27, Township 12, Range 25, in Johnson County, Kansas:

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 73

5-808 FOURTH EXTENSION OF ORDINANCES. The territory described in section 5-807 hereby annexed to The City of Leawood and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 17th day of July 1954. Ord. 73

REAL ESTATE CH. V

5-809 FIFTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

The South Half of the NW $\frac{1}{4}$ of Section 34, Township 12, Range 25, in Johnson County, Kansas, and
The North 30 acres of the SW $\frac{1}{4}$ of Section 34, Township 12, Range 25, in Johnson County, Kansas, and
The East 15 acres of the South 30 acres of the North 60 acres of the SW $\frac{1}{4}$ of Section 34, Township 12, Range 25, Johnson County, Kansas, and
The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the East $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the South $\frac{1}{4}$ of the North $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 34, Township 12, Range 25, except about 2 acres described as follows: Beginning at a point 13 chains 15 links east of the SW corner of said Section 34, running thence North 3 chains 25 links, thence east 6 chains 15 links, thence South 3 chains 25 links, thence West 6 chains 15 links to the point of beginning, and except that part described as follows: All that part of the SW $\frac{1}{4}$ of Section 34 beginning at the SE corner of said Quarter Section; thence North along the East line of said Quarter Section a distance of 1658.36 ft; thence West and parallel to the South line of said Quarter Section a distance of 685 feet; thence South and parallel to the East line of said Quarter Section a distance of 1658.36 feet to a point in the South line of said Quarter Section; Thence East a distance of 685 feet to the point of beginning, and except that part described as follows: Point of beginning shall be 662.52 feet East of SW corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34, Township 12, Range 25, thence North and parallel to West line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ 663.60 feet to a point, thence East and parallel to South line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ 200 feet, thence South and parallel to West line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ to South line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$, thence West along South line of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ to point of beginning, all in Section 34, Township 12, Range 25, Johnson County, Kansas, and
All that part of the East $\frac{1}{2}$ of Section 10, and all that part of Fractional Section 11, Township 13, Range 25, in Johnson County, Kansas described as follows: Beginning at the northwest corner of the NE $\frac{1}{4}$ of said Section 10; thence east along the north line of said Sections 10 and 11 to the northeast corner of said fractional Section 11, said corner being the State line between Kansas and Missouri; thence south along said State line and along the east line of said fractional Section 11, 1226.94 ft. to a point on the north bank of Indian Creek; thence in a westerly and south-westerly direction along the northerly bank of Indian Creek to its intersection with a line 1782 ft. south of the north line of said Section 10; thence west along a line 1782 ft. south of and parallel with the north line of said Section 10, 30 ft. more or less to a point 2418.5 ft. east of the west line of the NE $\frac{1}{4}$ of said Section 10; thence south along a line 2418.5 ft. east of and parallel with the west line of the east half of said Section 10; 2018.02 ft. more or less to a point 200 ft. north of the south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10; thence west along a line 200 ft. north of and parallel with the south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10, 313.16 ft. more or less to a point 548.0 ft. west of and parallel with the east line of said

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Section 10; thence south along a line 548.0 ft. west of and parallel with the east line of said Section 10; 200 ft. to the south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10; thence west along the south line of the north $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10, 2105.7 ft. more or less to the SW corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10; thence north 3995 feet more or less to the point of beginning; Also a strip of land in the E $\frac{1}{2}$ of said Section 10, described as follows: Beginning at a point 2418.5 feet east of the west line of the E $\frac{1}{2}$ of said section 10 and 1782 ft. south of the north line of Section 10; thence south along a line 2418.5 ft. east of and parallel with the west line of the E $\frac{1}{2}$ of said Section 10, 2018.02 ft. more or less to a point 200 ft. north of the south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10; thence east along a line 200 ft. north of and parallel with the south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10, 19 ft. to a fence; thence north along said fence, which fence is 2428.5 ft. east of the west line of the E $\frac{1}{2}$ of said Section 10 at the south line of the NE $\frac{1}{4}$ of said Section 10; thence continuing north along said fence 884.68 ft. more or less to a point 1782 ft. south of the north line and 2427.3 ft. east of the west line of the NE $\frac{1}{4}$ of said Section 10; thence west 8.8 ft. to beginning, except that part of the above described property previously deeded to Anna Lois Dubach, and that part of above described property previously deeded to Kroh Bros., Inc., all in Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 75

5-810 FIFTH EXTENSION OF ORDINANCES. The territory described in section 5-809 hereby annexed to The City of Leawood and made a part thereof, shall become subject to the provisions of all ordinances of The City made applicable therein and thereto as of the 19th day of February, 1955. Ord. 75

5-811 SIXTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

The Northeast 1/4 of the Southwest 1/4 of Section 3, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 110

5-812 SIXTH EXTENSION OF ORDINANCES. The territory described in section 5-811 hereby annexed to The City of Leawood and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 1st day of June, 1957. Ord. 110

5-813 SEVENTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All that part of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3, Township 13, Range 25, in Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof and the limits of the City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 117

5-814 SEVENTH EXTENSION OF ORDINANCES. The territory described in Section 5-813 hereby annexed to The City of Leawood and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 1st day of October, 1957. Ord. 117

5-815 EIGHTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 12, Range 25, except that part embraced within and platted as Somerset Acres North and all of Somerset Acres North a sub-division according to the recorded plat thereof all in Johnson County, Kansas

is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 123

5-816 EIGHTH EXTENSION OF ORDINANCES. The territory described in Section 5-815 hereby annexed to The City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 3rd day of March, 1958. Ord. 123

5-817 NINTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

The West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3, Township 13, Range 25, Johnson County, Kansas

The East 128 feet of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 134

5-818 NINTH EXTENSION OF ORDINANCES. The territory described in Section 5-817 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 3rd day of November, 1958. Ord. 134

5-819 TENTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All of that part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 34, Township 12, Range 25, Johnson County, Kansas described as follows: Beginning at the Wouth-west corner of said $\frac{1}{4}$ $\frac{1}{4}$ Section; thence North 0 degrees 23 minutes East, along the West line of said $\frac{1}{4}$ $\frac{1}{4}$ Section, a distance of 775 feet; thence North 90 degrees East a distance of 185 feet; thence North 0 degrees 23 minutes East a distance of 85.31 feet; thence Northerly along a curve to the right with a radius of 291.08 feet, a distance of 421.23 feet; thence North 83 degrees 18 minutes East a distance of 208.06 feet; thence along a curve to the right with a radius of 277.04 feet, being tangent to the last mentioned course, a distance of 371.67 feet; thence North 69 degrees 33 minutes 20 seconds East a distance of 211.21 feet to a point on the West line of Leawood, according to the recorded plat thereof; thence South 0 degrees 22 minutes West along said West line of Leawood a distance of 1064.1 feet to a point on the South line of said $\frac{1}{4}$ $\frac{1}{4}$ Section; thence South 90 degrees West along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 1138.4 feet, to the point of beginning.

is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 135

5-820 TENTH EXTENSION OF ORDINANCES. The territory described in Section 5-819 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 22nd day of December, 1958. Ord. 135

5-821 ELEVENTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

All that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 12, Range 25, Johnson County, Kansas, not previously annexed under Ordinance No. 135, for the City of Leawood, Kansas, more particularly described as follows:

Beginning at the NW corner of said $\frac{1}{4}$ $\frac{1}{4}$ section; thence South 0 degrees 23 minutes West along the West line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 549 feet to the Northwest Corner of Lot 7, "Leawood Hills" as previously recorded; thence North 90 degrees East along the North line of said Lot 7 a distance of 185 feet to the Northeast corner of said Lot 7; thence North 0 degrees 23 minutes East a distance of 85.31 feet; thence Northerly along a curve to the right with a radius of 291.08 feet, a distance of 421.23 feet; thence North 83 degrees 18 minutes East a

A distance of 208.06 feet; thence along a curve to the right with a radius of 277.04 feet (being tangent to the last mentioned course) a distance of 371.67 feet; thence North 69 degrees 33 minutes 20 seconds East a distance of 211.21 feet to a point on the West line of LEAWOOD according to the recorded plat thereof; thence North 0 degrees 22 minutes East along said West line of LEAWOOD a distance of 264.6 feet to a point on the North line of said $1/4$ $1/4$ Section; thence South 89 degrees 45 minutes 45 seconds West along the North line of said $1/4$ $1/4$ section a distance of 1138.60 feet to the Point of Beginning.

Is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of The City of Leawood, Kansas are hereby extended and enlarged to as to include said territory. Ord. 135-A

5-822 ELEVENTH EXTENSION OF ORDINANCES. The territory described in Section 5-821 hereby annexed to The City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 22nd day of December, 1958. Ord. 135-A

5-823 TWELFTH ANNEXATION OF TERRITORY. The following unincorporated territory, to-wit:

10 Acres more or less, described as follows:
Beginning at the Southwest corner of the Northeast $1/4$ of Section 27, Township 12, Range 25; thence East along the South line of said Northeast $1/4$ a distance of 635 feet to a point; thence North and at right angles to the said South line of the Northeast $1/4$ a distance of 689.26 ft. to a point; thence West and parallel to the South line of said Northeast $1/4$ to the west line of said Northeast $1/4$; thence South along the West line of said Northeast $1/4$ to the point of beginning, all in Johnson County, Kansas

is hereby annexed to The City of Leawood and made a part thereof, and the limits of The City of Leawood are hereby extended and enlarged so as to include said territory. Ord. 143

5-824 TWELFTH EXTENSION OF ORDINANCES. The territory described in Section 5-823 hereby annexed to The City of Leawood and made a part thereof, shall become subject to the provisions of all ordinances of the city made applicable therein and thereto as of the 27th day of April, 1959. Ord. 143

5-825 THIRTEENTH ANNEXATION OF TERRITORY. The following described unincorporated territory, to-wit:

Beginning at the Southeast corner of the Southwest quarter of Section 34, Township 12, Range 25 in Johnson County, Kansas thence North along the East line of said quarter section a distance of 1,658.36 feet; thence West and parallel to the South line of said quarter section a distance of 685.00 feet; thence South and parallel to the East line of said quarter section a distance of 1,658.36 feet to a point in the South line of said quarter section; thence East along said South line a distance of 685.00 feet to the point of beginning

is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-826 THIRTEENTH EXTENSION OF ORDINANCES. The territory described in Section 5-825 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of December, 1959. Ord. 151

5-827 FOURTEENTH ANNEXATION OF TERRITORY. The following described unincorporated territory, to-wit:

That part of the West one-half (W 1/2) of the Southwest quarter (SW 1/4) of Section 3, Township 13, Range 25, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of the West 1/2 of said quarter section; thence West along the North line of said half quarter section a distance of 1324.99 feet, more or less, to the Northwest corner of said quarter section; thence South along the West line of said quarter section a distance of 400 feet to a point; thence East and parallel to the North line of said quarter section a distance of 942.50 feet, more or less, to a point 382 feet West of the East line of said half quarter section, drawn parallel thereto; thence South and parallel to the East line of said half quarter section a distance of 1050 feet to a point; thence Southeasterly along a line which line deflects 54 degrees 51 minutes 41 seconds to the left from the last described course a distance of 65.94 feet to a point; thence South and parallel to the East line of said half quarter section which line deflects 54 degrees 51 minutes 41 seconds to the right from the last described course a distance of 250 feet to a point; thence East and parallel to the North line of said half quarter section a distance of 200 feet, more or less, to the Southwest corner of Lot 761,

Leawood Estates, as now established; thence North along the West line of Lots 761 and 760, Leawood Estates, a distance of 410.49 feet to the Northwest corner of Lot 760, Leawood Estates, as now established; thence East along the North line of said Lot 760 a distance of 128.01 feet to the East line of said half quarter section; thence North along the East line of said half quarter section a distance of 1325.08 feet to the point of beginning, except that part along the West side thereof as used for public road purposes

is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-828 FOURTEENTH EXTENSION OF ORDINANCES. The territory described in Section 5-827 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 4th day of January, 1960. Ord. 153

5-829 FIFTEENTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory having consented to the annexation thereof, to-wit:

All that part of the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of Section 10, Township 13, Range 25, Johnson County, Kansas, described as follows: Beginning at the NE corner of said half Section 10; thence south along the east line of said half section which line has a bearing of S 00 degrees 12 minutes West a distance of 2663.77 feet to the center of Section 10; thence South along the East line of said half section which line has a bearing of S 00 degrees 12 minutes West a distance of 1373.33 feet to a point; thence NW along a line having a bearing of N 75 degrees 10 minutes 46 seconds W a distance of 342.70 feet to a point; thence SW along a line having a bearing of S 82 degrees 58 minutes 04 seconds West a distance of 135 feet to a point; thence SW along a line having a bearing of S 67 degrees 59 minutes, 04 seconds West, a distance of 195 feet to a point; thence SW along a line having a bearing of S 78 degrees 07 minutes 04 seconds W a distance of 170 feet to a point; thence NW along a line having a bearing of N 54 degrees 25 minutes 56 seconds W a distance of 145 feet to a point; thence NW along a line having a bearing of N 13 degrees 30 minutes 26 seconds W a distance of 185 feet to a point; thence NW along a line having a bearing of N 41 degrees 21 minutes 26 seconds W, a distance of 195 feet to a point; thence NW along a line having a bearing of N 64 degrees 19 minutes 26 seconds West, a distance of 243.20 feet to a point in the West line of the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of said section which point is 1769.30 feet north of the south line

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of said Section 10; thence north along the W line of said half quarter section a distance of 3558.08 feet to the north line of said Section 10; thence east along the north line of said Section 10 1323.20 feet to the point of beginning, except that part along the north side thereof as taken for public road purposes

is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 154

5-830 FIFTEENTH EXTENSION OF ORDINANCES. The territory described in Section 5-829 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 9th day of January, 1960. Ord. 154

5-831 SIXTEENTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory having consented to the annexation thereof, to-wit:

The west fifteen (15) acres of the South thirty (30) acres of the North sixty (60) acres of the Southwest quarter (SW $\frac{1}{4}$) of Section 34, Township 12, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 155

5-832 SIXTEENTH EXTENSION OF ORDINANCES. The territory described in Section 5-831 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 9th day of January, 1960. Ord. 155

5-833 SEVENTEENTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory having consented to the annexation thereof, to-wit:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 12, Range 25

is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 156

5-834 SEVENTEENTH EXTENSION OF ORDINANCES. The territory described in Section 5-833 hereby annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 9th day of January, 1960. Ord. 156

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5-835 EIGHTEENTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the North 35 acres of the W 1/2 of the SW 1/4 of Section 10, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of the SW 1/4 of said Section 10; thence East, along the North line of the W 1/2 of the SW 1/4 of said Section 10, to the Northeast corner thereof; thence South, along the East line of the W 1/2 of the SW 1/4 of said Section 10, to the Southeast corner of the North 35 acres of the W 1/2 of the SW 1/4 of said Section 10; thence West, along the South line of the North 35 acres of the W 1/2 of the SW 1/4 of said Section 10, to the Southwest corner thereof; thence North, along the West line of the SW 1/4 of said Section 10, to the point of beginning; and

All of the South 45 acres of the W 1/2 of the SW 1/4 of Section 10, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southwest corner of the SW 1/4 of said Section 10; thence North, along the West line of the SW 1/4 of said Section 10, to the Northwest corner of the South 45 acres of the W 1/2 of the SW 1/4 of said Section 10; thence East, along the North line of the South 45 acres of the W 1/2 of the SW 1/4 of said Section 10, to the Northeast corner thereof; thence South, along the East line of the W 1/2 of the SW 1/4 of said Section 10, to the Southeast corner thereof; thence West, along the South line of the SW 1/4 of said Section 10, to the point of beginning; and

A part of the SE 1/4 of Section 9, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the SE 1/4 of said Section 9; thence North, along the East line of the SE 1/4, a distance of 1293.01 feet, to a point in the right-of-way of a public road, as said road is now constructed and used; thence Westerly, Southwesterly and Southerly, along the right-of-way of a public road, as said road is now constructed and used, to its intersection with the South line of the SE 1/4 of said Section 9; thence East, along the South line of the SE 1/4 of said Section 9, to the point of beginning.

Is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-836 EIGHTEENTH EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-835 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 15th day of March 1965. Ord. 234

5-837 NINETEENTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the NW 1/4, except the North 1499.35 feet of the West 450 feet thereof; and all of the NW 1/4 of the SW 1/4 of Section 15, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of the NW 1/4 of said Section 15; thence South, along the East line of the NW 1/4 of said Section 15, to the Southeast corner thereof; thence West, along the South line of the NW 1/4 of said Section 15, to the Northeast corner of the NW 1/4 of the SW 1/4 of said Section 15; thence South, along the East line of the NW 1/4 of the SW 1/4 of said Section 15, to the Southeast corner thereof; thence West, along the South line of the NW 1/4 of the SW 1/4 of said Section 15, to the Southwest corner thereof; thence North, along the West line of said Section 15, to a point 1499.35 feet South of the Northwest corner thereof; thence East, along a line parallel to the North line of the NW 1/4 of said Section 15, a distance of 450 feet; thence North, along a line 450 feet East of and parallel to the West line of the NW 1/4 of said Section 15, a distance of 1499.35 feet, to a point on the North line of the NW 1/4 of said Section 15; thence East, along the North line of the NW 1/4 of said Section 15, to the point of beginning.

Is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-838 NINETEENTH EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-837 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 15th day of April, 1965. Ord. 235

5-839 TWENTIETH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

A part of the E 1/2 of the SW 1/4 of Section 10, Township 13, Range 25, Johnson County, Kansas, described as follows:

Beginning at a point of the West line of the E 1/2 of the SW 1/4 of said Section 10, said point being 337.8 feet North of the South line of said Section 10; thence North, along the West line of the E 1/2 of the SW 1/4 of said Section 10, a distance of 1431.5 feet; thence Southeasterly, along a line that makes an angle of 64° 31' 30" with the West line of the E 1/2 of the SW 1/4 of said Section 10, a distance of 243.2 feet; thence Southeasterly, along a line that deflects 22° 58' to the right from the last described course, a distance of 195 feet; thence Southeasterly, along a line that deflects 27° 51' to the right from the last described course, a distance of 185 feet; thence Southeasterly, along a line that deflects 40° 55' 30" to the left from the last described course, a distance of 145 feet; thence Northeasterly, along a line that deflects 47° 27' to the left from the last described course, a distance of 170 feet; thence Northeasterly, along a line that deflects 10° 08' to the left from the last described course,

a distance of 195 feet; thence Northeasterly, along a line that deflects $14^{\circ} 59'$ to the right from the last described course, a distance of 135 feet; thence Southeasterly, along a line that deflects $21^{\circ} 51' 10''$ to the right from the last described course, a distance of 342.70 feet, to a point on the East line of the SE $1/4$ of the SW $1/4$ of said Section 10 and 42.4 feet South of the Northeast corner thereof; thence South, along the East line of the SW $1/4$ of said Section 10, a distance of 335 feet; thence Southwesterly, along a line that deflects $29^{\circ} 24'$ to the right from the last described course, a distance of 309.3 feet; thence Southwesterly, along a line that deflects $7^{\circ} 38'$ to the left from the last described course, a distance of 160 feet; thence Southwesterly, along a line that deflects $5^{\circ} 18'$ to the left from the last described course, a distance of 160 feet; thence Southwesterly, along a line that deflects $4^{\circ} 32'$ to the right from the last described course, a distance of 150 feet; thence Southwesterly, along a line that deflects $2^{\circ} 28'$ to the left from the last described course, a distance of 257.4 feet, to a point on the South line of the SW $1/4$ of said Section 10; thence West, along the South line of the SW $1/4$ of said Section 10, a distance of 272.2 feet thence North, along a line perpendicular to the South line of the SW $1/4$ of said Section 10, a distance of 242 feet; thence Northwesterly, along a line that deflects $83^{\circ} 51'$ to the left from the last described course, a distance of 170 feet; thence Northwesterly, along a line that deflects $10^{\circ} 33'$ to the right from the last described course, a distance of 317 feet; thence Westerly, along a line that deflects $16^{\circ} 58'$ to the left from the last described course, a distance of 85 feet; thence Westerly, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-840 TWENTIETH EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-839 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the third day of May, 1965. Ord. 236

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5-841 TWENTY-FIRST ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

All of the SW 1/4 of the SW 1/4 of Section 15, Township 13,
Range 25, Johnson County, Kansas,

is hereby annexed to the City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 237

5-842 TWENTY-FIRST EXTENSION OF ORDINANCES. The territory described in Section 5-841 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 7th day of June, 1965. Ord. 237

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5-843 TWENTY SECOND ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

Tract 1: All of the North 260 feet of the West 415 feet of the East 997.315 feet of the NE $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line of the NE $\frac{1}{2}$ of said Section 16 and 582.315 feet West of the Northeast corner thereof; thence West, along the North line of the NE $\frac{1}{4}$ of said Section 16, a distance of 415 feet; thence South, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Section 16, a distance of 260 feet; thence East, along a line parallel to the North line of the NE $\frac{1}{4}$ of said Section 16, a distance of 415 feet; thence North, along a line parallel to the East line of the NE $\frac{1}{4}$ of said section 16, a distance of 260 feet, to the point of beginning.

Tract 2: A part of the NE $\frac{1}{2}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NE $\frac{1}{4}$ of said Section 16; thence West, along the North line of the NE $\frac{1}{4}$ of said Section 16, a distance of 582.315 feet; thence South, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Section 16, a distance of 260 feet; thence West, along a line parallel to the North line of the NE $\frac{1}{4}$ of said Section 16, a distance of 415 feet; thence South, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Section 16, to a point on the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said section 16; thence West, along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{2}$ of said Section 16, to the Northwest corner thereof; thence South, along the West line of the E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of said Section 16, to the Southwest corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16; thence East along the South line of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence North, along the East line of the NE $\frac{1}{2}$ of said Section 16, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory. Ord. 240

5-844 TWENTY-SECOND EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-843 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 19th day of July, 1965. Ord. 240

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5-845 TWENTY-THIRD ANNEXATION OF TERRITORY. SECTION 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

Tract 1: A square tract of land containing $1\frac{1}{2}$ acres in the northwest corner of the NW $\frac{1}{4}$ of Sec. 22, Township 13, Range 25, Johnson Co., Ks. more particularly described as follows: Beginning at the NW corner of the NW $\frac{1}{4}$ of said Sec. 22; thence East, along the North line of the NW $\frac{1}{4}$ of said Sec. 22, a distance of 255.617 feet; thence South, along a line parallel to the West line of the NW $\frac{1}{4}$ of said Sec. 22, a distance of 255.617 feet; thence West, along a line parallel to the North line of the NW $\frac{1}{4}$ of said Sec. 22, a distance of 255.617 feet; thence North, along the West line of the NW $\frac{1}{4}$ of said Sec. 22, a distance of 255.617 feet, to the point of beginning.

Tract 2: A part of the NE $\frac{1}{4}$ of Sec. 21, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the NE corner of the NE $\frac{1}{4}$ of said Sec. 21; thence South, along the East line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 339.9 feet; thence West, a distance of 735 feet; thence North, a distance of 189.1 feet, to a point in the centerline of Tomahawk Creek, as now established; thence in a Northeasterly direction, along the centerline of said Tomahawk Creek, to a point on the North line of the NE $\frac{1}{4}$ of said Sec. 21; thence East, along the North line of the NE $\frac{1}{4}$ of said Sec. 21, to the point of beginning.

