

CITY OF HAYSVILLE

Agenda

December 10, 2012

CALL TO ORDER

ROLL CALL

INVOCATION BY: Pastor David Vetter, West Haysville Baptist Church

PLEDGE OF ALLEGIANCE

SPECIAL ORDER OF BUSINESS

- A. Presentation of Service Awards

PRESENTATION AND APPROVAL OF MINUTES

- A. Minutes of November 26, 2012

ITEM #1 CITIZENS TO BE HEARD

ITEM #2 APPROVAL OF LICENSES AND BONDS

ITEM #3 INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ITEM #4 NOTICES AND COMMUNICATIONS

- A. Governing Body Announcements
- B. New Business License, Rhiannon Kielhorn Home Daycare, 328 W. 5th

ITEM #5 OTHER BUSINESS

- A. Consideration of South Broadway Corridor Overlay
- B. Consideration of Approval for Proposed Code Changes for 2013
- C. Consideration of Root Control Proposal for the Wastewater Department
- D. Consideration of Leak Detection System for the Water Department

ITEM #6 OLD BUSINESS

ITEM #7 DEPARTMENT REPORTS

- A. Administrative Services – Will Black
- B. City Clerk – Janie Cox
- C. Police/Public Works – Jeff Whitfield
- D. Recreation – Georgie Carter

ITEM #8 APPOINTMENTS

- A. Chief Administrative Officer
- B. Pauline Ozbun, 6400 S. Keystone Re: Appointment to Library Board

ITEM #9 OFF AGENDA CITIZENS TO BE HEARD

ITEM #10 EXECUTIVE SESSION

ITEM #11 BILLS TO BE PAID

- A. Bills to be Paid for the First Half of December

ITEM #12 CONSENT AGENDA

ITEM #13 COUNCIL ITEMS

- A. Council Concerns
- B. Council Action Request Updates

ITEM #14 ADJOURNMENT

The Regular Council Meeting was called to order by Mayor Ken Hampton at 7:01 p.m. in the Haysville Municipal Building, 200 West Grand Avenue.

Roll was taken by Recording Secretary Jessica Chilcote: Conrady here, Ewert here, Kanaga here, Kessler here, Rardin here, Konkel here, and Pierce here. Councilperson Slocum was not present.

Pastor Paul Greene, River of Life Church, led everyone in prayer.

Mayor Ken Hampton led everyone present in the Pledge of Allegiance.

Under Presentation and Approval of Minutes, Mayor Ken Hampton presented for approval the Minutes of November 13, 2012.

Motion by Kessler- Second by Rardin

Mr. Mayor and Council, I make a motion that we approve the minutes as written.

Conrady yea, Ewert abstain, Kanaga yea, Kessler yea, Rardin yea, Konkel abstain, Pierce yea.

Motion declared carried.

Mayor Ken Hampton introduced Captain Judd Brackeen from the Sedgwick County Fire Department.

Captain Judd Brackeen gave an update on Station #34, stating the plans should be approved in 2-3 weeks. Brackeen advised after the plans were approved it would go out for bids and when a bid is awarded, construction should start in mid to late January. Brackeen stated the station should be completed in early to mid 2014. Brackeen stated they had participated in some activities in the community, including: serving lunch to Prairie Elementary, participating in the Fall Festival, Hazmat training with the Haysville Water Department, and testing pressure in the fire hydrants around the City. Brackeen advised they had done 140 medical responses, 10 gas checks, and 21 public service calls. Brackeen also advised that property value lost due to fires for 2012 so far was \$568,900.00, with property value saved at \$346,500.00. Councilperson Keith Pierce asked Brackeen to give symptoms of carbon monoxide poisoning. Brackeen first suggested to replace carbon monoxide detectors at least every two years, and then stated the symptoms are headaches, nausea, and vomiting. Brackeen advised the symptoms may be hard to differentiate from the flu and the gas is odorless and colorless, but if everyone in the house is feeling the same way, it could be a good clue.