Tract 3: All of the North 330 feet of the South 990 feet of the East 735 feet of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 21, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at a point on the East line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21 and 990 feet North of the Southeast corner thereof; thence South, along the East line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 330 feet; thence West, along a line parallel to the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 735 feet; thence North, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 330 feet; thence East, along a line parallel to the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 735 feet, to the point of beginning.

Tract 4: All of the South 660 feet of the East 735 feet of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 21, Township 13, Range 25, Johnson County, Ks., more particularly described as follows: Beginning at the Southeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21; thence North, along the East line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 660 feet; thence West, along a line parallel to the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 735 feet; thence South, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 660 feet; thence East, along the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 735 feet, to the point of beginning.

Tract 5: A part of the E $\frac{1}{2}$ of Sec. 21, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the Southeast corner of the SE $\frac{1}{4}$ of said Sec. 21; thence West, along the South line of the SE $\frac{1}{4}$ of the SE $\frac{1}{2}$ of said Sec. 21, to the Southwest corner thereof; thence North, along the West line of the SE $\frac{1}{2}$ of the SE $\frac{1}{2}$ of said Sec. 21, to the Northwest corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of the SE $\frac{1}{2}$ of said Sec. 21, to the Southwest corner thereof; thence North, along the West line of the N $\frac{1}{2}$ of the SE $\frac{1}{2}$ of said Sec. 21, to the Northwest corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 170 feet; thence ^{East} along a line perpendicular to the West line of the NE $\frac{1}{4}$ of said Sec. 21, a distance of 150 feet; thence continuing along a line that deflects 18° to the left from the last described course, a distance of 115.51 feet; thence continuing along a line that deflects 44° to the left from the last described course, a distance of 198.8 feet; thence continuing along a line that deflects 47° 20' to the right from the last described course, a distance of 460.14 feet; thence continuing along a line that deflects 57° 10' 30" to the left from the last described course, a distance of 605.19 feet; thence continuing along a line that deflects 18° 05' 30" to the left from the last described course, a distance of 537.85 feet; thence continuing along a line that deflects 90° to the left from the last described course, a distance of 74.13 feet; thence continuing along a line that deflects 116° 30' to the right from the last described course, a distance of 302.87 feet; thence continuing along a line that deflects 82° 57' to the right from the last described course, a distance of 205.02 feet; thence continuing along a line that deflects 81° 44' 30" to the left from the last described course, a distance of 241.41 feet; thence continuing along a line that deflects 14° 04' to the left from the last described course, a distance of 352.90 feet; thence continuing along a line that deflects 36° 26' to the right from the last described course, a distance of 140.71 feet; thence continuing along a line that deflects 43° 56' 30" to the right from the last described course, a distance of 296.34 feet; thence continuing along a line that deflects 39° 43' 41" to the left from the last described course, a distance of 97.74 feet, to a point 735 feet West of the East line of the NE $\frac{1}{4}$ of said Sec. 21; thence South, along a line parallel to the East line of the NE $\frac{1}{4}$ of said Sec. 21, to a point on the North line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21; thence East, along the North line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 21, to the Northeast corner thereof; thence South, along the East line of Said Sec. 21, to the point of beginning.

Tract 6: All of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 28, Township 13, Range 25, Johnson Co., Ks., and a part of the W $\frac{1}{2}$ of Sec. 27, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the Northwest corner of the NW $\frac{1}{4}$ of said Sec. 27; thence East, along the North Line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Sec. 27, to the Northeast corner thereof; thence South, along the East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Sec. 27, to the Southeast corner thereof; thence

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Tract 6, Continued; East, along the North line of the S $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Sec. 27, to the Northeast corner thereof; thence South, along the East line of the S $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Sec. 27, to the Southeast corner thereof; thence South, along the East line of the N $\frac{1}{2}$ of the NE $\frac{1}{2}$ of the SW $\frac{1}{2}$ of said Sec. 27, to the Southeast corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of the NE $\frac{1}{2}$ of the SW $\frac{1}{2}$ of said Sec. 27, to the Southwest corner thereof; thence South, along the East line of the NW $\frac{1}{2}$ of the SW $\frac{1}{2}$ of said Sec. 27, to the Southeast corner thereof; thence West, along the South line of the NW $\frac{1}{2}$ of the SW $\frac{1}{2}$ of said Sec. 27, to the Southwest corner thereof; thence North, along the West line of the NW $\frac{1}{2}$ of the SW $\frac{1}{2}$ of said Sec. 27, to the Northwest corner thereof; thence West, along the South line of the E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of said Sec. 28, to the Southwest corner thereof; thence North, along the West line of the E $\frac{1}{2}$ of the NE $\frac{1}{2}$ of said Sec. 28, to the Northwest corner thereof; thence East, along the North line of the NE $\frac{1}{2}$ of said Sec. 28, to the point of beginning.

Tract 7: All of the SW $\frac{1}{2}$ of Sec. 22, Township 13, Range 25, Johnson Co., Ks., and all of the NE $\frac{1}{4}$ of the NW $\frac{1}{2}$ of Sec. 27, Township 13, Range 25, Johnson Co., Ks., and all of the NE $\frac{1}{4}$ of said Sec. 27, and all of the N $\frac{1}{2}$ of Fractional Sec. 26, Township 13, Range 25, Johnson Co., Ks., except the East 330 feet of the North 1320 feet thereof, more particularly described as follows: Beginning at the Northwest corner of the SW $\frac{1}{2}$ of said Sec. 22; thence East, along the North Line of the SW $\frac{1}{2}$ of said Sec. 22, to the Northeast corner thereof; thence South, along the East line of the SW $\frac{1}{2}$ of said Section 22, to the Southeast corner thereof; thence East, along the North line of the NE $\frac{1}{2}$ of said Sec. 27, to the Northeast corner thereof; thence continuing East, along the North Line of said Fractional Sec. 26, to a point 330 feet East of the Northeast corner thereof; thence South, along a line parallel to the East line of said Fractional Section 26, a distance of 1320 feet; thence East, along a line parallel to the North line of said Fractional Sec. 26, a distance of 330 feet, to a point on the East line of said Fractional Sec. 26; thence South along the East line of the N $\frac{1}{2}$ of said Fractional Sec. 26, to the Southeast corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of said Fractional Section 26, to the Southwest corner thereof; thence continuing West, along the South line of the NE $\frac{1}{2}$ of said Sec. 27, to the Southwest corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ of said Sec. 27, to the Southeast corner of the NE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Sec. 27; thence West, along the South line of the NE $\frac{1}{4}$ of the NW $\frac{1}{2}$ of said Sec. 27, to the Southeast corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ of the NW $\frac{1}{2}$ of said Sec. 27, to the Northwest corner thereof; thence West, along the South line of the SW $\frac{1}{2}$ of said Sec. 22, to the Southwest corner thereof; thence North, along the West line of the SW $\frac{1}{2}$ of said Sec. 22, to the point of beginning.

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Tract 8: All of the South 660 feet of the North 1320 feet of the East 330 feet of Fractional Sec. 26, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at a point on the East line and 660 feet South of the Northeast corner of said Fractional Sec. 26; Thence West, along a line parallel to the North line of said Fractional Sec. 26, a distance of 330 feet; thence South, along a line parallel to the East line of said Fractional Sec. 26, a distance of 660 feet; thence East, along a line parallel to the North line of said Fractional Sec. 26, a distance of 330 feet, to a point on the East line of said Fractional Sec. 26; thence North, along the East line of said Fractional Sec. 26, said line being the East line of the State of Ks., a distance of 660 feet, to the point of beginning.

Tract 9: All of the North 660 feet of the East 330 feet of Fractional Sec. 26, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the Northeast corner of said Fractional Sec. 26; thence West, along the North line of said Fractional Sec. 26, a distance of 330 feet; thence South, along a line parallel to the East line of said Fractional Sec. 26, a distance of 660 feet; thence East, along a line parallel to the North line of said Fractional Sec. 26, a distance of 330 feet, to a point on the East line of said Fractional Sec. 26; thence North, along the East line of said Fractional Sec. 26, said line also being the East line of the State of Kansas, a distance of 660 feet, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-846 TWENTY-THIRD EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-845 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 7th day of September, 1965. ORD. 241

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5-847 TWENTY*FOURTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

Tract 1: A part of the W $\frac{1}{2}$ of Sec. 21, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the Southeast corner of the W $\frac{1}{2}$ of said Sec. 21; thence West, along the South line of the SW $\frac{1}{4}$ of said Sec. 21, to the Southwest corner thereof; thence North, along the West line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Sec. 21, to the Northwest corner thereof; thence East, along the North line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Sec. 21, to a point in the centerline of Tomahawk Creek; thence Northeasterly, along the centerline of said Tomahawk Creek, to its intersection with the East line of the NW $\frac{1}{4}$ of said Sec. 21; thence South, along the East line of the W $\frac{1}{2}$ of said Sec. 21, to the point of beginning.

Tract 2: All of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 28, Township 13, Range 25, Johnson Co., Ks., more particularly described as follows: Beginning at the Northwest corner of the NW $\frac{1}{4}$ of said Sec. 28; thence East, along the North line of the NW $\frac{1}{4}$ of said Sec. 28, to the Northeast corner thereof; thence South, along the East line of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Sec. 28, to the Southeast corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Sec. 28, to the Southwest corner thereof; thence North, along the West line of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Sec. 28 to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-848 TWENTY*FOURTH EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-847 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 7th day of September, 1965.

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5-849 TWENTY-FIFTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

Tract 1: All of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas and all of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, except the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, more particularly described as follows: Beginning at the Southeast corner of the NE $\frac{1}{4}$ of said Section 16; thence West, along the South line of the NE $\frac{1}{4}$ of said Section 16, to the Southwest corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ of said Section 16, to the Southwest corner of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16; thence East, along the South line of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence South, along the East line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence East, along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 16, to the Northeast corner thereof; thence South, along the East line of the NE $\frac{1}{4}$ of said Section 16, to the point of beginning.

Tract 2: All of the W $\frac{1}{2}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the NW $\frac{1}{4}$ of said Section 16; thence West, along the North line of the NW $\frac{1}{4}$ of said Section 16, to the Northwest corner thereof; thence South, along the West line of said Section 16, to the Southwest corner thereof; thence East, along the South line of the SW $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence North, along the East line of the W $\frac{1}{2}$ of said Section 16, to the point of beginning.

Tract 3: All of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NE $\frac{1}{4}$ of said Section 16, thence East, along the North line of the NE $\frac{1}{4}$ of said Section 16, to the Northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, thence South, along the East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence West, along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southwest corner thereof; thence North, along the West line of the NE $\frac{1}{4}$ of said Section 16, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-850 TWENTY-FIFTH EXTENSION OF ORDINANCES, Section 2. The territory described in Sec. 5-849 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 4th day of November, 1965.

ORD. 244

5-851 TWENTY-SIXTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21; thence East, along the South line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, to the Southeast corner thereof; thence North, along the East line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, to the Northeast corner thereof; thence West, along the North line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section 21, to the Northwest corner thereof; thence South, along the West line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-852 TWENTY-SIXTH EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-851 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 4th day of November, 1965.

ORD. 245

5-853 TWENTY-SEVENTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, and a part of the S $\frac{1}{2}$ of Fractional Section 23, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22; thence West, along the South line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the Southwest corner thereof; thence North, along the West line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the Northwest corner thereof; thence East, along the North line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the Northeast corner thereof; thence continuing East, along the North line of the S $\frac{1}{2}$ of the s $\frac{1}{2}$ of said Fractional Section 23, to a point 258 feet West of the Northeast corner thereof; thence Northeasterly, a distance of 541 feet; thence Easterly, a distance of 148 feet, to a point on the East line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Fractional Section 23 and 465 feet North of the Southeast corner thereof; thence South, along the East line of said Fractional Section 23, said line also being the East line of the State of Kansas, to the Southeast corner thereof; thence West, along the South line of said Fractional Section 23, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and en-

larged so as to include said territory.

5-854 TWENTY-SEVENTH EXTENSION OF ORDINANCES. Section 2. The Territory described in Sec. 5-853 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 4th day of November, 1965.

ORD. 246

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5-855 TWENTY-EIGHTH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the $S\frac{1}{2}$ of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, and all of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, and all of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$, except the North 5 acres thereof, in said Section 16, more particularly described as follows: Beginning at the Southeast corner of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16; Thence West, along the South line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, to the Southwest corner thereof; thence North, along the West line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, to the Southeast corner of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of said Section 16; Thence West, along the South line of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, to the Southwest corner thereof; thence North, along the West line of the $NE\frac{1}{4}$ of said Section 16, to the Northwest corner of the $S\frac{1}{2}$ of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16; thence East, along the North line of the $S\frac{1}{2}$ of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, to the Northeast corner thereof; thence South, along the East line of the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section 16, to the Southwest corner of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16; thence East along the South line of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence South along the East line of the $NE\frac{1}{4}$ of said Section 16, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-856 TWENTY-EIGHTH EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-855 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 15th day of November, 1965. ORD. 248

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5-857 TWENTY-NINTH ANNEXATION OF TERRITORY. Section 1. The following described unincorporated territory, being located within (or mainly within) the City, to-wit:

A part of the NE $\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line and 997.315 feet West of the Northeast corner of said Section 16; thence South, along a line 997.315 feet West of and parallel to the East line of the NE $\frac{1}{4}$ of said Section 16 to a point on the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16; thence West, along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, and along the North line of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southwest corner of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16; thence North, along the West line of the NE $\frac{1}{4}$ to the Southwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16; thence East, along the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Southeast corner thereof; thence North, along the East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 16, to the Northeast corner thereof; thence East, along the North line of the NE $\frac{1}{4}$ of said Section 16, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas, and made a part thereof and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-858 TWENTY-NINTH EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-857 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the fifteenth day of November, 1965. ORD. 249

5-859 THIRTIETH ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

Tract 1. The Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 16, Township 13, Range 25 in Johnson County, Kansas, and all that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 13, Range 25 in Johnson County, Kansas, described as beginning at the Southwest corner of said quarter quarter section; thence North 20 chains to the Northwest corner, thence in a Southeasterly direction along the road about 4 chains and 50 links to a stone; thence East to the center of the channel of Tomahawk Creek; thence up the center of the channel of said creek to a point 5 chains and 25 links North of the South line of said Section 16; thence East and parallel to the South line of said Section 16 to a

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point on the East line of said Section 16, said point being 5 chains and 25 links North of the Southeast corner of said Section 16; thence South along the said East line to the Southeast corner of said Section 16; thence West along the South line of said Section 16 to the point of beginning, excepting therefrom all that part of the $SE\frac{1}{4}$ of the $SE\frac{1}{4}$ of Section 16, Township 13, Range 25, described as follows: Beginning at the Southeast corner of said Section 16; thence North along the East line of said section; a distance of 5 chains and 25 links (or 346.50 feet); thence West and parallel with the South line of said Section 16 to the center of Tomahawk Creek; thence South along the center of Tomahawk Creek to the South line of said Section 16; thence East along the said South line of said Section 16 to the point of beginning, subject to the covenants, restrictions, reservations, and easements now of record thereon.

Tract 2. Beginning at the Southeast corner of Section 16, Township 13, Range 25, thence North along the East line of said Section, a distance of 5 chains and 25 links (or 346.50 feet) thence West and parallel with the South line of said Section 16 to the center of Tomahawk Creek; thence South along the center of Tomahawk Creek to the South line of said Section 16; thence East along the said South line of said Section 16 to the point of the beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-860 THIRTIETH EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-859 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provision of all ordinances of the City made applicable therein and thereto as of the fifteenth day of November, 1965. ORD. 250

5-861 THIRTY-FIRST ANNEXATION OF TERRITORY. Section 1. The following described unincorporated territory, being situated within (or mainly within) the City, to-wit:

A part of the $SE\frac{1}{4}$ of Section 16, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the NE corner of the $SE\frac{1}{4}$ of said Section 16; thence West, along the North line of the $SE\frac{1}{4}$ of said Section 16, to the Northwest corner thereof; thence South, along the West line of the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ of said Section 16, to the Southwest corner thereof; thence East, along the South line of the $NW\frac{1}{4}$ of the $SE\frac{1}{4}$ of said Sec. 16, to the Southeast corner thereof; thence Southeasterly, along the road 297 feet; thence Easterly, to a point in the center of Tomahawk Creek, as now located; thence

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Southerly, along the center of the channel of said Tomahawk Creek, to a point 346.5 feet North of the South line of the SE $\frac{1}{4}$ of said Section 16; thence East, to the East line of said Section 16; thence North, along the East line of the SE $\frac{1}{4}$ of said Section 16, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-862 THIRTY-FIRST EXTENSION OF ORDINANCES. Section 2. The territory described in Sec. 5-861 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 15th day of November, 1965. ORD. 251

5-863 THIRTY SECOND ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the West 450 feet of the North 1499.35 feet of the NW 1/4 of Section 15, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NW 1/4 of said Section 15; thence East along the North line of the NW 1/4 of said Section 15, a distance of 450 feet; thence South along a line 450 feet East of and parallel to the West line of the NW 1/4 of said Section 15, a distance of 1499.35 feet; thence West, along a line 1499.35 feet South of and parallel to the North line of the NW 1/4 of said Section 15, a distance of 450 feet, to a point on the West line of the NW 1/4 of said Section 15; thence North along the West line of the NW 1/4 of said Section 15, a distance of 1499.35 feet, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas and made a part thereof and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-864 THIRTY SECOND EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-863 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 20th day of December, 1965. ORD. 255

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5-865 THIRTY THIRD ANNEXATION OF TERRITORY. Section 1. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

All of the North half of the Northeast Quarter of Section 21, Township 13, Range 25, in Johnson County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Southwest Quarter of the Northeast Quarter of said Section 13; thence North along the West line of said Northeast Quarter, a distance of 1762.6 feet to the point of beginning of the tract of land to be described herein; thence Easterly along a line which deflects to the right 87 degrees 13' 02" from the last described course, a distance of 470.65 feet; thence Southeasterly along a line which deflects to the right 83 degrees 51' 01" from the last described course, a distance of 176.0 feet; thence Easterly along a line which deflects to the left 81 degrees 05' 26" from the last described course, a distance of 418.72 feet; thence Northeasterly along a line which deflects to the left 63 degrees 30' from the last described course, a distance of 302.87 feet; thence Southeasterly along a line which deflects to the right 82 degrees 57' from the last described course, a distance of 205.02 feet; thence Northeasterly along a line which deflects to the left 81 degrees 44' 30", a distance of 241.41 feet; thence Northeasterly along a line which deflects to the left 14 degrees 04' from the last described course, a distance of 352.90 feet; thence Northeasterly along a line which deflects to the right 36 degrees 26' from the last described course, a distance of 140.71 feet; thence Easterly along a line which deflects to the right 43 degrees 56' 30" from the last described course, a distance of 296.34 feet; thence Northeasterly along a straight line to a point in a line which is 735.0 feet West of and parallel to the East line of said Northeast Quarter, said point being 150 feet South of the North line of said Northeast Quarter, said point also being in the centerline of Tomahawk Creek as now established; thence Northeasterly and Northerly along said centerline of Tomahawk Creek to a point in the North line of said Section 21 which point is 400 feet West of the Northeast corner of said Section 21; thence West along said North line of Section 21 to the center of said Section 21; thence South along the West line of said Northeast Quarter Section to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory. A portion of the aforescribed property having been zoned (C-3) by Oxford Township prior to the annexation as shown on the original ordinance and map on file in the office of the City Clerk which zoning is comparable to the City of Leawood zoning "Retail District" and is hereby annexed with the zoning "Retail District" on said portion of the above-described property. The Council finds and determines that such zoning is reasonable and hereby authorizes and directs the City Clerk to indicate a zoning "Retail District" on the official map of the City of Leawood, Kansas, for said portion of the area hereby annexed.

THIRTY-THIRD EXTENSION OF ORDINANCES. Section 2. The territory described in Section 5-865 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 17th day of March, 1966.

ORD. No. 261

5-867 THIRTY FOURTH ANNEXATION OF TERRITORY. Section 1. The following described unincorporated tracts of land situated within (or mainly within) the City of Leawood, Kansas, to-wit:

of
A part/Section 10, Fractional Section 11, Fractional Section 14, and Section 15, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of the SW 1/4 of said Fractional Section 11; thence West, along the North line of the SW 1/4 of said Fractional Section 11, to the Northwest corner thereof; thence continuing West, along the South line of the NE 1/4 of said Section 10, to a point 2428.5 feet East of the Southwest corner thereof; thence South, to a point 200 feet North of the South line of the N 1/2 of the SE 1/4 of said Section 10, and 2437.5 feet East of the West line of the SE 1/4 of said Section 10; thence West along a line 200 feet North of and parallel to the South line of the N 1/2 of the SE 1/4 of said Section 10, to a point 548 feet West of the East line of said Section 10; thence South, along a line 548 feet West of and parallel to the East line of said Section 10, to the South line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10; thence West along the South line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 10, to the West line of the E $\frac{1}{2}$ of said Section 10; thence South, along the East line of the W $\frac{1}{2}$ of said Section 10, to a point 377.4 feet South of the Northeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 10; thence Southwesterly, along a line that deflects 29 degrees, 24' to the right from the last described course, a distance of 309.3 feet; thence Southwesterly, along a line that deflects 7 degrees 38' to the left from the last described course, a distance of 160 feet; thence Southwesterly, along a line that deflects 5 degrees 18' to the left from the last described course, a distance of 160 feet; thence Southwesterly, along a line that deflects 4 degrees 32' to the right from the last described course, a distance of 150 feet; thence Southwesterly, along a line that deflects 2 degrees 28' to the left from the last described course, a distance of 257.4 feet, to a point on the South line of the SW $\frac{1}{4}$ of said Section 10; thence East, along the South line of the SW $\frac{1}{4}$ of said Section 10, to the Southeast corner thereof; thence South, along the East line of the NW $\frac{1}{4}$ of said Section 15, to the Southeast corner thereof; thence West, along the North line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 15, to the Northwest corner thereof; thence South, along the West line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 15, to the Southwest corner thereof; thence East, along the South line of said Section 15, to the Southeast corner thereof; thence continuing East, along the South line of said Fractional Section 14, to the Southeast corner thereof; thence North along the East line of said Fractional Section 14, to the Northeast corner of the SW $\frac{1}{4}$ of said Fractional Section 14; thence West, along the South line of the NW $\frac{1}{4}$ of said Fractional Section 14, a distance of 420.35 feet; thence North, a distance of 288 feet; thence East, along a line parallel to the South line of the NW $\frac{1}{4}$ of said Fractional Section 14, to a point on the East line of said Fractional Section 14; thence North, along the East line of said Fractional Section 14, a distance of 328 feet; thence West, along a line 616 feet North of and parallel to the South line of the NW $\frac{1}{4}$ of said Fractional Section 14, a distance of 422.8 feet; thence North, at right angles to the last described course, a distance of 332 feet; thence East, along a line parallel to the South line

of the NW $\frac{1}{2}$ of said Fractional Section 14, to a point on the East line of said Fractional Section 14; thence North, along the East line of said Fractional Section 14, to the Northeast corner thereof; thence continuing North, along the East line of said Fractional Section 11, to the point of beginning.

A part of the NW $\frac{1}{2}$ of Fractional Section 14, Township 13, Range 24, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the East line and 616 feet North of the Southeast corner of the NW $\frac{1}{2}$ of said Fractional Section 14; thence West, along a line parallel to the South line of the NW $\frac{1}{2}$ of said Fractional Section 14, a distance of 422.8 feet; thence North, at right angles to the last described course, a distance of 332 feet; thence East, along a line parallel to the South line of the NW $\frac{1}{2}$ of said Fractional Section 14, to a point on the East line of said Fractional Section 14; thence South, along the East line of said Fractional Section 14, to the point of beginning.

A part of the NW $\frac{1}{2}$ of Fractional Section 14, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the NW $\frac{1}{2}$ of said Fractional Section 14; thence West, along the South line of the NW $\frac{1}{2}$ of said Fractional Section 14, a distance of 420.35 feet; thence North, a distance of 288 feet; thence East, along a line parallel to the South line of the NW $\frac{1}{2}$ of said Fractional Section 14, to a point on the East line of said Fractional Section 14; thence South, along the East line of said Fractional Section 14, to the point of beginning.

All of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, except a square tract containing 1.5 acres in the Northwest corner thereof, more particularly described as follows: Beginning at a point on the North line and 255.617 feet East of the Northwest corner of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Section 22; thence East, along the North line of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Section 22, to the Northeast corner thereof; thence South, along the East line of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Section 22, to the Southeast corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Section 22, to the Southwest corner thereof; thence North, along the West line of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of said Section 22, to a point 225.617 feet South of the Northwest corner thereof; thence East, along a line parallel to the North line of the NW $\frac{1}{2}$ of said Section 22, a distance of 255.617 feet, thence North; along a line parallel to the West line of the NW $\frac{1}{2}$ of said Section 22, a distance of 255.617 feet, to the point of beginning.

All of the N $\frac{1}{2}$ of the NE $\frac{1}{2}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, and all of the N $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Fractional Section 23, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the NE $\frac{1}{2}$ of said Section 22; thence East, along the North line of the NE $\frac{1}{2}$ of said Section 22; to the Northeast

corner thereof; thence continuing East, along the North line of said Fractional Section 23, to the Northeast corner thereof; thence South, along the East line of said Fractional Section 23, said line also being the East line of the State of Kansas, to the Southeast corner of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of said Fractional Section 23; thence West, along the South line of the $N\frac{1}{2}$ of the $N\frac{1}{2}$ of said Fractional Section 23, to the Southwest corner thereof; thence continuing West, along the South line of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section 22, to the Southwest corner thereof; thence North, along the West line of the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section 22, to the point of beginning.

All of the East 100 feet of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, and all of the $S\frac{1}{2}$ of the $N\frac{1}{2}$ of Fractional Section 23, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the $S\frac{1}{2}$ of the $N\frac{1}{2}$ of said Fractional Section 23; thence East, along the North line of the $S\frac{1}{2}$ of the $N\frac{1}{2}$ of said Fractional Section 23; to the Northeast corner thereof; thence South, along the East line of the $S\frac{1}{2}$ of the $N\frac{1}{2}$ of said Fractional Section 23, said line also being the East line of the State of Kansas, to the Southeast corner thereof; thence West, along the South line of the $N\frac{1}{2}$ of said Fractional Section 23; to the Southwest corner thereof; thence continuing West, along the South line of the $NE\frac{1}{4}$ of said Section 22; a distance of 100 feet; thence North, along a line 100 feet West of and parallel to the East line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to a point on the North line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22; thence East, along the North line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to the point of beginning.

All of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, except the East 100 feet thereof, more particularly described as follows: Beginning at the Southwest corner of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22; thence North, along the West line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to the Northwest corner thereof; thence East, along the North line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to a point 100 feet West of the Northeast corner thereof; thence South, along a line 100 feet West of the East line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to a point on the South line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22; thence West along the South line of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 22, to the point of beginning.

All of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, and all of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of said Section 22, more particularly described as follows: Beginning at the Southwest corner of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of said Section 22; thence North, along the West line of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of said Section 22, to the Northwest corner thereof; thence East, along the North line of the $S\frac{1}{2}$ of the $NW\frac{1}{4}$ of said Section 22, to the Northeast corner thereof; thence continuing East, along the North line of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Sec-

tion 22, to the Northeast corner thereof; thence South, along the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22, to the Southeast corner thereof; thence West along the South line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22, to the Southwest corner thereof; thence continuing West, along the South line of the NW $\frac{1}{4}$ of said Section 22, to the point of beginning.

All of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 13, Range 25, Johnson County, Kansas, and a part of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of Fractional Section 23, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Northwest corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22; thence East, along the North line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the Northeast corner thereof; thence continuing East, along the North line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Fractional Section 23, to the Northeast corner thereof; thence South, along the East line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Fractional Section 23, said line also being the East line of the State of Kansas, to a point 465 feet North of the Southeast corner thereof; thence West 148 feet; thence Southwesterly, a distance of 541 feet, to a point on the South line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Fractional Section 23, said point being 258 feet West of the Southeast corner thereof; thence West, along the South line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Fractional Section 23, to the Southwest corner thereof; thence continuing West, along the South line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the Southwest corner thereof; thence North, along the West line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 22, to the point of beginning.

is hereby annexed to the City of Leawood, Kansas, and made a part thereof and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-868 THIRTY FOURTH EXTENSION OF ORDINANCES. Section 2. The tracts of land described in Section 5-867 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 20th day of February, 1967. ORD. #271.

5-869 THIRTY FIFTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

All of the S 1/2 of the NW 1/4 of Section 28, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the NW 1/4 of said Section 28; thence North, along the West line of the S 1/2 of the NW 1/4 of said Section 28, to the Northwest corner thereof; thence East, along the North line of the S 1/2 of the NW 1/4 of said Section 28, to the Northeast corner thereof; thence South, along the East line of the NW 1/4 of said Section 28, to the Southeast corner thereof; thence West, along the South line of the NW 1/4 of said Section 28, to the point of beginning.

It is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-870 THIRTY FIFTH EXTENSION OF ORDINANCES. The territory described in Section 5-869 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 18th day of March, 1968. Ord. 293

5-871 THIRTY-SIXTH ANNEXATION OF TERRITORY. The following described land having a common perimeter with the City Boundary line of more than 50%, to-wit:

All of the W 1/2 of the NE 1/4 and all of the SE 1/4 and all of the E 1/2 of the SW 1/4 of Section 28, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Section 28; thence West, along the South line of said Section 28, to the Southwest corner of the E 1/2 of the SW 1/4 of said Section 28, thence North, along the West line of the E 1/2 of the SW 1/4 of said Section 28, to the Northwest corner thereof; thence East, along the North line of the E 1/2 of the SW 1/4 of said Section 28, to the Northeast corner thereof; thence North, along the West line of the NE 1/4 of said Section 28, to the Northwest corner thereof; thence East along the North line of the W 1/2 of the NE 1/4 of said Section 28, to the Northeast corner thereof; thence South, along the East line of the W 1/2 of the NE 1/4 of said Section 28, to the Southeast corner thereof; thence East, along the North line of the SE 1/4 of said Section 28, to the Northeast corner thereof; thence South, along the East line of the SE 1/4 of said Section 28, to the point of beginning.

Is hereby annexed to The City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory

5-872 THIRTY-SIXTH EXTENSION OF ORDINANCES. The territory described in Section 5-871 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968. Ord. 305.

5-873 THIRTY-SEVENTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

All of the E 1/2 of the SW 1/4 of the SW 1/4 of Section 28, Township 13, Range 25, Johnson County, Kansas, more particularly described as follows: Beginning at the Southeast corner of the East 1/2 of the SW 1/4 of the SW 1/4 of said Section 28, thence West, along the South line of the E 1/2 of the SW 1/4 of the SW 1/4 of said Section 28, to the Southwest corner thereof; thence North, along the West line of the E 1/2 of the SW 1/4 of the SW 1/4 of said Section 28, to the Northwest corner thereof; thence East, along the North line of the E 1/2 of the SW 1/4 of the SW 1/4 of said Section 28, to the Northeast corner thereof; thence South, along the East line of the E 1/2 of the SW 1/4 of the SW 1/4 of said Section 28, to the point of beginning.

Is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-874 THIRTY-SEVENTH EXTENSION OF ORDINANCES. The territory described in Section 5-873 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968 Ord. 306

REAL ESTATE CHAPTER V.

5-875 THIRTY-EIGHTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

The Northeast 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas

The East 68 acres of the Northwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas

Is hereby annexed to The City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas are hereby extended and enlarged so as to include said territory.

5-876 THIRTY-EIGHTH EXTENSION OF ORDINANCES. The territory described in Section 5-875 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968. Ord. 307

5-877 THIRTY-NINTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof to-wit:

The west 1/2 of the northwest 1/4 of Section 34, Township 13, Range 25, and a tract containing 2 acres in the northwest corner of the east 1/2 of the northwest 1/4 more particularly described as beginning at the northwest corner of the east 1/2 of the northwest 1/4 of said Section 34, Township 13, Range 25 in Johnson County, Kansas, thence east 208.71 feet, thence south 417.42 feet, thence west 208.71 feet, thence north 417.42 feet to the point of beginning

is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-878 THIRTY-NINTH EXTENSION OF ORDINANCES. The territory described in Section 5-877 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968. Ord. 308

5-879 FORTIETH ANNEXATION OF TERRITORY. The following described land having a common perimeter with the City Boundary line of more than 50%, to-wit:

All of the NW 1/4 of the SE 1/4 and all of the S 1/2 of the NE 1/4 of the SW 1/4 and all of the S 1/2 of the SW 1/4 of Section 27, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to The City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-6-68

REAL ESTATE CHAPTER V.

5-880 FORTIETH EXTENSION OF ORDINANCES. The territory described in Section 5-879 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968. ORD. 309

5-881 FORTY-FIRST ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

All of the west 1/2 of the SW 1/4 of the SE 1/4 of Section 27, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to The City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-882 FORTY-FIRST EXTENSION OF ORDINANCES. The territory described in Section 5-881 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 22nd day of April, 1968. ORD. 310

5-883 FORTY-SECOND ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

The East 375 feet of the North 813 feet of the West 92 acres of the Northwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-884 FORTY-SECOND EXTENSION OF ORDINANCES. The territory described in Section 5-883 annexed to the City of Leawood, Kansas, and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 311

REAL ESTATE CHAPTER V.

5-885 FORTY-THIRD ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

The West 1/2 of the Southeast 1/4 of Section 33, Township 13,
Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-886 FORTY-THIRD EXTENSION OF ORDINANCES. The territory described in Section 5-885 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 312

5-887 FORTY-FOURTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

Tract No. 1 The East 1/2 of the South 1/2 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas

Tract No. 2 The West 1/2 of the South 1/2 of the Southwest 1/4 of Section 33, Township 13, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-888 FORTY-FOURTH EXTENSION OF ORDINANCES. The territory described in Section 5-887 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 313

5-889 FORTY-FIFTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

The East 1/2 of the Southeast 1/4 of Section 33, Township 13,
Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-890 FORTY-FIFTH EXTENSION OF ORDINANCES. The territory described in Section 5-889 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 314

REAL ESTATE CHAPTER V

5-891 FORTY-SIXTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

The North 1/2 of the northeast 1/4 of Section 4, Township 14, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-892 FORTY-SIXTH EXTENSION OF ORDINANCES. The territory described in Section 5-891 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 315

5-893 FORTY-SEVENTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to-wit:

Tract No. 1. The South 1/2 of the Northeast 1/4 of Section 4, Township 14, Range 25, Johnson County, Kansas

Tract No. 2 The Southeast 1/4 of Section 4, Township 14, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-894 FORTY-SEVENTH EXTENSION OF ORDINANCES. The territory described in Section 5-893 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968. ORD. 316

5-895 FORTY-EIGHTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to wit:

The Southwest 1/4 of Section 4, Township 14, Range 25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-896 FORTY-EIGHTH EXTENSION OF ORDINANCES. The territory described in Section 5-895 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968 ORD. 317

REAL ESTATE CHAPTER V.

5-897 FORTY NINTH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to wit:

The Northwest 1/4 of Section 4, Township 13, Range 25 of
Johnson County Kansas

is hereby annexed to the City of Leawood, Kansas, and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-898 FORTY-NINTH EXTENSION OF ORDINANCES. The territory described in Section 5-897 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 26th day of April, 1968 ORD. 318

5-899 FIFTIETH ANNEXATION OF TERRITORY. The owners of the following described unincorporated territory adjacent to the City of Leawood, Kansas, having consented to the annexation thereof, to wit:

South 1/2 of the Northeast 1/4 of Section 3; North
1/2 of the Southeast 1/4 of Section 3, and the North
1/2 of the Southwest 1/4 Section 3 except a square
10 acres on the West side, all in Township 14, Range
25, Johnson County, Kansas

is hereby annexed to the City of Leawood, Kansas and made a part thereof, and the limits of the City of Leawood, Kansas, are hereby extended and enlarged so as to include said territory.

5-900 FIFTIETH EXTENSION OF ORDINANCES. The territory described in 5-899 annexed to the City of Leawood, Kansas and made a part thereof, shall become subject to the provisions of all ordinances of the City made applicable therein and thereto as of the 3rd day of June, 1968. ORD. No. 324.

ARTICLE 9 BUILDING CODE

5-901 ADOPTING BASIC BUILDING CODE BY REFERENCE. There is hereby incorporated, in the Revised Ordinances of the City of Leawood, Kansas, by reference, for the purposes of regulating the design, construction, alteration, repair, moving and demolition of all buildings and structures and appurtenant mechanical and electrical equipment, that certain standard building code known as the "BOCA BASIC BUILDING CODE, ~~Third Edition~~ ^{Fourth Edition} 1965-1960" prepared and published by the Building Officials Conference of America, Inc., save and except such articles, sections, parts or portions as are hereinafter omitted, deleted, modified or changed. Not less than three (3) copies of such basic building code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 210" with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change and to which shall be attached a copy of the ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable hours, except that such copies shall not be removed from the City Hall. The Building Inspector and his assistants shall be supplied, at the cost of the City, such number of official copies of such basic building code ordinance, similarly marked, deleted and changed as may be deemed expedient by the governing body. ORD. 210

5-902 OMISSIONS FROM "THE BOCA BASIC BUILDING CODE".

- A. Subsections 107.1, 107.3, 107.4, 107.5 and 107.6 of Article 1, pertaining to the organization of the department of building inspections are hereby declared to be and are omitted and deleted.
- B. Subsections 118.3 and 118.4 of Article 1, Section 118, pertaining to moving and demotion of buildings are hereby declared to be and are omitted and deleted.
- C. Section 119.0 of Article 1 and all subsections thereof pertaining to Volume Computation are hereby declared to be and are omitted and deleted.
- D. Section 120.0 of Article 1 and all subsections thereof pertaining to Sign Bonds is hereby declared to be and are omitted and deleted.
- E. Sections 127.0 and 128.0 of Article 1, and all subsections thereof, pertaining to Board of Survey and Board of Appeals are hereby declared to be and are omitted and deleted.
- F. Subsections 129.11, "Under Direct Supervision", 129.12 "Qualified Supervisor", 129.13, "Verified Report" of section 129, Article 1 are hereby declared to be and are omitted and deleted.
- G. Subsection 123.3 of Section 123, Article 1, pertaining to "Violation Penalties" is hereby declared to be and is omitted and deleted.
- H. Section 856 of Article 8 pertaining to wood shingles is hereby declared to be and is omitted and deleted. ORD. 210

BUILDING CODE ART. 9

5-903 CHANGES IN "BOCA BASIC BUILDING CODE".

- A. Subsection 113.5 of Section 113, Article 1 is hereby amended to provide that one (1) copy of specifications and plans need accompany the application for permit.
- B. Subsection 114.3 of Section 114, Article 1 is hereby amended to read as follows "Previous Approvals. - Nothing in the Basic Code shall require changes in plans, construction or designated use of a building for which a lawful permit has been heretofore issued, or otherwise lawfully authorized, and the construction of which shall have been actively prosecuted within ninety (90) days after the effective date of this ordinance."
- C. Subsection 200.2 of Section 200., Article 2 shall be amended to read as follows "Application of Other Laws. - Nothing herein contained shall be deemed to nullify any provisions of the Zoning Law or any other statute of the City of Leawood, Kansas, pertaining to the location, use or type of construction of buildings." ORD. 210

5-904 INVALIDATION. Sections, parts or portions of this ordinance which conflict with any other ordinance of the City of Leawood or statute of the State of Kansas shall be and are hereby declared to be invalid. ORD. 210

5-905 VALIDITY OF THIS ORDINANCE. Should any section, clause or provision of this ordinance be invalid or unconstitutional, the same shall not effect the validity of the ordinance as a whole, or any part thereof, other than the part so invalid or unconstitutional. ORD. 210

5-906 ADDITIONS TO THE BASIC BUILDING CODE.

- A. Insertion of name of City.
Where "name of municipality" occurs in italicized brackets in the "BOCA", it is hereby declared that the municipality shall be the City of Leawood, Kansas.
- B. Building Official Same as Building Inspector.
Where the term "Building Official" occurs in the "BOCA Basic Building Code", it is hereby declared that he is one and the same person as the "Building Inspector" where such appellation occurs in other articles, sections and subsections of the Revised Ordinances of the City of Leawood, Kansas.
- C. Date of Adoption
Where the words "date of adoption of this code" appear in italicized brackets in the "BOCA Building Code", it is hereby declared that such date of adoption shall be the effective date of this ordinance.
- D. Re-roofing.
No person, firm, or corporation shall re-roof any building or cause the same to be done without first obtaining

BUILDING CODE ART. 9

a building permit therefor.

E. Expiration of Permit.

Every permit issued under the provisions of this Code shall expire by limitation if the building or work authorized by such permit is not commenced within 90 days from the date of such permit. ~~_____~~

F. Septic Tanks.

Where septic tanks are permitted they shall be built in compliance with the minimum standards prescribed by the Kansas State Board of Health and the construction thereof shall be subject to approval of the Building Inspector.

G. Appeal.

(1) Appeal

Decisions of the Building Inspector relative to the use of materials, equipment or methods of construction may be appealed by serving written notice on the Building Inspector within 10 days of such ruling. Such notice shall be accompanied with a deposit of \$10.00, payable to the City Clerk. If upon hearing by the Board of Appeals the appeal is denied the deposit shall be retained by the city. If the decision of the Building Inspector be overruled the deposit shall be returned to the applicant.

(2) Board of Appeals

When necessary, for the purpose of interpreting the intent of this Code in specific cases and to hear appeals from decisions of the Building Inspector, the Mayor, by and with the consent of the Council, shall appoint a Board of Appeals consisting of three city residents, qualified by experience or training, to pass upon matters pertaining to building construction.

(3) Powers and Duties of Board

The Board of Appeals shall hear all appeals from the decision of the Building Inspector. The Board may interpret the intent of this Code in specific cases where it clearly appears that undue hardship would result from strict compliance to the provisions of this Code. In such cases the Board may authorize issuance of a building permit when such proposed building will vary only a reasonable minimum from the provisions of this Code, but will comply with the spirit and intent of this Code with respect to hazards from fire and safety to life and property. ORD. 210

5-907 DESIGNATION OF FIRE DISTRICT NO. 2 CLASSIFICATION. All areas of the City of Leawood other than those zoned "Residential" on the official city map are hereby declared to be Fire District No. 2 as defined in the "BOCA Basic Building Code". ORD. 210

5-908 FEES AND PERMITS. Fees to be paid for permits for construction,

Max Bagby

4/21/69

Moving houses

Our ordinances specify only the charge for a permit to move buildings.

Is there any way we can refuse to issue a permit to someone the City knows is not a responsible person?

Could we require a bond even tho it's not specified in ordinance?

Jimmy

(+)

Stinson

Stinson

Yes, a bond, if we have reason to believe the person

will not move the building in accordance with our

ordinances.

I do believe the ordinance should be amended to require a bond.

M.O.B

O.P.

Bond must equal estimated cost of moving

House moving: On County Roads (Mission, etc.) - handled by County Clerk
or County Engineer

Prairie Village: Requires \$500 bond - to be in effect during moving thru City and until
City checks route for damage

\$100,000 liab. policy for damage to property

Date to start

6 hrs. prior notice (before starting move into City so that Police &
Fire Depts. can be notified)

BUILDING CODE ART. 9 (Cont'd)

alteration, additions, remodeling, demolition, repair and moving buildings and other structures shall be as follows:

A. NEW BUILDINGS & STRUCTURES

- (1) Dwellings for single family use or occupancy shall require a permit fee of \$45.00 for all dwellings having an area of up to 2,000 sq. ft.
- (2) Dwellings having 2,000 sq. ft. or more shall require a permit fee computed on the basis of two and one-fourth (2 1/4) cents per square foot or fraction thereof.
- (3) Dwellings having habitable basements shall include the square foot area of the basements as taken from the inside limits or foundation walls, and computed at two and one-fourth (2 1/4) cents per square foot or fraction thereof.
- (4) Structures other than for single family use or occupancy shall require a building permit of \$50.00 plus the square foot area of building, including all floors or stories and basement enclosed by the exterior walls of the building or structure, such dimensions to be taken from the exterior wall and computed at two and one-fourth (2 1/4) cents per square foot or fraction thereof.
- (5) Swimming pools shall require a permit fee of \$25.00.

B. REMODELING, ADDITIONS OR ALTERATIONS TO EXISTING BUILDINGS OR STRUCTURES

- (1) Dwellings for single family use or occupancy shall require a permit fee of \$30.00 plus two and one-fourth (2 1/4) cents per square foot or fraction thereof.
- (2) Structures other than for single family use or occupancy shall require a permit fee of \$50.00 plus two and one-fourth (2 1/4) cents per square foot or fraction thereof for all areas set forth in A (4) above.

C. MOVING BUILDINGS ← Bond

- (1) On or across a public thoroughfare, permit fee shall be \$40.00.
- (2) From one lot to another without moving on a public thoroughfare, permit fee shall be \$20.00.
- (3) From one location on a lot to another location on the same lot, permit fee shall be \$15.00

- D. DEMOLITION - Tearing down
 Demolition of buildings - permit fee, \$25.00. A separate permit shall be required for each separate building.

*amended 6 no.
Comp. 159E
Sec A*

Building Code Art. 9. - Cont'd.

E. FENCES, WALLS AND PATIOS + *Patio Roofs per J. H. 9/24/69*
Construction of fences, walls and patios shall require a permit
fee of \$10.00, unless included as a part of approved plans under
Sec. 5-908A of this ordinance.

*Must be started within
90 days of permit date*

F. NO FEES REQUIRED

Re-roofing of buildings or other structures shall require a
permit for which no fee shall be charged. ORD. NO. 298

A. 59 E

5-910 PENALTIES FOR VIOLATION OF ARTICLE 9. Any person violating any
of the provisions of Article 9 shall be deemed guilty of a misdemeanor
and upon conviction thereof shall be punished by (a) a fine of not less
than \$1.00 nor more than \$100.00 and costs. Each and every day that
such violation continues shall constitute a separate offense. ORD. #210

CHAPTER VI
AMUSEMENT AND RECREATION

ARTICLE 1 PUBLIC PLACES OF AMUSEMENT AND RECREATION

6-101 PARK HOURS. All parks shall be closed between the hours of 11:00 P.M. and 6:00 A.M. from April 1 to October 31 of each year; and between the hours of 9:00 P.M. and 7:00 A.M. from November 1st to March 31st of the following year, providing however any or all parks may be closed temporarily, or opening hours extended temporarily, in case of emergency, adverse weather, or unusual circumstances, as determined by the Board of Park Commissioners.