There were no Licenses or Bonds.

There were no Ordinances or Resolutions.

Under Notices and Communications, Mayor Ken Hampton asked for Governing Body Announcements.

Regular Council Meeting

November 26, 2012

Page 2

There were no announcements.

Mayor Ken Hampton introduced Janie Hummel, 356 Timbercreek.

Janie Hummel thanked Council for letting her speak. Hummel stated she did not agree with lowering the speed limit to 20 M.P.H. on South Main. Hummel advised she could understand the speed limit being lowered toward the curve at Main and Grand, but not south of the area. Hummel stated there is a blind curve south of the City limits. Chief of Police Jeff Whitfield stated he had seen the issue himself recently and was going to talk to Sedgwick County about getting that area fixed.

Under Other Business, Mayor Ken Hampton presented a Consideration of Conditional Use Permit, 7560 S. Broadway.

Planning/Community Relations Coordinator Jeana Morgan presented the Consideration of Conditional Use Permit. Morgan stated the Haysville Rental Center at 7560 S. Broadway inquired about propane dispensing. Morgan advised it wasn't a use defined in the zoning regulations, so it was taken to the Board of Zoning Appeals for their determination. Morgan stated the Board of Zoning Appeals agreed it would be allowable only as a Conditional Use Permit in the "E, F, and G" districts. Morgan stated it then went before the Planning Commission and they are recommending approval of the Conditional Use Permit. Councilperson Seth Konkel asked how the permit would fit with the proposed Broadway Corridor overlay. Morgan advised it was in line with the overlay. Councilperson Mike Conrady asked if there was anything that states the propane cannot be dispensed near a residential neighborhood. Morgan stated the Board of Zoning Appeals had discussed that issue and is the reason why they wanted it to be a Conditional Use Permit only. Morgan advised the property has passed all of the fire department regulations, which she believes to be more regulatory than the City. Conrady asked about the size of the tank. The property owner answered it was 1,000 gallons. Morgan passed around a flyer with the information.

Motion by Kanaga- Second by Rardin

Mr. Mayor, if there are no other questions, I would move that we approve this conditional use as presented to us this evening.

Conrady yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Mayor Ken Hampton presented a Consideration of Farm Lease between City of Haysville and Albert Vanderhoff.

Deputy Administrative Officer Will Black stated this was the annual lease that the City has with Albert Vanderhoff to have the land farmed.

Motion by Konkel- Second by Rardin

Regular Council Meeting

November 26, 2012

Page 3

Mr. Mayor, if there is no questions, I move that we approve the Consideration for Farm Lease between the City of Haysville and Albert Vanderhoff.

Conrady yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.
Motion declared carried.

Under Old Business, Mayor Ken Hampton presented Results of Traffic Study on South Main.