6-102 RESERVATION OF PORTION OF PARK. The Clerk of the City of Leawood, Kansas may upon written application, issue a written reservation permitting exclusive use, for a definite and limited time, of certain special areas and playground facilities.

6-103 PROHIBITION OF USE BY OTHERS. It shall be unlawful for any person or persons to occupy, use or attempt to control the occupation or use of any park facilities or portion thereof after being notified that a written reservation for exclusive use of the same has been issued by the City Clerk during the period of time set forth in said reservation, and no person or persons shall continue to use or attempt to use any such park facility after said written reservation has been issued for said purpose and time. Any person failing to vacate such park facility promptly after being informed of such reservation shall be subject to arrest for violation thereof. The foregoing is not intended to prohibit the free and unrestricted use of the park facilities by persons without written reservation as long as no such reservation has been issued by the City Clerk.

6-104 TRAFFIC RULES. The speed limit on the roads in the Parks shall not be in excess of twenty (20) miles per hour for all vehicles. Such speed limit shall apply to go-carts, motor cycles, motor bikes, and all motor powered vehicles of any type or kind. Trucks over one and one-half (1½) tons are hereby prohibited unless permission therefor has been granted in writing by the City Clerk. No parking shall be permitted except in designated areas.

6-105 CAMPING. Overnight camping shall only be permitted by special permit to supervised, organized groups, such permit to be obtained in same manner as Reservations provided for in Section 6-102.

6-106 BRIDLE PATH. Horseback riding shall be permitted only in areas designated by signs therefor.

6-107 HUNTING. No person shall pursue, catch, trap, maim, kill, shoot or take any wildlife, either bird or animal, in any manner at any time.

6-108 FIRES. Fires may be built only in the ovens, stoves, or grills provided for that purpose by the Board of Park Commissioners, and must be extinguished by the person, persons or parties starting such fires, immediately upon use thereof.

GENERAL OFFENSES CH. IV
OFFENSES AGAINST PERSONS AND PROPERTY ART. 2

4-212 INTOXICATING LIQUORS, INTOXICATION AND INTOXICATED PERSONS DRINKING IN PUBLIC PLACES. No person shall be in a state of intoxication in or upon any private house, building or premise not occupied by such intoxicated person, to the annoyance of any other person, nor shall any person be in a state of intoxication in or upon any street, public place or place open to the public view. No person shall, open to the public view, consume or drink any intoxicating liquor of any kind or any beer in or upon any public street, sidewalk, park or other public place. No person shall transport in any vehicle upon a public highway, street, or alley any alcoholic liquor except in the original package or container which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed, unless the opened package or container be in the locked rear trunk or rear compartment, or any locked outside compartment which is not accessible to the driver or any other person in said vehicle while it is in motion. Ord. 78

4-213 INDECENT ACTS, EXHIBITIONS AND CONDUCT. No person shall be or appear in or upon any street, sidewalk, park, public place or place open to the public view in a state of nudity, or in any indecent or lewd dress, or shall make any indecent exposure or exhibition of his person for any reason whatsoever, or be guilty of an unseamly, obscene or filthy act, or any lewd, indecent, immoral or insulting conduct, language or behavior. Ord. 78

4-214 WORTHLESS CHECKS. Any person who shall obtain any article or personal property of any value whatever, from any store or other place of business, by means of any worthless check, draft or money order, knowing the same to be worthless, shall be deemed guilty of a misdemeanor. Ord. 78

4-215 OBSTRUCTING AND RESISTING OFFICERS. No person shall hinder, obstruct, resist or otherwise interfere with any city officer or member of the police force of the city in the discharge of his official duties or shall attempt to prevent any member of such police force from arresting any person, or shall attempt to rescue from such member of the police force, or from anyone called to his aid, or any person in his custody. Ord. 78

4-216 BURGLARS' TOOLS. Any person having in his possession or upon his person, any instrument, concealed or unconcealed weapon of any kind, tool or thing used or constructed for committing burglary, murder, or the picking of locks or pockets, and failing to give a good account of the possession of the same, shall be deemed guilty of a misdemeanor. Ord. 78

4-217 MOLESTATION: INDECENT LOOKING. Every person who shall be guilty of placing hands on an infant in such a manner as to suggest lascivious behavior, and every person who shall be guilty of trespassing on the premises of another to gaze, look, or notice the person of another, shall on conviction be adjudged guilty of a misdemeanor. Ord. 78

LEAWOOD PARK

PERMIT NO. _____

Date: _____

Facilities to be used:

Baseball Field		
A	B	C

Football or Soccer		
Field	Side East	Other S.E. Corner

Shelter Houses			
West - 1		East - 2	
A	⊙	A	⊙
⊙	C	⊙	C

Ovens:
A,B,C,D

Tables and Ovens		
Area 1	Area 2	Area 3

Date of Reservation: _____

Reservation for: _____

TIME:

From _____ a.m. To _____ a.m.
 _____ p.m. _____ p.m.

Approximate number to attend _____

Reservation requested by: _____

Address: _____ Phone: _____

By: _____

City Clerk

Persons requesting this reservation will be held responsible for destruction of property. Any signs or banners used must be removed.

NO SALES OF ANY KIND ALLOWED IN PARK

PLEASE HELP US KEEP YOUR PARK CLEAN. PLACE ALL REFUSE IN TRASH CONTAINERS.

CHAPTER VI
AMUSEMENT AND RECREATION

ARTICLE 1 PUBLIC PLACES OF AMUSEMENT AND RECREATION - CONTINUED

6-109 SANITATION. All waste material, paper, trash, rubbish, tin cans, bottles, containers, garbage and refuse of any kind whatsoever, shall be deposited in disposal drums provided for such purposes. No such waste or contaminating material shall be discarded otherwise. No sticks, stones, trash or other objects shall be thrown or discarded in or on any park lands, fountains, pools, drinking fountains, sanitary facilities, or other improvements.

6-110 GENERAL REGULATIONS. All persons using City Parks shall be subject to all city ordinances pertaining to conduct, behavior, indecent exposure, firearms, vandalism or use of alcoholic beverages in public. ORD. NO. 326

CHAPTER IV
AMUSEMENT AND RECREATION

ARTICLE 2 PENALTIES

6-201 PENALTIES FOR VIOLATION OF ARTICLE 1. Any person violating any of the provisions of Article 1 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not more than \$100.00 for each such offense. Each and every day that such violation continues shall constitute a separate offense. ORD. NO. 326.

CHAPTER VI

AMUSEMENT AND RECREATION

ARTICLE 3 CREATING A BOARD OF PARK COMMISSIONERS

6-301 NUMBER AND QUALIFICATIONS. There is hereby created a Board of Park Commissioners consisting of five taxpayers and residents of the City.

6-302 TERM. At the meeting at which this article is ordained, the Mayor shall, by and with the consent of the Council, appoint such members, two to serve until the first regular meeting of the City Council in the first succeeding month of May, two to serve until the first regular meeting of the City Council in the second succeeding month of May, and one to serve until the first regular meeting of the City Council in the third succeeding month of May. Thereafter, members shall be so appointed at the first regular meeting in the month of May in each year, to serve for a term of three years. Vacancies shall be filled by appointment for the unexpired term. The members of such Board shall serve without compensation.

6-303 POWERS. Such Board is authorized to administer the details of maintenance and repair of public parks, public playgrounds and all other municipally owned places of amusement and recreation in the city.

The Board shall establish and enforce reasonable rules and regulations for public use of all such public parks and playgrounds.

The Board shall cause to be erected, purchased and installed such picnic ovens, picnic tables, playground equipment, tennis courts, baseball diamonds, basketball goals and courts, and such other public park equipment and facilities as may be authorized by the City Council by resolution. Ord. 322

CHAPTER VII
FIRE DEPARTMENT

ARTICLE 1 FIRE DEPARTMENT

7-101 FIRE DEPARTMENT. There is hereby established a fire department to extinguish and prevent fires in the city and in such other places as the council shall by resolution direct. Ord. 28

7-102 MEMBERSHIP OF DEPARTMENT. Membership in the Fire Department shall be voluntary and without pay from the City with the exception of paid personnel as may be required by the Kansas Inspection Bureau and members of the department shall be selected by the Fire Chief. Ord. 171

7-103 SELF GOVERNMENT OF DEPARTMENT. With the approval of the Fire Chief, the membership of the fire department may adopt its own constitution, by-laws, rules and regulations, and elect its own officers except the fire chief. Ord. 28

7-104 NON-TAX FUNDS. The fire department is authorized to receive and disburse funds from non-tax sources for any fire department purpose which the fire chief shall consider proper, but any equipment purchased by the department shall become the property of the city. Funds paid by the Mission Township Board shall be received by the fire department and not the city treasurer and for the purposes of this section shall be considered funds from non-tax sources and shall be disbursed by the fire department as funds from non-tax sources. Ord. 39

7-105 FIRE DEPARTMENT BUILDING AND EQUIPMENT. The City of Leawood, Johnson County, Kansas, shall purchase a fire department building, together with an additional fire engine and fire protection equipment for said City of Leawood, Johnson County, Kansas. Ord. 41

7-106 BONDS. For the purpose of paying the cost thereof there shall be issued General Obligation Bonds (Fire Equipment), of The City of Leawood, Johnson County, Kansas, in the amount of \$30,000.00, which said bonds shall be in the denomination of \$1,000.00 each, numbered from 1 to 30, both inclusive, be dated February 1, 1951, and bear interest at the rate of 2% per annum, payable August 1, 1952, and semi-annually thereafter on the first days of February and August of each year, and said bonds maturing in the following amounts, upon the following dates, to-wit:

FIRE DEPARTMENT CH. VII

FIRE DEPARTMENT: BONDS ART. 1

<u>NUMBERS</u>	<u>MATURITY</u>	<u>AMOUNT</u>
1,2,3	August 1, 1952	\$3,000.00
4,5,6	August 1, 1953	3,000.00
7,8,9	August 1, 1954	3,000.00
10,11,12	August 1, 1955	3,000.00
13,14,15	August 1, 1956	3,000.00
16,17,18	August 1, 1957	3,000.00
19,20,21	August 1, 1958	3,000.00
22,23,24	August 1, 1959	3,000.00
25,26,27	August 1, 1960	3,000.00
28,29,30	August 1, 1961	3,000.00
		\$30,000.00

The City of Leawood, Johnson County, Kansas reserves the right and option to call and redeem any or all bonds number 16 to 30, maturing August 1, 1957 to August 1, 1961, both inclusive, on August 1, 1956, or on any interest payment date thereafter, at par and accrued interest. Ord. 41

7-107 FORM OF BONDS. Said bonds and coupons shall contain recitals, and be in the form and of the size as provided by the statutes of the State of Kansas. Ord. 41

7-108 EXECUTION OF BONDS. That said bonds shall be signed by the mayor and attested by the clerk of said city, and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signatures of said mayor and city clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas. Ord. 41

7-109 REGISTRATION AND PAYMENT. The mayor and city clerk are hereby authorized to prepare and execute said bonds, and coupons, and, when so executed, said bonds shall be registered as required by law, and the governing body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said city. Ord. 41

FIRE DEPARTMENT CH. VII

FIRE DEPARTMENT: ART. 1

7-110 MUTUAL ASSISTANCE BETWEEN CITIES IN EMERGENCIES. The fire chief is hereby authorized and directed to enter into mutual assistance pacts with the chiefs of the fire departments of such other cities as he deems advisable and upon such conditions as he deems necessary for the purpose of planning in advance what men and equipment of each department will be made mutually available under the authority of section 12-111 General Statutes of Kansas, 1949, upon the occurrence of any emergency. Ord. 44

7-111 CO-OPERATION WITH DEFENSE AGENCIES. The fire chief is hereby authorized and directed to co-operate with any state, district or local civil defense agency for the purpose of coordinating his mutual assistance pacts with the overall planning of civilian defense. Ord. 44

7-112 ADOPTION OF FIRE PREVENTION CODE. There is hereby incorporated in the Revised Ordinances of the City of Leawood, Kansas, by reference, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the National Board of Fire Underwriters, being particularly the 1960 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by section 6 of this ordinance), of which code not less than three (3) copies have been and now are filed in the office of the City Clerk of the City of Leawood, Kansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limit of the City of Leawood, Kansas. Ord. 239

7-113 ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

- (a) The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Leawood, Kansas, which is hereby established and which all be operated under the supervision of the Chief of the Fire Department.
- (b) The inspector in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Fire Department on the basis of examination to determine his qualifications. His appointment shall continue during good behavior and satisfactory service.
- (3) The Chief of the Fire Department may detail such members of the fire department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the governing body the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

FIRE DEPARTMENT CH. VII

FIRE DEPARTMENT: ART. 1

- (d) A report of the Bureau of Fire Prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under this code, with such statistics as the Chief of the Fire Department may wish to include therein; the Chief of the Fire Department shall also recommend any amendments to the code which, in his judgment, shall be desirable. Ord. 239.

7-114 DEFINITIONS.

- (a) Where the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of Leawood, Kansas.
- (b) Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it shall be held to mean the Attorney for the City of Leawood, Kansas.
- (c) Wherever the term "Chief of the Bureau of Fire Prevention" is used in the Fire Prevention Code, it should be held to mean the Inspector in charge of the Bureau of Fire Prevention for the City of Leawood, Kansas. Ord. 239.

7-115 ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS TO BE PROHIBITED.

- (a) The limits referred to in section 16.22a of the Fire Prevention Code in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as follows: Within the limits of the City of Leawood, Kansas.
- (b) The limits referred to in section 16.51 of the Fire Prevention Code, in which new bulk plants for flammable liquids are prohibited, are hereby established as follows: Within the limits of the City of Leawood, Kansas. Ord. 239.

7-116 ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED. The limits referred to in section 26.6a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Within the limits of the City of Leawood, Kansas. Ord. 239.

7-117 ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED. The limits referred to in Section 12.6b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Within the limits of the City of Leawood, Kansas. Ord. 239.

7-118 MODIFICATIONS. The Inspector in charge of the Bureau of Fire Prevention with the written consent of the Chief of the Fire Department shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are

FIRE DEPARTMENT CH. VII

FIRE DEPARTMENT: ART. 1

practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the inspector of the Bureau of Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant. Ord. 239

- 7-119 APPEALS. Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the governing body within 30 days from the date of the decision appealed. Ord. 239
- 7-120 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS. The governing body, the Chief of the Fire Department and the inspector in charge of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The inspector in charge of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. Ord. 239
- 7-121 REPEAL OF CONFLICTING ORDINANCES. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed. Ord. 239
- 7-122 VALIDITY. The City of Leawood, Kansas, hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City of Leawood that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as may be declared invalid. Ord. 239

FIRE DEPARTMENT
CHAPTER VII

ARTICLE 2 PENALTIES

7-201 PENALTIES. (a) Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any other made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Magistrate Court or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and non-compliance respectively be guilty of a misdemeanor, punishable by a fine of not less than \$10.00 nor more than \$100.00, or by imprisonment for not less than 3 days nor more than 30 days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. ORD. 239

CHAPTER VIII
CEREAL MALT BEVERAGE

ARTICLE 1 CEREAL MALT BEVERAGE

8-101 DEFINITIONS. As used in the chapter, the words and phrases herein defined shall have the following meanings, unless the context otherwise requires:

- (a) "Person" shall include individuals, firms, co-partners, corporations and associations.
- (b) "Sale at Retail" and "Retail Sale" shall mean sales for use or consumption and not for resale in any form.
- (c) "Place of Business" shall mean any place at which cereal malt beverages are sold.
- (d) "Cereal Malt Beverage" shall include any fermented but undistilled liquor brewed or made from malt or from a mixture of malt and/or malt substitute which contains three and two tenths percent (3.2%) of alcohol by weight or less.
- (e) "Alcoholic Liquor" shall include every liquid, patented or not, containing alcoholic spirits, wine or beer and capable of being consumed as a beverage by human beings but shall not include any cereal malt beverage containing 3.2% alcohol by weight or less. Ord. 60

8-102 SALE WITHOUT LICENSE. It shall be unlawful for any person to keep for sale, offer for sale, expose for sale, or sell any cereal malt beverage as defined by this chapter without first having procured a license to do so as required by Article 1 of this chapter. Ord. 60

8-103 LICENSE. Any person wishing to sell cereal malt beverage, at retail at his place of business located within the corporate limits of The City of Leawood shall make application in writing for a license to the governing body of the city and file same with the city clerk. The application shall be verified and shall contain:

- (a) The name and residence of the applicant and how long he has resided within the State of Kansas;
- (b) The particular place of business for which a license is desired;
- (c) The name of the owner of the premises upon which the place of business is located;
- (d) A statement that the applicant is a citizen of the United States and not less than 21 years of age and that he has not, within the two years immediately preceeding the date of making the application, been convicted of a crime involving moral turpitude, or been adjudged guilty of drunkenness, or driving a motor vehicle while under the influence of intoxicating liquor, or the violation of any other intoxicating liquor law of any state or of the United States.

If the applicant be a corporation, then the name and residence of each officer and director thereof, together with any stock holder owning more in aggregate than 25% of the stock of such corporation, and the manager or agent of the place of business shall be stated together with information required in the above sub-paragraph "(d)" as to each.

Such application shall be accompanied with a fee of \$50.00. Ord. 72

CEREAL MALT BEVERAGE CH. VIII

CEREAL MALT BEVERAGE ART. 1

8-104 APPROVAL OF APPLICATION. The governing body shall not approve the application nor a license to be issued to:

- (a) A person who is not a resident of the city or county in which the premises covered by the license are located, and who has not been a resident in good faith of the State of Kansas for at least one year prior to said application, and a resident of the county in which said place of business is to be operated for at least six months;
- (b) A person who is not of good character and reputation in the community in which he resides;
- (c) A person who is not a citizen of the United States;
- (d) A person who, within two years immediately preceeding the date of application, has been convicted of a felony or a crime involving moral turpitude, or been adjudged guilty of drunkenness, or driving a motor vehicle while under the influence of intoxicating liquor, or the violating of any other intoxicating liquor law of any other state or the United States.
- (e) A co-partnership, unless one of the co-partners is a resident of the county in which the premises covered by the license are located, and unless all the members of such co-partnership otherwise be qualified to obtain a license;
- (f) A corporation, if any member, officer, or director thereof, or any stock holder owns in aggregate more than 25% of the stock of such corporation, would be inelligible to receive a license hereunder for any reason other than non-residence within the city or county.
- (g) A person whose place of business is conducted by a manager or agent unless said manager or agent possesses the same qualifications required of the licensee. Ord. 60

8-105 ISSUANCE OF LICENSE AND DISPLAY THEREOF. If, after examination of the application by the governing body of the city, it shall approve the same, the city clerk shall cause to be issued a license signed by the mayor and attested by the clerk and affixed with the seal of the city authorizing the applicant to sell at retail only cereal malt beverage not for consumption upon the premises. Said license shall not be transferable and shall be issued for the calendar year. Every licensee shall cause the city cereal malt beverage license to be placed in a conspicuous place on the licensed premises. Ord. 60

8-106 REVOCATION OF LICENSE. Any person holding such license shall have the same revoked by the city council for any one of the following reasons:

- (a) If a licensee has fraudulently obtained the license by giving false information on the application therefor;
- (b) If the licensee has violated any of the provisions of this ordinance or any other ordinance of the city;
- (c) If the licensee has become ineligible to obtain a license;
- (d) Drunkenness of the person holding such license or permitting any intoxicated person to remain in his place of business;
- (e) The sale of cereal malt beverage to persons under the age of 21;

CEREAL MALT BEVERAGE CH. VIII

CEREAL MALT BEVERAGE ART. I

- (f) The non-payment of any license fees;
- (g) For permitting any gambling in or upon such premises;
- (h) For permitting any person to mix drinks with material purchased inside place of business or brought in for this purpose;
- (i) For the employment of persons under 18 years of age in dispensing cereal malt beverage;
- (j) For the employing of persons who have been adjudged guilty of a felony or any violation of the intoxicating liquor laws of this state or of this ordinance;

The city council shall hold a public hearing after having given five (5) days written notice of their intent to revoke such city license.

In cases of the revocation of the license of any licensee, no new license shall be issued to any such person or any person acting for or on his behalf for a period of six months thereafter. Ord. 60

8-107 SALE. No person shall sell at retail any cereal malt beverage within the corporate limits of the city:

- (1) On the day of any national, state, county, or city election, including primary elections, during the hours the polls are open, within the political area in which such election is being held;
- (2) On the first day of the week, commonly called Sunday;
- (3) On Thanksgiving Day or Christmas Day;
- (4) Before 9 o'clock A. M. or after 12 o'clock, Midnight, on any day when sale is permitted. Ord. 263

8-108 GENERAL EXCEPTIONS.

A. Nothing contained in this ordinance shall prevent: (1) The making of wine, cider, or beer by persons from fruit, vegetables, or grain or the products thereof for simple fermentation and without distillation if it is made solely for the use of the maker and his family; (2) No duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of his profession; (3) No drug store employing a licensed pharmacist from possessing or using alcoholic liquor in the compounding of prescriptions of duly licensed physicians; (4) The possession and disposition of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church.

B. None of the provisions of the ordinance shall apply: (1) To flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, or toilet preparations or food products unfit for beverage purpose; (2) To wine intended for use and used by any church or religious organization for sacramental purposes. Ord. 60

CEREAL MALT BEVERAGE CH. VIII

ARTICLE 2 VIOLATIONS

8-201. PENALTIES. Any person violating any of the provisions of Article 1 of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100.00 or by imprisonment in the county jail for not more than 3 months, or by both fine and imprisonment. Ord. 60

CEREAL MALT BEVERAGE CH. VIII

ARTICLE 3 OCCUPATION LICENSE TAXES

8-301 TAX: DISTRIBUTORS, EACH PLACE OF BUSINESS. That an annual occupation license tax is hereby levied on all alcoholic liquor distributors, as defined by the laws of the State of Kansas, for the first and each additional distributing place of business operated in the City of Leawood, Kansas, by the same licensee and wholesaling and jobbing alcoholic liquors, except beer, in the sum of \$300.00. Ord. 181

8-302 TAX: BEER DISTRIBUTORS, EACH PLACE OF BUSINESS. That an annual occupation license tax is hereby levied on beer distributors as defined by the laws of the State of Kansas for the first and each additional wholesale distributing place of business operated in the City of Leawood, Kansas, by the same licensee and wholesaling or jobbing beer, containing more than three and two-tenths (3.2) per cent of alcohol by weight only in the sum of \$300.00. Ord. 181

8-303 TAX: RETAIL DEALERS. That an annual occupation license tax hereby levied on all retail dealers in alcoholic liquors as defined by the laws of the State of Kansas in the sum of \$100.00. Ord. 181

8-304 DATE AND TERM OF LICENSES. All licenses issued under the provisions of this ordinance shall commence on the day the license is issued to the licensee by the State Director of Alcoholic Beverage Control and shall end one year thereafter. Ord. 181

8-305 UNLAWFUL TO SELL WITHOUT LICENSES. It shall be unlawful for any person to sell alcoholic liquor as defined in the Kansas Liquor Control Act in the City of Leawood, Kansas, without first having obtained from the State Director of Alcoholic Beverage Control a license to so engage in said enterprise and having paid to the City of Leawood, Kansas, said occupation tax as hereinbefore set forth. Ord. 181

8-306 SALOONS, UNLAWFUL. It shall be unlawful for any person to own, maintain, operate or conduct either directly or indirectly an open saloon. For the purpose of this section, the words "open saloon" means any place public, or private where alcoholic liquor is sold or offered for sale or kept for sale by the tenant in any quantity of less than one-half pint or sold, offered for sale or kept for sale for consumption on the premises where sold. Ord. 181

8-307 SALE AT RETAIL; FORBIDDEN ON CERTAIN DAYS; HOURS OF SALE; EXCEPTION. No person shall sell at retail any alcoholic liquor:

- (1) On the day of any national, state, county or city election, including primary elections, during the hours the polls are open, within the political area in which such election is being held;
- (2) On the first day of the week commonly called Sunday;
- (3) On Decoration or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day; and
- (4) Before nine (9) o'clock A. M. or after eleven (11) o'clock P. M. on any day when the sale is permitted. Ord. 181

*Min is
one to
see page 68
Dec 8-107*

CEREAL MALT BEVERAGE CH. VIII

ARTICLE 4 PENALTIES

8-401 PENALTIES FOR VIOLATION OF ARTICLE 3. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Ord. 181

Picked up & returned on reg.
had 5 da. (incl.)

W W to follow process in and
relative to tracing ownership &
contracting owner - to keep window
1.25 per da. + 5⁰⁰ ea. trip
\$10 per hr for patrol

W W to collect \$10 from owner
prior to any release, + 1.25 per
da. board bill

Credit of this amt. to city

CHAPTER IX
DOMESTIC ANIMALS

*Generally -
Horses - only in area
9, st 695th - line to state
line - 200' from any
street - call KB - Dred
disturbance 200' from
area to plat.*

ARTICLE 1 DOMESTIC ANIMALS

9-101 KEEPING OF LIVESTOCK PROHIBITED: ANIMALS AND FOWL RUNNING AT LARGE PROHIBITED. It shall be unlawful for any person, firm or corporation to keep, harbor or maintain any cattle, hogs, horses, mules, sheep, goats or other animals, chickens, ducks, geese, pigeons or any other domestic fowl on any premises within the corporate limits of the city without first securing permission from the Governing Body, or to permit the same to run at large upon any public or private grounds in the city other than property in the possession or under the control of the owner or person having the care, custody or control of such animals or domestic fowl or to abandon any such animals.

9-102 ANIMALS AND FOWL: KEEPING IN OFFENSIVE, ETC. MANNER, PROHIBITED. It shall be unlawful for any person owning, occupying, maintaining or controlling any yard, pen, room, building or any other place where animals, fowl, birds or game are dressed or kept alive or dead in the city to allow such place to become filthy, offensive, unwholesome or annoying or to allow any decayed putrid or offensive matter to accumulate thereon.

9-103 PENALTY. Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be fined in any sum not exceeding \$100.00.

9-201 DOG LICENSE. It shall be unlawful for any person to own, keep or harbor any dog over six (6) months of age within the corporate limits of the City of Leawood without registering such dog and paying a yearly license tax thereon, as follows:

(a) \$3.00 for each male or spayed female dog: Provided, That any person registering and paying the license tax for a spayed female dog shall, at the time of registration and payment of said tax, present to the City Clerk a certificate from a licensed veterinarian showing that such female dog has been spayed.

(b) \$5.00 for each unspayed female dog.

The license tax shall be for the calendar year and shall become due on January 1st and payable on or before the first day of March of each year, and shall become delinquent and subject to an added penalty of \$1.60 per month or fraction thereof on each dog on or after March 1st of each year.

9-202 ANTIRABIES VACCINATION REQUIRED. Any person making application for a license for a dog shall be required to present to the City Clerk at the time of making such application a certificate issued by a licensed veterinarian showing that such dog has been vaccinated or inoculated with a recognized antirabies vaccine and showing that the inoculation so administered to such dog will be effective for the entire period of time for which such license is issued.

9-203 REGISTRATION: DOG TAG. It shall be the duty of the City Clerk, upon receipt of the License tax hereinbefore required to keep in a book suitable for the registration of dogs, the time of such registration, the name of the owner or keeper, the number of such registration and the amount paid therefor, and shall deliver to the owner or keeper of such dog a certificate in writing, stating that such person has registered such dog and the number by which he is registered, and shall also deliver to the owner or keeper of such dog a metallic tag with the letters Leawood and the registration number marked thereon, which shall be by the owner or keeper attached to the collar to be used on said dog so registered. When it shall be made to appear to the City Clerk that any tag has become lost, he shall, upon presentation of the certificate, issue a duplicate of such tag. It shall be unlawful

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for any person to take off or remove the city license tag from any dog belonging to another, or remove the strap or collar on which the same is fastened.

9-204 NUMBER OF DOGS LIMITED. The owning, harboring, or keeping of dogs over twelve weeks of age in excess of two upon any property in the City of Leawood shall be deemed a nuisance per se, provided that the owner or keeper may secure from and at the discretion of the Governing Body, a permit to keep or harbor dogs in excess of two upon adequately showing that the premises are so situated, and that special circumstances exist which would not constitute a nuisance to the neighborhood. Written objections by owners of two tracts of land, portions of which lie within 200 feet of the premises shall be held sufficient evidence of nuisance and the permit shall be revoked. The Governing Body may limit said permit as to time and may also limit the maximum number of dogs that may be maintained at any one time.

9-205 KEEPING AND HARBORING DEFINED. Any person who shall allow any dog to habitually remain or to lodge or to be fed within his home, store, yard, enclosure or place, shall be deemed and considered as keeping and harboring said dog within the meaning of this article.

9-206 DOG RUNNING AT LARGE DEFINED. Any dog shall be deemed to be running at large when it is off the premises of the owner or keeper, and not within the sight or hearing of the owner or keeper or accompanied by the owner, keeper or other responsible person.

9-207 RUNNING AT LARGE WITHOUT TAG: PENALTY. Whenever any dog shall be found running at large within the city limits of Leawood without having a license or registration tag attached to a collar, such dog shall be taken up by the humane officer or by any other duly authorized city employee designated by the City of Leawood, so to do, and such animal shall be held (5) five days at a shelter house provided by said agency or veterinarian and if within said five (5) days the owner of any animal so held shall present to the person in charge of such shelter house a license receipt, such animal shall be delivered to the owner. If not so claimed within five (5) days, said animal shall become the property of the designated agency to be disposed of in some humane manner or placed in a good home under the agency's regulations. The owner or keeper claiming any animal as provided in this section shall, in addition to presenting a license receipt, pay a fee of \$10.00 plus the cost of the board bill.

9-208 RUNNING AT LARGE WITH TAG: PENALTY. Whenever a complaint is received under Section 9-217 that any dog is running at large within the city limits of Leawood with a license or registration tag attached to a collar, such dog need not be seized and impounded on the first offense but may be returned to the owner; on second offense the dog shall be impounded. If impounded, all owners of dogs under this section shall be notified that their dog is in custody by registered mail, return receipt requested. In addition thereto the Police Department of the City of Leawood shall visit the owner's home and in the event the owner is not at home, they shall contact an adjoining neighbor and inform them that the dog is in custody. Such animal shall be held five (5) days at a shelter house provided for such purposes, and if within said five (5) days the owner of any animal so held shall present to the person in charge of such shelter house a license receipt, such animal shall be delivered to the owner. If not so claimed within five (5) days said animal shall become the property of the designated agency to be disposed of in some humane manner or placed in a good home under the agency's regulations. The owner or keeper claiming any animal as provided in this section shall, in addition to presenting a license receipt, pay a fee of \$10.00 plus the cost of the board bill charged by the owner or owners of the shelter house.

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9-209 FEMALE DOGS. It shall be unlawful to keep or harbor any female dog within the City of Leawood during such times as she is in heat, whether or not she has a tag, unless such person shall keep such dog in such a manner that other dogs do not frequent or congregate on or near the premises where such female dog is harbored; Provided, That if other dogs frequent or congregate on or near the premises where such female dog is harbored, the owner or keeper shall then remove the dog from the city, and should the owner or keeper fail to do so then the City may take said female dog and impound it and dispose of it in the manner as provided in Sections 9-207 and 9-208.

9-210 NOISY DOGS. The keeping or harboring of any dog which by loud, frequent and habitual barking, howling or yelping shall disturb the peace of any neighborhood is hereby prohibited and declared to be a public nuisance. It shall be the duty of any person harboring or keeping such loud or noisy dog or dogs to abate said nuisance, and if he fails to do so, the City is hereby authorized to abate said nuisance by taking up and impounding of the dog in the same manner as provided in Sections 9-207 and 9-208.

9-211 VICIOUS DOGS. It shall be unlawful for any person within the city to keep, own or harbor any cross or vicious dog, unless such person shall keep such dog securely fastened and tied so that he cannot reach any person to do him damage and shall keep said dog in an enclosure securely fenced so that said dog cannot escape therefrom: Provided, That if any such vicious dog is not so fastened, tied or fenced, the City may take said dog and impound it in the manner as provided in Sections 9-207 and 9-208.

9-212 DOG BITES: EXAMINATION AND QUARANTINE. It shall be unlawful for the owner of any animal or any person harboring any animal when notified that such animal has bitten any person or has so injured any person as to cause an abrasion of the skin to sell or give away such animal. It shall be the duty of such owner or keeper upon receiving notice of the character aforesaid to immediately place such animal in a licensed veterinarian hospital at owner's expense, where such animal shall be confined and treated for a period of not less than 10 days; and such owner or person keeping or harboring such animal shall notify the City Clerk of the name and location of said veterinarian hospital and the date that said animal was confined.

9-213 DOG BITES: DESTRUCTION OR QUARANTINE. It shall be the duty of the owner or any person harboring an unvaccinated animal when such owner or person has reason to believe or has been notified that such animal has been bitten or exposed to a known rabid animal to either destroy said animal or to immediately place such animal in a licensed veterinarian hospital at such owner's expense, where such animal shall be confined for a period of not less than three (3) months or such time as specified in writing by a licensed veterinarian in whose care the animal is confined; and such owner or person keeping or harboring such animal shall notify the City Clerk of the care and location of said veterinarian hospital and the date that said animal was so confined.

9-214 MUZZLING DOGS: MAYOR'S PROCLAMATION. The Mayor is hereby authorized and it is his duty, whenever in his opinion the danger to the public safety from rabid dogs, or dogs with hydrophobia, is made imminent, to issue a proclamation ordering all persons owning, keeping or harboring any dog in the city to muzzle the same with a good and sufficient wire muzzle, completely enclosing the head of said dog, or confine the same in a good and sufficient enclosure from which said dog cannot escape, or fasten such dog by means of chains on the premises where the owner, keeper or harbinger may reside.

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9-215 ABANDONING DOGS UNLAWFUL. It shall be unlawful for any person or persons to bring within the city limits any dog or dogs and abandon the same and allow them to run at large in the street, alleys and public places in the city.

9-216 DOGS TEMPORARILY IN CITY. The licensing and vaccination provisions of this article shall not apply to dogs belonging to and kept by nonresident persons temporarily in the city: Provided, That if said dog or dogs remain in the city longer than thirty (30) days they shall be subject to the provisions of this article. Such dogs shall not be allowed to run at large at any time. The owner of any dog running at large who resides outside the limits of the City of Leawood may claim his or her dog within five (5) days of the impounding upon the payment of a fee of \$5.00 to the designated agency, plus the cost of the board bill.

9-217 COMPLAINTS. Any person aggrieved by the actions of any animal described in this article may make a complaint concerning such animal to the Police Department. Upon receipt of such complaint the Police Department shall notify the owner of the animal complained against of the nature of the complaint, and shall inform the person so complained against of the provisions of this ordinance. In the event that a second complaint of similar nature shall be made against the animal, the Police Department shall investigate the complaint and determine the facts. If the police investigation reveals insufficient evidence of violations of this ordinance, the person or persons so originating the complaint shall be informed of the facts as determined by the police investigations. If the person or persons originating the complaint still desire to press charges they shall appear at the City Hall and make sworn complaint. A warrant will be issued to the person complained against, and the person originating the complaint will be required to appear in court and present evidence. On complaints involving menace to public safety, a summons may be issued on the first complaint at the discretion of the Police Department.

9-218 LICENSING INFORMATION. A copy of this ordinance shall be furnished to each person licensing an animal.

9-301 PENALTIES FOR VIOLATION OF ARTICLE 2. Any person who shall violate, neglect or refuse to comply with any provision, regulation or requirement of Article 2 shall on conviction thereof be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$100.00 and costs.

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FRANCHISE

ARTICLE 1 FRANCHISE

10-101 FRANCHISE. Whereas, Kansas City Power & Light Company is now, and has been for many years, the owner and operator of a system for the transmission of electric current between The City of Leawood any many other incorporated cities within the State of Kansas, which system passes into and through The City of Leawood, Kansas, and has been, over such system, furnishing electric current to the inhabitants of The City of Leawood, Kansas, and both parties hereto desire that Kansas City Power & Light Company shall continue to furnish electric energy to The City of Leawood and its inhabitants.

Now, therefore, be it ordained by the governing body of The City of Leawood, Kansas: In order to promote the welfare, comfort and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city, and the inhabitants thereof from the construction and operation of an electric light and power works and plant and in further consideration of the supplying of electrical energy hereby secured to the public, there is hereby granted to Kansas City Power & Light Company, a corporation, duly created, organized and existing under and by virtue of the laws of the State of Missouri, and doing business under the laws of the State of Kansas as a foreign corporation, and unto its successors and assigns for the full term of twenty years from the date hereof; the right, authority, power and franchise to establish, construct, operate and maintain in The City of Leawood, all works and plants necessary and requisite to carry on a general power and light business, and all other operations connected therewith or incident thereto for the purpose of supplying the community and neighborhood in the vicinity thereof with electrical energy in such forms as may be reasonably required for domestic, manufacturing, municipal and other purposes and to produce and supply such energy by manufacture, generation, purchase or otherwise, and to transmit and distribute the same by pole and wire lines, transmission lines, or otherwise; and for any and all of said purposes, it is authorized to construct or set poles carrying wires and cables above ground, lamp posts, poles, anchors, and guys on all of the streets, alleys, avenues or other public places or thoroughfares, and to construct, erect and maintain all necessary buildings, machinery and attachments of any and every kind and description and for any and all said purposes, may enter upon any and all of the streets, alleys, avenues and other public grounds within the corporate limits of The City of Leawood as they now exist or may hereafter be opened, widened, extended, laid out and established, including any other territory hereafter added thereto or coming under its jurisdiction, and to make such excavation within as may be necessary for the construction of its pole lines and transmission lines and the repair and renewal thereof during the continuance of the franchise hereby granted.

Any pavements, sidewalks or curbing taken up or any and all excavations made shall be done under the supervision and direction of the City Council of said city under permits issued for the work, and shall be made and done in such manner as to give the least inconvenience to

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the inhabitants of the city and the public generally, and pavements, sidewalks, curbing and excavations shall be replaced and repaired in as good condition as before with all convenient speed, by and at the expense of Kansas City Power & Light Company.

Kansas City Power & Light Company shall have the right and power to fix, charge, collect and receive reasonable rates for services rendered. In case the rates fixed and charged by Kansas City Power & Light Company, or any of said rates, shall be deemed by such authorities as under the law can act, to be unjust and unreasonable, then such authority shall have such right, power and authority as the law gives them to fix and determine, but not more often than the law permits, the rates to be charged by the Company under this franchise.

All bills to the consumers shall be rendered at intervals of approximately thirty (30) days, except the Kansas City Power & Light Company may render bills more often if deemed necessary to insure payment for its services to any particular consumer and bills thus rendered shall be payable at any office or collection agency of the Kansas City Power & Light Company on or before ten (10) days after the date of said bill.

Kansas City Power & Light Company shall at all times during the term of this franchise supply to consumer of electric energy, residing in The City of Leawood, such electric energy as they may require and shall extend its lines in accordance with the rules and regulations as filed from time to time with the Kansas Corporation Commission or its successors.

The amount of energy consumed shall be determined by meter measurements unless the Kansas City Power & Light Company shall, at its option, contract for the sale of energy in special cases on some other basis. The City Council shall have the right to select a meter inspector and prescribe the duties, and if any meter furnished by Kansas City Power & Light Company is found, upon inspection and test, to be incorrect in its measurements, the Company shall forthwith upon notice correct the same or immediately supply an accurate meter.

Meters and all appliances and fixtures of the Company located upon the premises of a consumer shall be made and remain in the property of the Kansas City Power & Light Company, and the authorized representative shall at all reasonable times have access to said premises for the purpose of reading said meters and for the purpose of inspecting, repairing or renewing or altering or removing any or all of said property.

All poles and wires shall be erected in accordance with the rules and regulations of the Kansas Corporation Commission as set out in Docket #1944 and any amendments thereto.

All poles carrying said wires shall be placed in such manner as to interfere and obstruct the ordinary use of the streets, alleys, lanes and highways of said city, as little as possible, and as not to interfere with any gas, water main or sewer now or hereafter to be laid out

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or constructed in or under said streets, alleys, lanes and highways of said city.

The said Kansas City Power & Light Company, its successors and assigns, shall furnish sufficient current to each consumer, to maintain good and sufficient incandescent light on every day in the year and during the twenty-four hours of every day in the year, provided, however, that nothing contained herein shall be construed as a guarantee upon the part of the Kansas City Power & Light Company to furnish uninterrupted service, and interruptions due to acts of God, fire, strikes, civil or military authority, orders of court and other causes reasonably beyond the control of the Kansas City Power & Light Company are specifically exempted from the terms of this section.

Kansas City Power & Light Company shall at all times protect and save harmless the City of Leawood from all damages or loss to person and property for or arising out of or by reason of the construction, maintenance or operation of the plant of the Kansas City Power & Light Company.

As a further consideration for the rights, privileges and franchise hereby granted, and in lieu of all occupation and license taxes, the grantee shall on or before the 30th day of April and the 31st day of October of each year in which this franchise is effective, issue a credit amounting to five per cent (5) of its gross receipts from the sale of electric energy used within the present or future boundaries of The City of Leawood for domestic, commercial and industrial consumption, as hereinafter defined and not for resale, for the six (6) months' period ending at the last meter reading preceeding March 31st and September 30th respectively, which credit shall be applied against the bills rendered by the company for street lighting in said city. The term "Gross Receipts" as applied to sales of electrical energy as used in this section shall not include (1) the electrical energy sold to the United States or to the State of Kansas, or to any agency or political subdivision thereof, and (2) the electrical energy sold for other use which cannot be classed as domestic, commercial or industrial; such as the electrical energy used by public utilities, telephone, telegraph and radio communication companies, railroads, pipe line companies, educational institutions not operating for profit, churches and charitable institutions; as such sales and usage have been construed by the United States Department of Internal Revenue under the Revenue act of 1932 and amendment thereof. ✓

All provisions of this ordinance shall be binding upon the Kansas City Power & Light Company, its grantees and its successors and assigns whether expressly stated herein or not, and all the grants and privileges secured by this ordinance to the said Kansas City Power & Light Company shall be held to inure to the benefit of the legal bona fide successors and assigns of said Company.

That this ordinance is made under and in conformity with the laws of the State of Kansas, and shall take effect and be in force as therein provided. Ord. 87

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FRANCHISE

ARTICLE 2 FRANCHISE

10-102 FRANCHISE. The mayor and city clerk reported to the council that pursuant to the direction of the governing body of The City of Leawood, Kansas, taken at its regular session on September 6, 1955, they had caused to be published notice of the proposition to pass such ordinance and to grant the franchise contained therein. Such notice had been published for a period of twenty days in the Johnson County Herald, a newspaper of general circulation within The City of Leawood, Kansas. There was presented to the governing body of said city the duly verified and executed proof of publication of such notice, which had been first published in said newspaper upon the 22nd day of September, 1955, and also upon the 29th day of September, 1955, upon the 6th day of October, 1955, and upon the 13th day of October, 1955.

Upon motion, the publication of such notice, and the proposition to grant the franchise contained therein, was unanimously approved.

The city clerk reported that within the twenty days covered by such publication, a petition was filed with the city clerk signed by more than 10 per cent of the legal voters of The City of Leawood, Kansas, requesting the submission of the proposition to grant the franchise to a vote. The city clerk reported further that upon finding the petition sufficient to cause the proposition to be submitted to a vote of the electors of the city, the mayor issued a proclamation calling a special election to be held upon January 21, 1956, all in accordance with the statutes of the State of Kansas. There was presented to the governing body of said city the duly verified and executed proof of publication of the notice of the special election which was published for six consecutive issues in the Johnson County Herald; the dates of said publication having been November 10, 1955; November 17, 1955; November 24, 1955; December 1, 1955; December 8, 1955; and December 15, 1955. The city clerk reported further that said election was in fact held upon January 21, 1956, in all things as required by law, and that the proposition carried by a vote of 548 to 436.

Whereupon, councilman Max Strong moved that such ordinance again be read, considered by sections and as a whole, and placed upon its final passage. The motion prevailed, all of the councilmen voting yea.

The ordinance was then read, considered by sections, each section being adopted separately, and was then considered as a whole, the question being "shall the ordinance pass?" A vote was then taken and resulted as follows:

Yea Ben Davis, Ralph Myers, Max Strong, Glen Wade, Robert Woodbury.
Nay None.

A majority of the councilmen elect voting in favor of the passage of such ordinance, the mayor declared the ordinance duly passed. Ord. 93

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ARTICLE I FRANCHISE

10-103 INSTALLATION OF STREET LIGHTS. In order to promote the welfare, comfort, and convenience of the City of Leawood, Kansas, its inhabitants, and the public generally, and in consideration of the benefits to be derived by the said City and the inhabitants thereof through the maintenance and operation of an electric street lighting system there is hereby granted to Kansas City Power & Light Company for a term of ten (10) years from the date hereof the right, authority, and power to maintain in the City of Leawood, Kansas, electric street lamps as described below:

104 4000 lumens street lamps on wood poles and served overhead

392 4000 lumens street lamps on steel poles and served underground

1 4000 lumens twin street lamp on a steel pole and served underground.

Said street lamps are located in accordance with the blueprints attached hereto, incorporated herewith, and made a part hereof and further identified by the signature of the Mayor of the City. (Attached to original ordinance in City Clerks Office)

Kansas City Power & Light Company agrees to own, operate, and maintain the street lamps described above; and the City of Leawood, Kansas, agrees to pay to the Company each month an amount equal to one-twelfth of the total annual bill due for said street lamps which shall be determined according to Kansas Rate Schedule 2-ML-66 on file with the State Corporation Commission of Kansas. AT the beginning date of the term of this ordinance, said rates per lamp per year are as follows:

4000 lumens street lamps on wood poles and served overhead-	\$42.00
4000 lumens street lamps on steel poles and served underground-	65.40
4000 lumens twin street lamp on a steel pole and served underground	147.60

Such amounts shall be paid on or before the tenth day following the regular billing date for the month in which service is rendered. In the event of the failure of the City to make such monthly payment within the period prescribed, the said payment shall bear interest at the rate of 6 per cent per annum from the date such payment shall have been in default: provided, however, that the Company may, at its option, discontinue the furnishing of service under this contract in case the City is in default in said monthly payments for a period of three months or more until such time as the delinquent payments, together with the interest thereon, are paid to the Company.

When any franchise, occupational, sales, license, excise, privilege or similar tax or fee of any kind is imposed upon the Company by any Municipal taxing authority based upon (i) the sale of electric service to customers, (ii) the amounts of electric energy sold to customers, or (iii) the gross receipts ^{net receipts} or revenues to the Company therefrom, such tax or fee shall, insofar as practical, be charged on a pro rata basis to all customers so affected receiving electric service from the Company within the boundaries of such Municipal taxing authority. The pro rata amounts of such taxes and fees shall, in all cases, be set out as separate items on the bills of customers so affected, as additional to the other charges for

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electric service hereunder.

Where any such tax or fee is based upon gross receipts, net receipts, or revenues from electric service by the Company within such Municipal taxing authority, an amount proportionate to the applicable percentage thereof will be included as a separate item and added to each customer's bill so affected. Where any such tax or fee is based other than on a percentage of receipts or revenues from electric service, a pro rata amount of such tax or fee shall be added to each customer's bill so affected. All such amounts collected by the Company shall be paid or credited by the Company to the Municipal taxing authority in accordance with the then effective regulations of such taxing authority. The pro rata taxes and fees applicable to each customer so affected will be on the customer's bill and identified as such. Ord. 264

10-104 PAYMENT FOR SERVICE. In consideration of said street lighting service and the maintenance thereof, the City of Leawood, Kansas, agrees that it will each year during the period of this contract make a sufficient tax levy for street lighting purposes and within the maximum levies permitted by the laws of the State of Kansas. Ord. 264

10-105 PROTECTION. Kansas City Power and Light Company shall at all times protect and save harmless the City of Leawood, Kansas, from all damages or loss to persons or property for, or arising out of, or by reason of its negligence in the construction, maintenance, and/or operation of said street lamps and/or equipment hereby authorized. Ord. 264

10-106 RELOCATION OF LAMPS. Kansas City Power & Light Company shall not be required to relocate any street lamp after such lamp has once been installed at a location designated by the City of Leawood, Kansas, unless the City agrees in writing to pay to the Company the actual cost of such relocation. Ord. 264

10-107 RATES FOR ADDITIONAL INSTALLATIONS. The street lamps set forth in Section 2 hereof shall constitute the basic street lamps under this contract. However it is now anticipated by the City of Leawood, Kansas, that it may desire to add additional street lamps of a size, type or mounting arrangement not included in Section 2 of this ordinance; and it is agreed by said City and Kansas City Power & Light Company that if street lamps as have been described in this Section 6 should be desired by the City, the same shall be installed and supplied upon and for the following rates:

STREET LAMPS EQUIPPED WITH A HOOD, REFLECTOR, AND REFRACTOR, ON WOOD POLES AND SERVED OVERHEAD BY AN EXTENSION NOT IN EXCESS OF 500 FEET PER UNIT:

<u>Size of Lamp</u>	<u>Type of Lamp</u>	<u>Rate per Lamp per Year</u>
4000 lumens	Incandescent	\$42.00
6000 lumens	Incandescent	49.20
11000 lumens	Mercury Vapor	62.40
20000 lumens	Mercury Vapor	78.00

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INCANDESCENT STREET LAMPS EQUIPPED WITH A HOOD, REFLECTOR, AND REFRACTOR, ON ORNAMENTAL STEEL POLES AND SERVED UNDERGROUND BY AN EXTENSION NOT IN EXCESS OF 300 FEET PER UNIT:

<u>Size of Lamp</u>	<u>Route for Cable</u>	<u>Rate per Lamp per Year</u>
4000 lumens	Under Sod	\$ 65.40
4000 lumens	Under Concrete	109.80
6000 lumens	Under Sod	72.60
6000 lumens	Under Concrete	117.00

MERCURY VAPOR STREET LAMPS EQUIPPED WITH A HOOD, REFLECTOR, AND REFRACTOR, ON ORNAMENTAL STEEL POLES AND SERVED UNDERGROUND BY AN EXTENSION NOT IN EXCESS OF 200 FEET PER UNIT:

<u>Size of Lamp</u>	<u>Route For Cable</u>	<u>Rate per Lamp per Year</u>
11000 lumens	Under Sod	\$ 85.80
11000 lumens	Under Concrete	130.20
20000 lumens	Under Sod	106.20
20000 lumens	Under Concrete	150.60

TWIN INCANDESCENT STREET LAMPS REIPPED WITH HOODS, REFLECTORS, AND REFRACTORS, ON ORNAMENTAL STEEL POLES AND SERVED UNDERGROUND BY AN EXTENSION NOT IN EXCESS OF 300 FEET PER UNIT:

<u>Size of Lamps</u>	<u>Route for Cable</u>	<u>Rate Per Pair per Year</u>
4000 lumens	Under Sod	\$103.20
4000 lumens	Under Concrete	147.60
6000 lumens	Under Sod	117.60
6000 lumens	Under Concrete	162.00

TWIN MERCURY VAPOR STREET LAMPS EQUIPPED WITH HOODS, REFLECTORS, AND REFRACTORS, ON ORNAMENTAL STEEL POLES AND SERVED UNDERGROUND BY AN EXTENSION NOT IN EXCESS OF 200 FEET PER UNIT:

<u>Size of Lamp</u>	<u>Route for Cable</u>	<u>Rate per pair per Year</u>
11000 lumens	Under Sod	\$148.20
11000 lumens	Under Concrete	192.60
20000 lumens	Under Sod	184.20
20000 lumens	Under Concrete	228.60

Such lamps are to be installed and contracted for by resolution of the City and acceptance thereof by the Company in the manner hereinafter set forth in Section 8 of this ordinance to be effective as a valid contract in the same manner and to the same extent as the contract for the street lamps provided for in Section 2 of this ordinance. Any other style or size of street lamp that may be adopted by the City during the continuance of this agreement, different from those specif. -

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ically provided for in this ordinance, may be included in this contract by ordinance amending the same after the annual charge to be paid by the City to the Company has been agreed upon in writing. In the event of the City's desire to install, at its own cost, some special columns or posts in locations where the City deems it wise or necessary, the Company agrees to furnish lighting service on these special columns or posts at an annual charge which shall be agreed upon by the parties in writing and such agreement shall thereupon be incorporated in and made a part of this contract by ordinance amending the same. Ord. 264

10-108 FAILURE IN SERVICE. In furnishing of the service herein provided for, Kansas City Power & Light Company will not be held responsible for any failure in said service when such failure is due to an act of God, Floods, strikes, or other occurrence or circumstance beyond its control. Ord. 264

10-109 ADDITIONAL INSTALLATIONS. Kansas City Power & Light Company further agrees that it will at its own expense, install such additional electric street lamps as may be required from time to time by the City of Leawood, Kansas, when authorized by resolution duly adopted by the City and on written order signed by a legally authorized officer of said City to which there shall be attached a copy of such resolution on the same conditions and at the same rates as are hereinbefore set out: provided, however, that the Company shall not be required to make such extensions unless it shall within thirty (30) days from and after receipt by it of such resolution file with the City Clerk of said City its written acceptance thereof, and upon said acceptance being so filed, such resolution shall constitute a contract between the City of Leawood, Kansas, and Kansas City Power & Light Company for the remaining period of this ordinance; and in the event of the failure of the said Company to file such acceptance within the time specified in this section then such resolution shall ipso facto cease and become null and void. The City agrees to accept and pay for such additional street lighting so ordered by it upon the same conditions and at the same rates as hereinbefore set out. The blueprint attached to and made a part of this ordinance shall be amended to show such additional street lighting and each amended blueprint shall be identified by the signature of the Mayor of the City. Ord. 264

10-110 ACCEPTANCE. Within thirty(30) days from and after the publication of this ordinance in the official paper of the City of Leawood, Kansas, Kansas City Power & Light Company, its associates, successors, or assigns shall file with the City Clerk of said City its written acceptance of the provisions of this ordinance and upon said acceptance being filed as hereinprovided, this ordinance shall constitute a contract between the City of Leawood, Kansas, and the said Kansas City Power & Light Company for the period set forth herein, and in the event of the failure of the said Company to file such acceptance within the time specified in this section, then this ordinance shall ipso facto cease and become null and void. Ord. 264

10-111 FRANCHISE. That there is hereby granted to the Gas Service Company, a corporation operating a gas distribution system in the City of Leawood, herein called the Grantee, its successors and assigns, the right, privilege and franchise for a period of twenty(20) years from the effective date hereof, to construct, maintain and operate in the present and future streets, alleys, bridges and public places in said City, its gas distribution system as now located, together with the right, privilege and franchise to acquire, construct, maintain and operate therein and thereon such additions and extensions thereto as may be necessary or desirable, all for the purpose of supplying natural gas for all purposes to the inhabitants of said City and consumers in the vicinity thereof. Ord. 96

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10-112 RATES TO BE CHARGED. All rates established and charges made by Grantee for gas distributed and sold hereunder shall be subject to valid and lawful orders of the State Corporation Commission of the State of Kansas or other competent authority having jurisdiction in the premises and the sale of gas to consumers shall be governed by the present operating rules, regulations and customs of Grantee and such rules and regulations as may hereafter be prescribed and approved.
Ord. 96

10-113 SERVICE. That in consideration of and as compensation for the right, privilege and franchise hereby granted, the Grantee, its successors and assigns, shall furnish gas at such pressure and of such quality as shall be designated by lawful orders of the State Corporation Commission of said State, if such gas is reasonably procurable; shall furnish free of cost to each consumer a recognized standard meter or other instrument for measurement of gas sold or computation of consumers' bills and keep same in repair at its cost, which meter shall at all times be the property of the Grantee but subject to inspection by said City; shall at all times save the City harmless from any and all damages which said City may be liable to pay that may arise from the construction, maintenance and operation of its plant system or any part thereof; shall limit all excavations of streets, alleys or public places to the necessities of efficient operation and shall not at any one time open or encumber more of any highway or public place than shall be reasonably necessary to enable Grantee to proceed with advantage in laying or repairing mains or pipes and shall not permit such highway or public place to remain open longer than necessary for the purpose for which it was opened; shall refill all excavations and replace all pavement with like material and leave same in as good condition as when altered or removed; shall perform all work on streets, alleys and public places under supervision of a representative of said City if so desired; shall repay said City all expense to which it has been put in the repair or replacement of streets, highways or pavements in the event such work is done by said City after the neglect or refusal of Grantee to perform same in reasonable time. Ord. 96

10-114 REPORTS AND PAYMENT. As a further consideration for the rights, privileges and franchise hereby granted and in lieu of all occupation and license taxes, the Grantee shall not later than February 1st and August 1st respectively in each year make a report to the governing body of the City of Leawood of its gross receipts from the sale of gas for all purposes in said City for the six months period ending at the last meter reading preceding December 31st and June 30th respectively; and at the time of making such report, pay into the City Treasury a sum equal to five (5%) per cent of said gross receipts from the sale of gas for domestic purposes, and one (1%) per cent of its gross receipts from the sale of gas for industrial purposes, which shall have accrued subsequent to the effective date of this franchise. Industrial sales shall be considered as those made under special contracts providing for stand-by fuel and interruption of service at any time demands of domestic consumers may so require. Ord. 96

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10-115 ACCEPTANCE. That none of the privileges granted by this Ordinance shall take effect or be in force until after the expiration of sixty days from the date of its final passage and until Grantee, its successors and assigns, shall file within said sixty days with the City Clerk of said City, a written acceptance of the provisions hereof; and after the expiration of sixty days if no acceptance as hereinbefore provided has been filed, then this Ordinance shall be ipso facto cease and become null and void. Ord. 96

10-116 ELECTRIC TRAFFIC CONTROL SYSTEM. The Kansas City Power & Light Company is a corporation duly created, organized and existing by virtue of the laws of the State of Missouri, and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy, and, it is to the best interest of said city and its inhabitants that an electric traffic control system be installed and operated; in order to promote the welfare, comfort, safety and convenience of said city, its inhabitants and the public generally, and in consideration of the benefits to be derived by said city and the inhabitants thereof through the maintenance and operation of an electric traffic control system, there is hereby granted to the Kansas City Power & Light Company for a term of ten (10) years from the date hereof, the right, authority and power to maintain in the City of Leawood, Kansas, a flashing beacon signal at the intersection of 85th Street and State Line consisting of two (2) amber units and one (1) red unit suspended by cables attached to wood poles and supplied with electricity by overhead wires. The location of these units shall be as shown upon the blue print attached to and made a part of this ordinance, and further identified by the signature of the mayor of the city.

Kansas City Power & Light Company shall install said traffic control system, and the City of Leawood, Kansas, agrees to pay for said traffic control system and the service rendered therefor, the sum of \$13.35 per month. Such payment shall be made monthly, and if payment therefor is not made within ten (10) days after rendition of bills therefor; then five percent shall be added to the amount of said bill.

All of the material and equipment which shall be installed and used in connection with said traffic control system shall be and remain the property of Kansas City Power & Light Company.

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Kansas City Power & Light Company shall use reasonable diligence in providing continuous service for said traffic control system, but if the same shall fail to operate, the liability of the company shall be only for the service as stated herein for the period in which such traffic control system shall fail to operate. Ord. 114.

In the furnishing of the service herein provided for, said Kansas City Power & Light Company will not be held responsible for any failure in such service when such failure is due to act of God, floods, strikes or other occurrences or circumstances beyond its control.

Within thirty (30) days from and after the publication of this ordinance in the official paper of the City of Leawood, Kansas, the Kansas City Power & Light Company, its associates, successors, or assigns, shall file with the city clerk of said city its written acceptance of the provisions hereof, and upon said acceptance being filed as herein provided, this ordinance shall constitute a contract between the City of Leawood, Kansas, and the said Kansas City Power & Light Company for the period set forth herein, and in the event of the failure of the said Kansas City Power & Light Company to file such acceptance within the time specified in this section, then this ordinance shall ipso facto cease and become null and void.

Ord. 114. *expired 9/67 and be repealed*

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10-117 TELEPHONE FRANCHISE. The Southwestern Bell Telephone Company, its successor and assigns (herein referred to as "Telephone Company") shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of Leawood, State of Kansas (herein referred to as "City"). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purposes for which it is or may be incorporated may from time to time require, along, across, on, over, through, above and under all the public streets, avenues, alleys, bridges, and the public grounds and places within the limits of said City as the same from time to time may be established.

10-118 PAYMENT. The Telephone Company shall pay the City on the 15th day of September, 1961, for the period September 1, 1961 to August 31, 1962, a sum computed at the rate of 7 cents per month per main telephone station located within said City, and a similarly computed sum annually thereafter on the 15th days of September 1962 through 1965, being a term of five years ending August 31, 1966, and for successive terms of like duration, unless within four (4) months prior to the expiration of the initial term or of the successive terms ending on each five-year anniversary following the expiration of the initial term sixty (60) days' written notice is given by one party to the other of its intention to terminate the same at the expiration of the then current five-year term; it being expressly understood that each five-year term provides for five annual payments; this agreement may also be terminated forthwith by the Telephone Company if authority to collect the amounts of such payments from its customers within the City shall be removed, cancelled or withheld by legislative or regulatory act.

The number of main telephone stations upon which such payment shall be determined shall be the number of main telephone stations in service during the month of June preceding each such payment. The payments herein provided shall be in lieu of all other licenses, charges, fees or impositions (other than the usual general or special ad valorem taxes, street cutting or tunneling fees and deposits) which might be imposed by the City under authority conferred by law. The Telephone Company shall have the privilege of crediting such sums payable hereunder with any unpaid balance due said Company for telephone service rendered or facilities furnished to said City.

10-119 SERVICE. The Telephone Company on the request of any person shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require

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such payment in advance. The Telephone Company shall be given not less than forty-eight hours' advance notice to arrange for such temporary wire changes.

Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Company, all the said trimming to be done under the supervision and direction of any City official to whom said duties have been or may be delegated.

Nothing in this ordinance shall be construed to require or permit any telephone, electric light, or power wire attachments by either the City or the Telephone Company on the poles of the other. If such attachments are desired by the City or the Telephone Company, then a separate non-contingent agreement shall be a prerequisite to such attachments.

Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the City.

10-120 ACCEPTANCE. The said Telephone Company shall have sixty (60) days from and after its passage and approval to file its written acceptance of this ordinance with the City Clerk, and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force from and after the date of its passage and approval by the Mayor. ORD. 197

10-121 INSTALLATION OF STREET LIGHTS. In order to promote the welfare, comfort, and convenience of said City, its inhabitants, and the public generally and in consideration of the benefits to be derived by said City and the inhabitants thereof through the maintenance and operation of an electric street lighting system there is hereby granted to Kansas City Power & Light Company, for a term beginning with the effective date of this Ordinance and terminating May 17, 1966, the right, authority, and power to maintain in the City of Leawood, Kansas, electric street lamps to be installed and be supplied upon and for the following rates as described below:

STREET LAMPS SUPPORTED BY STEEL POLES, MOUNTED
IN PAIRS, AND SUPPLIED FROM UNDERGROUND CABLE

Size of Lamp	Route of Cable	Rate Per Pair Per Year		
		Spacing in Feet		
		Under 200'	200' to 300'	300' to 400'
400 c.p.	Under Sod	\$ 95.40	\$106.68	\$117.96
400 c.p.	Under Sidewalk	103.20	118.08	132.96
600 c.p.	Under Sod	109.44	120.72	132.00
600 c.p.	Under Sidewalk	116.04	130.92	145.80

ORD. 178

9/5/61

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10-122 PAYMENT FOR SERVICE. The City agrees to pay Kansas City Power & Light Company on account of the construction, maintenance, and operation of the electric street lamps installed under this ordinance at the rates set forth above. Such amounts shall be paid to Kansas City Power & Light Company in equal monthly installments on or before the 10th day following the regular billing date for the monthly period in which the service is rendered.

In the event of the failure of the City to make such monthly payments within the period prescribed, the said monthly payments shall bear interest at the rate of 6 per cent per annum from the date such payment shall have been in default; provided, however, that the Company may, at its option, discontinue the furnishing of service under this contract in case the City is in default in said monthly payments for a period of three months or more, until such time as the delinquent payments together with the interest thereon, are paid to the Company. Ord. 178

10-123 REFERENCE TO ORDINANCE NO. 95. Sections 2, 3, 4, 5, 6, 7, 8 and 9 of Ordinance No. 95 of the City of Leawood, Kansas, are hereby included in and made a part of this Ordinance by reference the same as if said Sections were fully set forth herein. Ord. 178

10-124 RATIFICATION OR ORDINANCE NO. 95. Ordinance No. 95 of the City of Leawood, Kansas, is hereby ratified, approved, and confirmed and this amendment thereto shall have no effect upon the validity of said Ordinance No. 95. Ord. 178

10-125 ELECTRIC TRAFFIC CONTROL SYSTEM. Whereas, Kansas City Power & Light Company is a corporation duly created, organized, and existing by virtue of the laws of the State of Missouri and admitted to do business under the laws of the State of Kansas as a foreign corporation for the purpose of generating and distributing electric energy; and

Whereas, it is to the best interest of said City and its inhabitants that an electric traffic control system be installed and operated.

Now, therefore, be it ordained by the governing body of the City of Leawood, Kansas:

In order to promote the welfare, comfort, convenience, and safety of said City, its inhabitants, and the public generally, and in consideration of the benefits to be derived by said City and the inhabitants thereof through the maintenance and operation of an electric traffic control system, there is hereby granted to Kansas City Power & Light Company for a term of ten (10) years from the date hereof, the right, authority, and power to maintain in the City of Leawood, Kansas, an electric traffic control system at the intersection of 95th Street and State Line consisting of a single-dial controller, ten (10) standard three-light signal units, flashing feature, wood pole suspension cable, and interconnecting cable and accessories.

The signal units in this traffic control system shall be mounted in vertical positions on posts or cable and shall be supplied with electricity through underground cable connecting the various signal units with

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the controller and shall operate 24 hours each day. The locations of the signal units and the controller shall be as shown on the blue-print attached to and made a part of this ordinance and further identified by the signature of the Mayor of the City.

Kansas City Power & Light Company agrees to install, maintain, and operate said traffic control system, part of which shall be located in the City of Kansas City, Missouri. The City of Leawood, Kansas, agrees to pay to said Company the sum of \$38.30 per month as its portion of the total monthly rate of \$76.60 for the construction, maintenance, operation, and service of said system. Such payment shall be made monthly, and if payment therefor is not made within ten (10) days after rendition of bills therefor, then five per cent shall be added to the amount of said bill.

The rates and charges specified in this section shall be subject to review and revision at the written request of either party five (5) years from the effective date hereof. If either party desires a review and revision of rates and charges at that time, it shall so notify the other party in writing not later than sixty (60) days prior to the review date, whereupon representatives of the parties will meet and in good faith attempt to reach an agreement with respect to the rates and charges sought to be revised. If no agreement is reached within such sixty (60) day period, either party may submit the matter of rates and charges to the State Corporation Commission of the State of Kansas, and both parties agree to be bound by the findings of said Commission with respect thereto, except that the right to seek judicial review thereof is hereby expressly reserved. Revised rates and charges determined by agreement, by said Commission, or upon judicial review shall be effective as of the date of scheduled review.

The rates and charges set forth herein are based on the existing weighted average hourly straight time rate of bargaining unit employees of the Company of \$2.9158 per hour. In the event such average hourly rate of pay is increased or decreased five per cent or more, the charges for traffic signals shall be increased or decreased by 0.165 per cent for each full one per cent that such average hourly rate of pay is above or below \$2.9158.

In the event any tax or taxes are imposed by any governmental authority (i) upon the Company measured by the amounts of electric service delivered hereunder or by the revenues to it therefrom or (ii) upon the electric service delivered by it hereunder or upon the sale by it thereof in excess of those now imposed, and the Company is required to pay such tax or taxes, the City shall pay to the Company, in addition to the charges set forth herein, a sum equal to the aggregate amount of all such new or increased taxes so incurred by the Company.

The Company shall not be required to relocate any traffic signal unit or equipment after it has once been installed at a location designated by the City unless the City agrees in writing to pay to the Company the actual cost of such relocation.

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All of the material and equipment which shall be installed and used in connection with said traffic control system shall be and remain the property of Kansas City Power & Light Company.

Kansas City Power & Light Company shall use reasonable diligence in providing continuous service for said traffic control system, but if the same shall fail to operate, the liability of the Company shall be only for the service as stated herein for the period in which such traffic control system shall fail to operate.

In the furnishing of the service herein provided for, said Kansas City Power & Light Company will not be held responsible for any failure in such service when such failure is due to an act of God, flood, strikes, or other occurrence or circumstance beyond its control. ORD. # 193

The electric traffic control system set forth in Section 1 hereof shall constitute the basic traffic control systems under this contract. However, it is now anticipated by the City of Leawood, Kansas, that it may desire to add additional traffic control systems or equipment other than that described in Section 1 hereof, and it is agreed by said City and Kansas City Power & Light Company that if additional traffic control systems or equipment as described above in this Section 6 should be desired by the City, the same shall be installed and supplied upon and for the following rates:

<u>ITEM</u>	<u>RATE PER MONTH</u>
Limited quad left turn control. This type of installation shall consist of a controller, (Eagle Moduvac type or equivalent) complete with cabinet, power supply and load relays, 6 loop type detectors complete with necessary loops, 8 - 3 lens (8 inch) signal units post or pole mounted as required, and all necessary interconnecting cables.	\$ 270.50
Co-ordinated multi-dial controller with overhead cable extension not in excess of 600 feet between such co-ordinated controlled intersections.	77.00
Traffic control system actuated by push buttons, including special controller with pedestrian timer, and four (4) signal units together with interconnecting cable and accessories. (Traffic actuated treadles are extra).	54.00
Standard traffic control system consisting of a single-dial controller, four (4) standard three-light signal units, and interconnecting cable and accessories.	33.50
Push button traffic control system at pedestrian crossing consisting of controller, two (2) push buttons, and four (4) signal units together with interconnecting cable and accessories. (Traffic actuated treadles are extra).	30.50
Suspension signal system	29.70
Pair of Steel poles and cable	11.00

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<u>ITEM</u>	<u>RATE PER MONTH</u>
Pair of wood poles and cable	4.40
Vehicle actuated units	9.00
Multi-dial controller replacing single-dial controller	7.75
Supplemental three-light unit	5.70
Supplemental two-light unit	5.00
Supplemental turn-arrow unit	1.50
Bracket to support a signal unit not to exceed 38 feet	12.80
Bracket to support a signal unit not to exceed 30 feet	9.70
Bracket to support a signal unit not to exceed 25 feet	5.00
Supplemental 9" square "Walk-Don't Walk" lens	.90
Supplemental 12" lens	.75
Supplemental back plate	.25
Supplemental flasher device	4.50
Supplemental louvered lens	.60
Excess overhead co-ordinating cable installed on existing wood poles (per foot)	.03
Feet of excess control cable under sod	.03
Feet of excess control cable under concrete	.04
Supplemental single neon walk unit	8.00
Supplemental double neon walk unit	13.00
Flasher unit, 4-way, 1 light	16.00
Flasher unit, 1-way, 1 light	11.00
Flasher unit, 1-way, 2 light	14.00
Supplemental shielding visor	.60

Such traffic control systems or equipment are to be contracted for by resolution of the City and acceptance thereof by the Company in the manner provided for in Section 7 of this ordinance. Said resolution shall be effective as a valid contract in the same manner and to the same extent as the contract for the traffic control systems provided for in Section 1 hereof. Any other item

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of traffic control equipment that may be requested by the City during the continuance of this agreement different from those specifically provided for in this ordinance may be included in this contract by ordinance amending the same after the monthly rate to be paid by the City to the Company has been agreed upon in writing. ORD. #351

The Company further agrees that it will, at its own expense, install such additional traffic signal systems or signal units or other equipment provided for in Section 6 of this ordinance as may be required from time to time by the City when authorized by resolution duly adopted by the City and on written order signed by a legally authorized officer of said City to which there shall be attached a copy of such resolution on the same conditions and at the same rates as are hereinbefore set out provided that the Company shall not be required to make such installation or installations unless it shall within thirty (30) days from and after the receipt by it of such resolution file with the City Clerk of said City its written acceptance thereof and upon said acceptance being so filed such resolution shall constitute a contract between the City of Leawood, Kansas, and Kansas City Power & Light Company for the remaining period of this ordinance, and in the event of the failure of the said Kansas City Power & Light Company to file such acceptance within the time prescribed in this section, then such resolution shall ipso facto cease and become null and void. The City of Leawood, Kansas agrees to accept and pay for such additional traffic signal systems, signal units, or other equipment so ordered by it upon the same conditions and at the same rates as are hereinbefore set out. Each resolution shall include a blueprint showing locations of additional traffic signal equipment, and the blueprint shall be identified by the signature of the Mayor of the City.

days

Within thirty (30) days from and after the publication of this ordinance in the official paper of the City of Leawood, Kansas, Kansas City Power & Light Company, its associates, successors, or assigns shall file with the City Clerk of said City its written acceptance of the provisions hereof and upon said acceptance being filed as herein provided, this ordinance shall constitute a contract between the City of Leawood, Kansas, and the said Kansas City Power & Light Company for the period set forth herein, and in the event of the failure of the said Kansas City Power & Light Company to file such acceptance within the time specified in this section, then this ordinance shall ipso facto cease and become null and void.

This ordinance shall take effect and be in force from and after its passage and its publication as provided by law. ORD. # 193.

CHAPTER XI
STREET DEPARTMENT

ARTICLE 1 STREET DEPARTMENT

11-101 CREATION OF STREET DEPARTMENT. There is hereby established a Street Department to be headed by the Street Commissioner. Ord. 112.

11-102 COMPENSATION. A Superintendent of Streets and all employees of the Street Department shall be hired by resolution of the City Council at such rates of pay as may be thereby established. Ord. 112.

11-103 The Street Commission shall cause to be prepared and filed in the office of the City Clerk, specifications for streets, curbs and gutters which shall have been previously approved by resolution of the City Council. Ord. 274.

11-104 ADOPTING STREET SPECIFICATIONS AND STANDARDS OF THE KANSAS CITY METROPOLITAN CHAPTER OF THE AMERICAN PUBLIC WORKS ASSOCIATION. There is hereby incorporated, in the revised ordinances of the City of Leawood, Kansas, by reference, for the purposes of regulating the design, construction, alteration and repairs, that certain standard street specifications and standards known as the "Street Specifications and Standards of the Kansas City Metropolitan Chapter of the American Public Works Association 1966" prepared and published by the Kansas City Metropolitan Chapter of the American Public Works Association. Not less than three copies of such specifications and standards shall be marked or stamped "Official Copy as Adopted by Ordinance No. 274" to which shall be attached a copy of the ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable hours, except that such copy shall not be removed from the City Hall. The City Engineer and the Street Department Superintendent shall be supplied, at the cost of the City, such number of official copies of such standards and specifications as may be deemed expedient by the governing body. Ord. 274

11-104 A INVALIDATION. Sections, parts or portions of this ordinance which conflict with any other ordinance of the City of Leawood or statute of the State of Kansas shall be and hereby are declared to be invalid. Ord. 274.

11-104 B VALIDITY OF THIS ORDINANCE. Should any section, clause or provision of this ordinance be invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the parts so invalid or unconstitutional. Ord. 274.

11-105 CONTRACTS. The Street Commissioner shall cause to be prepared form or forms of contracts for work to be performed by independent contractors, the form or forms of such contracts shall be approved by resolution of the City Council. Ord. 127

11-106 WORK ORDERS. The Street Commissioner shall issue work orders on all work to be done by or for the city. Work orders shall specify the date of its issuance, name and address of contractor, work to be done, and any special specifications not covered by specifications on file in the city offices. Work orders shall be in quadruplicate, numbered consecutively and two copies thereof shall be given the contractor, one copy to the City Clerk and one copy retained by the Street Department. No such work order shall operate to increase the limit or amount of any contract previously approved by the council. The Street Commissioner shall not issue work orders in excess of one thousand dollars (\$1,000.00) without the prior approval of the City Council. Ord. 127.

CHAPTER XII
CITY PLAN COMMISSION

ARTICLE I CITY PLAN COMMISSION

12-101 CREATION OF COMMISSION. There is hereby created a city plan commission consisting of seven taxpayers, five of whom shall be residents of the city and two of whom shall reside outside of, but within three miles of the corporate limits of the city.

12-102 TERMS. Within 30 days of the meeting at which this ordinance is adopted, the Mayor shall, by and with the consent of the council, appoint such members, three to serve until the first regular meeting of the city council in the next succeeding month of May, two to serve until the first regular meeting of the city council in the second succeeding month of May and two to serve until the first regular meeting of the city council in the third succeeding month of May. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term only. Members of the commission shall serve without compensation for their service.

12-103 MEETINGS: CHAIRMAN: RECORD. The members of the city planning commission shall meet at least once a month at such time and place as they may fix by resolution. They shall select one of their members as chairman and one as vice-chairman who shall serve one year and until their successor has been selected. Special meetings may be called at any time by the chairman or in his absence, by the vice-chairman. A majority of the commission shall constitute a quorum for the transaction of business. The commission shall cause a proper record to be kept at its proceedings.

12-104 POWERS AND DUTIES OF COMMISSION. The powers and duties of the commission shall be to make plans and maps of the whole or any portion of the municipality, and of any land outside of the municipality, which in the opinion of the commission bears relation to the planning of the municipality, and to make changes in such plans or maps when it deems same advisable, and do and perform all things permitted by statute. Such maps or plans shall show the commission's recommendations for new streets, alleys, ways, viaducts, bridges, subways, parkways, parks, playgrounds, or any other public ground or public improvements; and the removal, relocation, widening or extension of such public works then existing with a view to the systematic planning of the municipality, the commission may make recommendations to the governing body concerning the location of streets, transportation and communication facilities, public buildings and grounds. Whenever the commission shall have made and agreed upon a plan for the development of the municipality or any portion thereof, such plan or plans shall be submitted to the governing body for their consideration and action.

12-105 PLANS AND PLATS: REGULATIONS. All plans, plats or replats of lands laid out in building lots and the streets, alleys or other portions of the same intended to be dedicated for public use, or for the use of purchasers or owners of the lots fronting thereon or adjacent thereto, and plans and descriptions of all streets, alleys or public ways intended to be deeded or dedicated for public use, or for the use of purchasers or owners of the land fronting thereon or

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CITY PLAN COMMISSION

ARTICLE I CITY PLAN COMMISSION

adjacent thereto which is not intended to be platted into lots or other designated tracts, and located within the city limits, or any addition or plan of streets or public ways located outside the city limits, provided such territory is within same county in which said city is located and entirely or in part within three miles of the nearest point on the city limits, shall be submitted to the city planning commission for their consideration, and their recommendation shall then be submitted to the governing body of the city for their official consideration and action. And no such plat or replat or dedication or deed of street or public way shall be filed with the register of deeds as provided by law until such plat or replat or dedication or deed shall have endorsed on it the fact that it has first been submitted to the city planning commission and by the city planning commission to the governing body of the city and by the governing body duly approved. ORD. 195

CHAPTER XIII
LEAWOOD SEWER SYSTEM

ARTICLE I LEAWOOD SEWER SYSTEM

13-101 SEWER SYSTEM. WHEREAS, on or about the 15th day of November, 1954, the City of Leawood, Kansas, by trust deed recorded in Book 68 Misc., page 472, in the office of the Register of Deeds of Johnson County, Kansas, acquired as trustee the title to the sewer system serving the City of Leawood, Kansas, and adjoining areas, from Kroh Bros., Inc. and upon breach of certain conditions contained thereon the title to said system under the terms of said trust deed upon demand would pass to the City of Leawood, Kansas, and

WHEREAS, on or about the 7th day of October, 1957, a Sanitary Sewer Agreement was entered into by and between the County Court of Jackson County, Missouri, in behalf of the Indian Creek and Dykes Branch Joint Sewer District of Jackson County, Missouri, and Kroh Bros., Inc. and Kansas City, Missouri, a municipal corporation, and the City of Leawood, Kansas, a municipal corporation, under the terms of which Kroh Bros., Inc. undertook to pay to the County Court of Jackson County, Missouri, and the City of Kansas City, Missouri, the payment of certain sums for sewer lines, treatment plants, etc. and the City of Leawood, Kansas, agreed to become liable for the payment of said sums in the event Kroh Bros., Inc. defaulted therein, and

WHEREAS, on or about the 5th day of December, 1963, Kroh Bros., Inc. stated by letter to the City of Leawood, Kansas, that it would default in the payment of said sums and would deed all of its interest to said sewer system to the City of Leawood, Kansas.

NOW THEREFORE, the governing body of the City of Leawood, Kansas, hereby declares the acquisition of such sewers, sewage system and facilities to be necessary, convenient and useful to the City of Leawood, Kansas, and does hereby declare that the same is of value to said City, its inhabitants and others in the immediate environs of such City and does hereby declare that such sewer lines and facilities are located within a distance of three miles of the corporate limits of the City of Leawood, Kansas, and that the facilities have been constructed and were in place prior to January 1, 1947, and does hereby authorize the Mayor to accept in behalf of the City of Leawood, Kansas, a proper deed to the sewer facilities from Kroh Bros., Inc. *Ord. 226*

13-102 SEWER SERVICE CHARGE. The governing body of the City of Leawood, Kansas, shall on or before the first day of January of each year determine and establish just, reasonable and equitable service charges to be paid to the City by each property connected thereto for the use of such system which charge if not paid by the first day of April of said year may be certified by the City Clerk to the County Clerk as a special tax against such property. All sewer service charges not paid by April 1st of each year shall bear a penalty of ten per cent (10%) per year or part thereof and the City of Leawood, Kansas, may at its option after April 1st of any such year disconnect any connection which is delinquent in the payment of said charge and shall not be obligated to reconnect said property to said system until the cost of such disconnection and reconnection is paid together with all delinquent sewer service charges. *Ord. #453*

← * also KSA 12-6319 thru 12-6311

CHAPTER XIII
LEAWOOD SEWER SYSTEM

13-103 SEWER CONNECTION CHARGE. The governing body may from time to time establish just, reasonable and equitable connection charges and allow connections to said system which connections when so permitted shall be evidenced by an instrument in writing executed by the Mayor of the City of Leawood, Kansas, and attested by the City Clerk. Any unauthorized connections to said sewer system or any authorized connections violating any of the rules and regulations hereinafter adopted by the governing body shall be promptly disconnected and the cost thereof assessed against such property, so connected as is provided in Section 13-102.

13-104 RULES AND REGULATIONS. The Public Works Committee shall from time to time adopt, promulgate, amend and enforce rules and regulations relating to any matter or thing pertaining to the operation, maintenance and use of the sewer system and the Administrative Committee shall from time to time adopt, promulgate, amend and enforce rules and regulations relating to any matter or thing pertaining to the administration, collection, disbursement and enforcement of such rules and regulations. No such rules or regulations shall be effective until approved by the governing body of the City of Leawood, Kansas.

13-105 NON-TAX FUNDS. No revenue derived from ad valorem taxes shall be used for the operation, maintenance or acquisition of sewer facilities.

13-106 INVESTMENT OF FUNDS. All funds derived from sewer service charges or sewer connections may upon approval of the governing body of the City of Leawood, Kansas, be invested in such securities and upon such terms and conditions as is presently permitted for the investment of idle city funds and in addition thereto certificates of deposit, savings and loan accounts and bank accounts.

13-107 DISBURSEMENTS. Disbursements from any sewer account shall be made by the written authorization of the Mayor, City Clerk and City Treasurer after approval by the governing body of the City of Leawood, Kansas.

13-108 CONTRACTS WITH OTHER POLITICAL SUBDIVISIONS. The governing body of the City of Leawood, Kansas, shall have authority to make contracts with persons, firms, corporations, Boards of County Commissioners, township trustees, sewer districts and other municipalities and political subdivisions whether within or without the State of Kansas for the use, maintenance and operation of such sewers and sewage facilities upon such terms and conditions and for such period of time as the governing body may deem necessary and proper.

ORD. 226

CHAPTER XIII
LEAWOOD SEWER SYSTEM

ARTICLE 2 CONTRACTS WITH OTHER MUNICIPALITIES

13-201 AUTHORIZATION TO EXECUTE AGREEMENT. That the Mayor of the City of Leawood, Kansas, be and he is hereby authorized and directed to execute, on behalf of the City of Leawood, Kansas, an Agreement of Co-operation for sewage service with Kansas City, Missouri, a municipal corporation of the State of Missouri, to provide for the payment of a monthly sewer service charge, moneys for capital improvements, maximum sewer connections and the method of payment therefor, all in accordance with the terms and conditions of the agreement attached hereto and made a part hereof. Ord. 227

13202 RECORDING OF AGREEMENT. That upon the effective date of the agreement as therein provided, the City Clerk of the City of Leawood, Kansas, is directed to cause this ordinance and attached agreement together with a certified copy of the ordinance adopted by the City of Kansas City, Missouri, to be recorded in the office of the Register of Deeds of Johnson County, Kansas, at Olathe, Kansas. Ord. 227

(NO SECTION NO. ASSIGNED.) SUPPLEMENTAL AGREEMENT. The Mayor of the City of Leawood, Kansas, together with the City Clerk of the City of Leawood, Kansas, are hereby authorized and directed to enter into a certain Supplement to Agreement of March, 1964, of Cooperation for Sewerage Service with the proper officials of the City of Kansas City, Missouri, for the purpose of evidencing the consent of the City of Leawood, Kansas, to said agreement, copy of which is attached to and made a part of this ordinance and marked Exhibit "A" subject only to the passage of an appropriate ordinance authorizing the execution of said contract by the City Council of the City of Kansas City, Missouri. Ord. 319

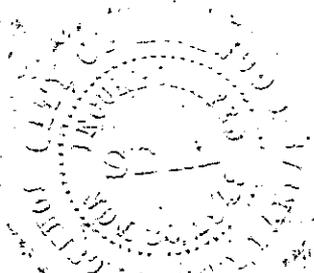
Resolution # 216 - purchases - next page.

RESOLUTION NO. 216

WHEREAS the Sewer Committee of the City of Leawood, Kansas has been charged from and after June 1, 1970 with the maintenance by use of City employees, as well as the operation of the Leawood Sewer System,

BE IT RESOLVED by the Governing Body of the City of Leawood that the following rules and regulations of the Sewer Committee for said operation and maintenance of the Leawood Sewer System be approved:

1. All purchases in excess of Five Hundred Dollars (\$500.00) for equipment to be used for the operation and maintenance of the Leawood Sewer System shall be approved by the Governing Body.
2. Equipment purchases in excess of Five Hundred Dollars (\$500.00) will be subject to a requirement that three bids be obtained and, with the recommendations thereon of the Sewer Committee Chairman attached, submitted to the Governing Body for approval by resolution.
3. All work to be performed for which the estimate exceeds Two Thousand Dollars (\$2,000.00) other than that to be performed by City employees or performed under a previously approved contract, shall be approved by the Governing Body by separate resolution.



V. M. Dostal

V. M. Dostal, Mayor

Approved and adopted by the City Council this 15th day of June, 1970

ATTEST:

Jinny Oberlander
Jinny Oberlander, City Clerk

CHAPTER XIV
LEAWOOD STORM SEWERS

14-101 ADOPTING STORM SEWER SPECIFICATIONS AND STANDARDS PREPARED BY THE KANSAS CITY METROPOLITAN CHAPTER OF THE AMERICAN PUBLIC WORKS ASSOCIATION, 1966 There is hereby incorporated in the revised ordinances of the City of Leawood, Kansas, by reference, for the purpose of regulating the installation, construction, alteration and repairs of storm sewers those specifications and standards known as "Storm Sewer Specifications and Standards Prepared by the Kansas City Metropolitan Chapter of the American Public Works Association, 1966" prepared and published by the Metropolitan Chapter of the American Public Works Association. Not less than three copies of such specifications and standards shall be marked or stamped "Official Copy as Adopted by Ordinance No. 279" to which shall be attached a copy of the ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable hours, except that such copy shall not be removed from the City Hall. The City Engineer and the Street Department Superintendent shall be supplied, at the cost of the City, such number of official copies of such standards and specifications as may be deemed expedient by the governing body.

14-102 INVALIDATION. Sections, parts or portions of this ordinance which conflict with any other ordinance of the City of Leawood or statute of the State of Kansas shall be and hereby are declared to be invalid.

14-103 VALIDITY OF THIS ORDINANCE. Should any section, clause or provision of this ordinance be invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the parts so invalid or unconstitutional. ORD. 279

CHAPTER XIV
LEAWOOD STORM SEWERS

14-201 ADOPTING DESIGN CRITERIA FOR STORM SEWERS AND APPURTENANCES PREPARED BY THE KANSAS CITY METROPOLITAN CHAPTER OF THE AMERICAN PUBLIC WORKS ASSOCIATION, 1966. There is hereby incorporated in the revised ordinances of the City of Leawood, Kansas, by reference, for the purpose of regulating the installation, construction, alteration and repairs of storm sewers those specifications and standards known as "Design Criteria for Storm Sewers and Appurtenances Prepared by the Kansas City Metropolitan Chapter of the American Public Works Association, 1966", prepared and published by the Metropolitan Chapter of the American Public Works Association. Not less than three copies of such specifications and standards shall be marked or stamped "Official Copy as Adopted by Ordinance No. 280" to which shall be attached a copy of the ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable hours, except that such copy shall not be removed from the City Hall. The City Engineer and the Street Department Superintendent shall be supplied, at the cost of the City, such number of official copies of such standards and specifications as may be deemed expedient by the governing body.

14-202 INVALIDATION. Sections, parts or portions of this ordinance which conflict with any other ordinance of the City of Leawood or statute of the State of Kansas shall be and hereby are declared to be invalid.

14-203 VALIDITY OF THIS ORDINANCE. Should any section, clause or provision of this ordinance be invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the parts so invalid or unconstitutional.

CHAPTER XV
GENERAL OCCUPATION LICENSE TAX

15-101 PURPOSE. This ordinance is solely for the purpose of providing revenue to defray a part of the expenses of the City of Leawood, Kansas, and is not for the purpose of regulation.

15-102 DEFINITIONS. (a) Person, as used in this ordinance, means any individual, partnership, corporation, firm, organization, association, joint stock company or syndicate, who or which is engaged in any business, trade, occupation, or profession, or rendering or furnishing any service for profit or livelihood and subject to the provisions of this ordinance: Provided, any individual in the direct employ of any person licensed under the provisions of this ordinance is not a person unless such individual operates as a subcontractor; but if such individual performs any service or practices his skill for compensation for any person other than his licensed employer, he is a person and must pay the tax and obtain a license if such be required by the terms of this ordinance.

(b) Business, as used in this ordinance, means and includes businesses, trades, occupations, professions and also callings rendering or furnishing a service: Provided, that the name of business, trade, occupation, profession or calling may be used, and when so used, shall refer to the particular business, trade, occupation, profession or calling.

(c) Tax, as used in this ordinance, means an occupation tax or license fee for city revenue without regulations upon and for the privilege of engaging in business as herein defined.

(d) License, as used in this ordinance, means the document issued by the city acknowledging payment of the required amount of tax, and stating the name of the licensee, the kind of business and where located, the period which the tax covers, such other matter as may be required and signed by the proper officer or officers.

(e) Employee, as used in this ordinance, means all persons engaged in the operation or conduct of any business, whether as owner, any member of the owner's family, partner, agent, manager, solicitor and any and all other persons employed or working in said business.

(f) Average Number of Persons Employed, as used in this ordinance, means the average number of persons employed daily in the applicant's business for one year to be determined by ascertaining the total number of hours of service performed by all employees in Leawood, Kansas during the previous year, and dividing the total number of hours of service thus obtained by the number of hours of service constituting a year's work of one full-time employee, according to the custom or laws governing such employment. In computing the average number of persons employed, fractions of numbers shall be excluded.

ORD. #297

CHAPTER XV
GENERAL OCCUPATION LICENSE TAX

15-103 EXEMPTIONS. Nothing in this ordinance shall be construed as applying to or taxing (a) the interstate portion of any business;

(b) instrumentalities of the governing of the United States, unless authorized by laws of the United States;

(c) organizations of any kind or the employees thereof wholly for charitable, religious, benevolent, fraternal, civic, educational, military, municipal or similar purposes, and from which profit is not derived, either directly or indirectly, by any individual.

The City Clerk may require any business, instrumentality or organization claiming to be exempt under this section to file with him a verified statement stating the facts upon which exemption is claimed. ORD. #297

15-104 TAXES LEVIED. The license tax hereby levied shall be in the following amounts on the following businesses, trades, professions and occupations conducted, pursued, carried on or operated within the limits of the City of Leawood, Kansas, for a twelve-month period, unless a different time is specifically stated:

1. All retail stores engaged in the sale of groceries, clothing, hardware, notions, furniture, home furnishings, services, paint, drugs, and all callings, trades, businesses, the occupation tax of which is not set forth in the following sub-paragraphs 2 to 23 inclusive of this section, shall pay an occupation tax computed on the basis of the following schedule of interior square footage occupied by said business without regard to use; except that stores which have a second floor or basement in addition to the main floor (the one with the largest interior square footage) and which is open in whole or in part to the general public shall, upon the additional floor or floors add one-half of the interior square footage, of such additional floor or floors, without regard to use, to the square footage of the main floor, and the total square footage as thus computed shall determine the tax in accordance with the following schedule:

0 - 499 sq. ft.	\$ 50.00	
500 - 999 sq. ft.	65.00	
1,000 - 1,499 sq. ft.	80.00	
1,500 - 1,999 sq. ft.	95.00	
2,000 - 2,499 sq. ft.	110.00	
2,500 - 2,999 sq. ft.	125.00	
3,000 - 49,999 sq. ft.	125.00	plus \$60.00 for each 1,000 in excess of 2,999 sq. ft. or any part thereof
50,000 - 69,999 sq. ft.	3,000.00	plus \$30.00 for each 1,000 sq. ft. or any part thereof in excess of 49,999 sq. ft.
70,000 - 99,999 sq. ft.	3,600.00	plus \$20.00 for each 1,000 sq. ft. or any part thereof in excess of 69,999 sq. ft.
100,000 sq. ft. and over	4,200.00	plus \$10.00 for each 1,000 sq. ft. or any part thereof in excess of 99,999 sq. ft.

CHAPTER XV
GENERAL OCCUPATION LICENSE TAX

Retail stores which hold themselves out to the public as a single business entity, but which, in fact, are partly or wholly operated on the basis of leased departments therein, shall pay an occupational tax based on the above schedule, provided leased department which have a private, individual exterior entrance, and which have no entrance into such retail stores even though under a common roof with such retail stores, shall pay an occupational tax as a separate business according to the schedule contained in this ordinance.

2. All firms engaged primarily in manufacturing, printing, wholesaling, and office buildings occupied by a single business shall pay an occupational tax based on square footage occupied by said business without regard to use as follows:

0 - 999 sq. ft.	\$ 50.00
1,000 - 4,999 sq. ft.	50.00 plus \$25.00 per 1,000 sq. ft. or any part thereof in excess of 1,000 sq. ft.
5,000 - 9,999 sq. ft.	175.00 plus \$20.00 per 1,000 sq. ft. or any part thereof in excess of 5,000 sq. ft.
10,000 - 24,999 sq. ft.	275.00 plus \$15.00 per 1,000 sq. ft. or any part thereof in excess of 10,000 sq. ft.
25,000 sq. ft. and over	500.00 plus \$10.00 per 1,000 sq. ft. or any part thereof in excess of 25,000 sq. ft.

3. Banks shall be taxed on the amount of total assets or resources as shown on the statement of financial condition as of June 30th of each year in accordance with the following schedule:

.00 - 5,000,000.00	\$500.00
5,000,001.00 - 10,000,000.00	600.00
10,000,001.00 - 20,000,000.00	700.00
20,000,001.00 - 30,000,000.00	800.00
30,000,001.00 - and over	900.00 plus \$50.00 per each additional \$10,000,000.00 or any part thereof in excess of \$30,000,000.00.

4. Savings and Loan Associations shall be taxed on the basis of the average number of persons employed within the City of Leawood, Kansas according to the following schedule:

One to ten employees	\$300.00
Ten to fifteen employees	400.00
Fifteen employees and over	500.00 plus \$5.00 for each employee in excess of fifteen employees.

5. Small loan, finance and investment companies and credit unions shall be taxed on the total amount of outstanding loans as of June 30th of each year in accordance with the following schedule:

10/14/68

CHAPTER XV
GENERAL OCCUPATION TAX

.00	-	400,000.00	\$150.00	
400,001.00	-	600,000.00	200.00	
600,001.00	-	800,000.00	250.00	
800,001.00	-	and over	300.00	plus \$25.00 for each \$200,000.00 or any part thereof in excess of \$800,000.00

6. Moving picture houses, theatres, skating rinks and recreation parks and privately owned auditoriums for public use \$137.50 per year
7. Funeral Homes \$300.00 per year
8. Bowling Alleys \$300.00 per year
9. Residential garbage and trash companies \$50.00 per year
10. Taxicab companies \$75.00 per year
11. Circuses, carnivals, tent shows, amusement devices \$50.00 per day.
12. All persons engaged in the business of selling or peddling goods or services and all transitory merchants not having a permanently located place of business in said city shall, before engaging in the business of peddling or selling goods, wares, merchandise or services in said city, be required to purchase a license from the City Clerk upon the payment of a fee which shall be in the sum of \$5.00 for each and every day such person continues to offer his goods, wares, merchandise or services for sale provided, however, that persons and firms not having a permanently established place of business in said city but having a permanently established house to house or wholesale business \$15.00 per year per firm
13. Automobile gasoline service stations \$100.00 per year
14. Motor vehicle dealers selling new or used:
 - (a) 2-wheel motor vehicles \$300.00 per year
 - (b) 4-wheel motor vehicles 600.00 per year
15. Motor vehicle rental or leasing agencies \$500.00 per year
16. Restaurants, taverns, drive-in and other eating establishments:
 - With fifteen or more average number persons employed \$250.00 per year
 - With less than fifteen average number persons employed \$100.00 per year
17. Lumber yards and building supplies \$500.00 per year
18. Contractors, including building, remodeling, curbing, grading, street paving, sewer, electrical, plumbing and all contractors of every kind not specifically mentioned. Plumbing and electrical contractors, in addition to occupation license, must submit satisfactory evidence of current license, together with such other matters as may be required by city ordinance \$50.00 per year

CHAPTER XV
GENERAL OCCUPATION LICENSE TAX

19. Outdoor Recreational businesses, including riding stables \$50.00 per year
20. Greenhouses and nurseries, having sales outlets on premises \$50.00 per year
Those not selling on property will be considered tree and shrub farms and will not be taxable under the occupation tax ordinance.
21. Real estate operators, based on the number of sales made during the previous calendar year -
- | | |
|---------|---------|
| 0 to 10 | \$62.50 |
| Over 10 | 125.00 |
- This applies to previous year's sales for any real estate sales operations being carried on in the City of Leawood
22. Any occupation of a service character conducted in a residence which occupation is clearly secondary to the main use of the premises as a dwelling place and does not change the character thereof, and does not change the appearance with signs, material, equipment, noise, odor or other nuisance or unusual pedestrian or vehicular traffic pertinent to such home occupation which shall be carried on by members of a family residing in the dwelling, and in connection with which no stock in trade or commodity for sale is kept upon the premises. \$25.00 per year
23. Whenever several classifications shall be applicable to a business then said business, firm or calling shall pay the highest classification herein. ORD. 328

CHAPTER XV
GENERAL OCCUPATION LICENSE TAX

15-105 LICENSE PERIOD. The license period shall be from July first to July first in each year and the fees required to be paid in one annual payment on on the first day of July of each year. A penalty of five percent per month shall be added in case of failure to pay the required fees when due for each month or fraction thereof that the fees have remained unpaid. Persons or firms commencing business after the effective date of this ordinance shall, before beginning business, secure an occupational license in accordance with Section 1 of this ordinance.

15-106 APPLICATION. Any person shall, before engaging in any business or before continuing such business after a license has expired, make application for a license and pay the proper tax. Application shall be made to the City Clerk, giving the name of the licensee and any other name under which such business is to be conducted, the kind and address of the business so licensed, and the interior square footage, average number of persons employed, or such other information as may be necessary to determine the amount to be paid. The City Clerk may, in his discretion, cause an investigation to be made to verify the accuracy of the information.

15-107 PROHIBITIONS. There shall be no transfers of license from one person to another except that where a business, including stock, if any, is sold and the new owner continues the business at the same location and under the same name, the license shall continue to expiration. If the holder of a license moves a stock of goods from the location stated on the license to another location and begins business at the new location, he may return the license to the City Clerk and secure a substitute license upon payment of a fee of \$10.00 and any additional prorated amount for the unexpired term, should a greater amount be required at the new location.

15-108. FEES AND LICENSES. Every person or firm commencing business shall first secure an occupational License covering the period from the date from which the business is to be started until the next succeeding July first. The fee which would be payable on an annual basis shall be determined as provided by this ordinance and the fee for this initial period shall be determined by dividing the annual fee by twelve and multiplying by the number of months or fraction thereof remaining to the next July first. *PQO-RATE*

15-109. ISSUANCE OF LICENSE. All licenses, hereinbefore provided shall be issued by the City Clerk upon payment of the proper sum to the City Clerk as hereinbefore set forth. All licenses shall be signed by the Mayor, the City Clerk, and by the City Treasurer, and the City Clerk Shall affix thereto the seal of the city.

CHAPTER XV

GENERAL OCCUPATION LICENSE TAX

15-110 RECORD OF LICENSE. The City Clerk shall keep records in which shall be entered the names of each and every person or firm licensed, his address, the date of the license, the amount paid therefor, and the time when the license shall expire; he shall make a quarterly report to the Council in the first meeting in January, April, July and October.

15-111 DISPLAY OF LICENSE. All persons or firms doing business in a permanent location are hereby required to have their license conspicuously displayed in their place of business, and all persons or firms to whom licenses are issued not having a permanent place of business are hereby required to carry their licenses with them and any licensee shall present the license for inspection when requested to do so by any citizen or officer of the city.

15-112 POWERS AND INSPECTIONS. Any persons, firm or corporation who shall conduct or pursue in the limits of the city any trade, profession, occupation or business for which a license is required by the ordinance after a license should have been obtained to conduct or pursue such trade, profession, occupation or business without having obtained the same shall be deemed to do so unlawfully.

Every person filing a false return shall be guilty of violating this ordinance. Every person or firm shall file the application with the City Clerk and pay the required tax on or before July first of each year, or before commencing business.

Any employee of the city shall have a right to enter upon said premises to determine square footage within the terms of this ordinance.

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than Five Dollars nor more than Five Hundred Dollars and shall be committed to jail until such fine and costs in the same are paid.

Every day that this ordinance is violated shall constitute a separate offense.

15-113 PERSONS LIABLE. When any firm or corporation engages in any business herein required to be licensed without first having obtained a license as required, the manager, or local agent, or party in charge, may be arrested and fined as provided in Section ~~12~~, ¹⁵⁻¹¹³ and any member of a partnership, or the party in charge of the business, shall be subject to the penalty provided in Section ~~12~~. 15-112

15-114 ACTIONS TO COLLECT TAX. Payment of Fine Does Not Pay Tax: CIVIL ACTION. The payment of fine or the serving of a jail sentence for failure to pay the tax and secure a license shall not constitute payment of the tax nor excuse the person from making payment, and the city may proceed by civil action to collect the tax. ORD. #297

15-115 VALIDITY OF CHAPTER. Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be thereby affected. Ord. 297 and ORD. #328

AN ORDINANCE PROVIDING FOR THE COOPERATIVE ESTABLISHMENT OF THE JOHNSON COUNTY HUMAN RELATIONS COMMISSION BY JOHNSON COUNTY CITIES.

WHEREAS, the Governing Body of the City of Leawood, Kansas deems it advisable and necessary in order that this and other cities of Johnson County may be apprised and informed concerning the rights and privileges of the inhabitants of this City and any acts of discrimination or disorder infringing upon those rights and privileges, to join with other cities of Johnson County, Kansas to form a cooperative Human Relations Commission for Johnson County, Kansas cities,

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

16-101 Section 1. That the City of Leawood, Kansas join with at least six other adopting cities to establish a Johnson County Human Relations Commission, as authorized under K.S.A. Chapter 12, Article 29,

16-102 Section 2. The Mayor and City Clerk of the City of Leawood, Kansas are hereby authorized, directed and empowered to execute and attest individually and collectively with other adopting cities, an agreement providing for the cooperative establishment of the Johnson County Human Relations Commission, said agreement to be substantially as set out hereinafter, to-wit:

AN AGREEMENT PROVIDING FOR THE COOPERATIVE ESTABLISHMENT OF THE JOHNSON COUNTY HUMAN RELATIONS COMMISSION BY JOHNSON COUNTY CITIES.

This agreement, made and entered into by and between the undersigned cities located in the County of Johnson, State of Kansas,

WITNESSETH that the said cities, parties hereto, hereby agree that there shall be and there is hereby created an Advisory Commission to the cities in Johnson County, Kansas, parties to this agreement, to be known by the name and style of : "Johnson County Human Relations Commission", upon the terms and conditions hereinafter stated.

16-103 Section 3. Members, Appointments, Terms.

1. The Mayor of each participating city, with the approval of its Governing Body, shall appoint its representative member(s) to the Human Relations Commission as hereinafter designated.

2. Each participating city shall have such numbers of members on the Commission as shall be determined by the following formula:

Each city having a population of less than 10,000 shall have one member; at least 10,000 and less than 20,000; two members; at least 20,000 and less than 30,000, three members; at least 30,000 and less than 40,000, four members; at least 40,000 and less than 50,000, five members; at least 50,000 and less than 60,000, six members; at least 60,000 and less than 70,000, seven members; at least 70,000 and less than 80,000 eight members; at least 80,000 and less than 90,000, nine members; 90,000 or more, ten members.

3. The Human Relations Commission shall consist of such number of members as shall be determined from time to time by application of the above formula.

4. The term for those members initially appointed from cities having only one member shall expire on May 1, 1971. Those cities having more than one member shall initially appoint one-half of its appointees to a term expiring May 1, 1971, except that any city having an uneven number of members shall appoint a majority of its members to a term expiring May 1, 1970. Thereafter, when a city becomes entitled to an additional member, the term of appointment for such member shall expire, if said appointment makes the number of members from the city an uneven number, on May 1st of the next odd numbered year; otherwise, such appointment shall expire on May 1st of the next even numbered year.

5. The term of representation for each member shall be two years, except as modified by provisions of paragraph 4 of this Section; Nothing herein shall prevent reappointment of any members.

6. Any vacancy in the membership shall be filled by the appointment of a member for the unexpired term of a member whose position shall be vacant. Such appointment shall be by the Mayor of the city of the vacating member, with the consent of its governing body, within sixty days after the vacancy occurs.

7. Any member may be removed during his term by the mayor of the city which the member represents.

8. No member of the Commission shall receive compensation for services on the Commission.

16-104 Section 4. Definitions as used in this Agreement:

1. "Discrimination" shall mean any difference in treatment of persons or groups based on race, creed, color, national origin or ancestry, except that it shall not be discrimination for any religious or denominational institution to devote its facilities exclusively or primarily to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained.

2. "Religious or Denomination Institution" shall mean an institution which is operated for religious purposes or is operated, supervised or controlled by a religious or denominational organization.

16-105 Section 5. Purposes and Objectives. It is hereby declared that acts of discrimination and disorder infringe upon the rights and privileges of the inhabitants of this city, tend to promote civil strife and lawlessness, and demean the general welfare of this city and its people. In order that this and other cities of the county may be apprized and informed concerning the occurrence or threat of occurrence of said acts, the Human Relations Commission shall serve in an advisory capacity to each of the participating cities as a fact finding, evaluating and information disseminating group.

16-106 Section 6. Powers and Duties. The Commission in the attainment of its foregoing purposes and objectives shall have the following powers and duties:

1. Develop and maintain communications with human relations organizations and other governmental and non-governmental agencies and organizations having like or kindred functions.
2. Advise on problems affecting human and other group relations and on threats to the preservation of order.
3. Make studies, surveys and investigations into: practices of discrimination; activities of individuals and groups tending to incite discord, tension, hate and suspicion; and to provide data as needed in its work.
4. Consult and cooperate with federal and state agencies, and function as a clearing house or source of referral when discriminatory or disorderly situations occur or threaten to arise.
5. Recommend means of eliminating discrimination, preventing disorder and improving intergroup relations.
6. Hold an organizational meeting within thirty days after the agreement is effective, and an annual meeting in the month of May in each year thereafter. The time and place of said meetings to be determined by the then Chairman of the Council of Mayors.
7. Elect from its membership at its organizational meeting and at each annual meeting thereafter and whenever a vacancy in the office arises, a chairman, vice-chairman, secretary and treasurer, to perform the duties commonly associated with their respective titles and as may be determined by the Commission.
8. Appoint and fix the membership of such number of standing and temporary committees as it may find expedient for the performance of its duties.
9. Hold regular meetings at least once each month at such time and place as it shall determine in its standing rules and special meetings upon call for same by the chairman, the secretary or then Chairman of the Council of Mayors.
10. Adopt by-laws and rules of procedure for the administration of business, keep a record of its activities, and minutes of all meetings, which minutes shall be sent each month to the mayors of each participating city. A complete annual activities and financial report shall be submitted to the mayor of each participating city by April 30th of each year.

16-107. Section 7. Commission Expenses. The Commission shall prepare an annual budget of expenditures covering the cost of printing, postage, and other administrative expenses, which budget shall not exceed the maximum contributions from member cities authorized hereby. The budget shall be presented to the Governing Bodies of the member cities on or before June 1st each year. Each participating city shall contribute annually a pro rata share for each member it is allowed on the Commission from said city to finance the budget of the Commission, but such pro rata share shall not exceed \$25.00 for each member a city is allowed on the Commission and shall be due on July 1st of each year.

10-108 Section 8. Duration. The Johnson County Human Relations Commission shall be created when ordinances are adopted by seven cities (including this city) in Johnson County, Kansas, authorizing the mayor of said city to execute this agreement and authorizing the city clerk of said city to attest this agreement. The Commission thereby created shall be for a period of four years from the effective date thereof, provided, however, that the Johnson County Human Relations Commission may be continued thereafter for additional periods of four years as it is then constituted and established by further ordinances of the adopting cities.

10-109 Section 9. Termination. Termination of the Commission created hereby shall be effected by:

1. The expiration of the term for which it was created without ordinances by at least seven cities of Johnson County, Kansas, authorizing the mayor of said cities to extend the agreement and term of the Commission for an additional four-year period.

2. The withdrawal of support of said Commission by ordinance of any adopting city or cities leaving less than seven cities of Johnson County, Kansas supporting the agreement creating the Commission by ordinance.

10-110 Section 10. Disposition of Funds. Immediately upon termination of the Johnson County Human Relations Commission for any reason, the treasurer thereof shall return to the adopting cities any funds remaining in the Commission's possession in percentage amounts equal to the percent of contributions paid to the Commission by each adopting city to finance the Commission.

10-111 Section 11. This agreement shall take effect and be in force from and after the execution and signing thereof by the mayors of at least seven adopting cities and the attestation thereof by the city clerk of each adopting city.

Dated March 16, 1970 City of Leawood, Kansas

Jimmy Oberlander City Clerk
V. M. Dostal Mayor

APPROVAL

The above agreement and adopting ordinances attached thereto are hereby approved and determined by the Attorney General of the State of Kansas to be in conformity to the laws of the State of Kansas, K.S.A. Chapter 12, Article 29 this _____ day of _____ 19____.

Attorney General
State of Kansas

TAKE EFFECT Section 12. This ordinance shall take effect and be in force from and after its official publication.

This ordinance is passed and approved by the Governing Body of the City of Leawood, Kansas this 16th day of March, 1970.

Attest:

Jimmy Oberlander
City Clerk

V. M. Dostal
Mayor

REAL ESTATE CH. V.

ZONING REGULATIONS ART. 4

(f) No building material, construction equipment, machinery, or refuse shall be maintained or kept in the open upon any lot, plot, tract or premise within a residence district other than during actual construction operations upon said premises or related premises.

(g) No building, structure or appurtenance, or any lot, plot, tract or premise shall be used or occupied for any of the following purposes, to-wit: (1) junk yard, (2) tourist cabin or trailer camp, (3) slaughter house, poultry house, rendering or processing establishment, (4) multiple family residence, duplex, apartment house, lodging house or hotel, (5) tavern, saloon, liquor, wine or beer.

(h) No weeds or grass shall be permitted to exceed 12 inches in height in any platted area. No weeds or grass shall be permitted to exceed 12 inches in height within 100 feet of any paving in any unplatted area. Each property owner shall be responsible for areas between his property and the paving. Any person violating this subsection shall be given notice of such violation by the street commissioner. Such notice shall be sent by registered mail. Unless such condition is corrected within 10 days after such mailing the street commissioner shall cause to be cut the weeds and grass and such violator shall pay the city for the reasonable cost of such cutting, in an amount to be determined by the street commissioner. Liability for such cost shall be separate from, and in addition to any criminal penalties under section 5-501.

(i) The use of septic tanks for disposal of sewage from buildings hereafter erected or moved into The City of Leawood is prohibited, except in areas where sewer mains of a public or private sewer system are economically or physically impractical. In such cases use of septic tanks shall be subject to the approval of the Board of Zoning Appeals. Ord. 94

(j) No wheeled vehicle or boat, other than private passenger car, station wagons, motorcycles and bicycles, shall be parked or placed continuously between 11:00 P.M. and 6:00 A.M., in any area zoned for residential use, so that such prohibited vehicle or boat is visible from the street in front of the residence. Ord. 202

5-409 NON-CONFORMING USES. No provision of Articles 3, 4, 6, 7, 10 or 11 of this chapter shall apply to existing buildings, structures or appurtenances, nor to the existing use of any building, structure or appurtenance or land, at the time of the adoption of such provision, but the provisions of Articles 3, 4, 6, 7, 10 and 11 of this chapter shall apply to any alteration, change, structural or otherwise, repair, or restoration of a building, structure or appurtenance to provide for a purpose or a use in a manner different from the use or purpose to which it was put before such alteration, change, structural or otherwise, repair or restoration; provided that nothing in Articles 3, 4, 6, 7, 10 and 11 of this chapter shall prevent the restoration or repairs of a building, structure, or appurtenance damaged not more than 50% of its value by fire, explosion, act of God or public enemy, or prevent the continuance of the use of such building, structure or appurtenance, or part thereof, as such use existed at the time of such damage. A non-conforming use changed to a conforming use may not thereafter be changed back to a non-conforming use. When a non-conforming use has been discontinued for a period of six months, it shall not be re-established and future use shall be in conformity with the provisions of these articles 3, 4, 6, 7, 10 and 11 of this chapter, notwithstanding the purposes for which the premises were erected or used. Ord. 175

Dec. 21, 1964

#123

RESOLUTION

This is a Resolution pertaining to the prohibition of septic tanks in the City of Leawood, Kansas.

WHEREAS, the City of Leawood, Kansas, is served by the Leawood Sewer System, and

WHEREAS, the County Commissioners of Johnson County and the Public Health Officer of Johnson County have pointed out health hazards in connection with the existence of septic tanks in populated areas, and

WHEREAS, the Governing Body of the City of Leawood, Kansas is concerned about such health hazards and desires to take steps to eliminate such hazards.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the City of Leawood, Kansas that no building permits shall be issued for construction of residences or other buildings containing toilet facilities if such facilities are not connected to the Leawood Sewer System and

BE IT FURTHER RESOLVED, that the City Clerk shall furnish all applicants for building permits a copy of this Resolution.