Chief of Police Jeff Whitfield stated Council had asked him to research traffic incidents on South Main to see if the lowering of the speed limit was needed. Whitfield advised he had gone back one year and pulled all tickets and accidents on South Main. Whitfield stated there were 2 accidents on private property and 10 citations. Whitfield advised he did not think the information supported the change. Councilperson Seth Konkel asked for clarification of the City limits being 35 M.P.H. and where the County road becomes 30 M.P.H. Konkel stated he thought the current speed limit was fine, with no change needed. Konkel advised that having a resident come out and say they didn't agree with the change supported his thoughts that it should not be lowered. Councilperson Pat Ewert asked if there was anything we could do about the property south of City limits that causes the blind spot on the curve. Whitfield stated he would call the County and see what they could do. Councilperson Mike Conrady asked if the City would be held liable for going against PEC's recommendation of not changing the speed limit. Conrady stated the speed limit of 35 M.P.H. through the curve could be excessive. City Attorney Alison McKinney-Brown stated there are reasons for modifying speed limits that go beyond the engineering traffic study and governing bodies have to take all of those interests into consideration. Councilperson Bob Rardin asked Janie Hummel if she thought the speed limit was okay the way it was at 35 M.P.H. Hummel stated she thought 30 M.P.H. was fine, but thought 20 M.P.H. was too slow and was like driving through a school zone. Councilperson Mike Kanaga stated they did the study for the purpose of seeing what should be done. Kanaga advised now that the recommendation has been made, the proposal is to ignore the recommendation, and the City paid \$2,500.00 for the study and he said it shouldn't just be overlooked. Kanaga advised that he feels that they should follow the recommendations and unless there is a special event going on, he feels there is no reason to drive 20 M.P.H. from Grand to the south City limits. Whitfield stated there was also a recommendation to put in two signs on South Main and the City is working on that now. Councilperson Russ Kessler advised his main purpose for trying to obtain the change was because he felt it was too fast going around the corners and through the Market area. Kessler stated there are a lot of events that have to do with kids in that area and he feels it would be safer at a slower speed. Conrady asked if it was kept at 35 M.P.H. for everyday driving, would the Chief be allowed to change the speed limit temporarily for the events. McKinney-Brown stated yes, the Chief of Police is allowed to make temporary modifications to any roadway at his discretion. Conrady stated it may cause issues with people to change it on any given day. Conrady asked how many events were in that area. Recreation Director Georgie Carter stated there were quite a few events, as well as rentals and weddings. Carter advised most events are from Second Street to Grand on South Main. Kessler stated he thought it would be a good idea to

Regular Council Meeting

November 26, 2012

Page 4

change the speed limit to 20 M.P.H. from the crosswalk on South Main to Grand around the curve and keeping it 35 M.P.H. south of the crosswalk.

Motion by Konkel- Second by Kanaga

Mr. Mayor, if there is no questions, I move that we take the recommended action from the traffic study done by PEC.

Conrady yea, Ewert yea, Kanaga yea, Kessler nay, Rardin nay, Konkel yea, Pierce nay.

Motion declared carried.

Mayor Ken Hampton asked for Department Reports.

Deputy Administrative Officer Will Black reminded Council that the second meeting in December would be on Thursday, December 27.

City Clerk Janie Cox was not present.

Chief of Police/Public Works Director Jeff Whitfield had nothing to report.

Recreation Director Georgie Carter advised the Village Christmas lighting ceremony would be December 1 and would be held at the gazebo at 6:00 p.m. in the Historic District this year, as well as many other activities. Carter stated the Haysville Activity Center would be having a membership drive through December 2 for anyone interested in joining the HAC.

There were no Appointments.

There were no Off Agenda Citizens To Be Heard.

There was not an Executive Session.

Mayor Ken Hampton presented the Bills to be Paid for the Last Half of November.

Motion by Ewert- Second by Rardin

Yes, I would like to make a motion that we pay the last half of November bills.

Conrady yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkel yea, Pierce yea.

Motion declared carried.

Under Consent Agenda Mayor Ken Hampton advised the City received a Thank You card from Jeana Morgan.

Under Council Items Mayor Ken Hampton asked for any Council concerns.

Mayor Ken Hampton advised there was one Council Action Request from Councilperson Keith Pierce for City Council to receive Minutes from the Library Board Meetings.

Hampton stated it would be brought up at their next meeting.

Regular Council Meeting

November 26, 2012

Page 5

Councilperson Keith Pierce asked if the City was waiting for materials to put the new signage up on South Main. Chief of Police Jeff Whitfield stated they had received the materials, but in the process of making them and waiting on locates for the signs to be put in. Whitfield advised the signs should be placed in one to two weeks.

Councilperson Bob Rardin advised he had heard several complaints that you cannot hear the Planning meetings on Channel 7. Mayor Ken Hampton advised the problem would be looked at.

Councilperson Russ Kessler asked if the Heat Baseball team signs could be taken down. Mayor Ken Hampton advised the signs would be taken down.

Councilperson Pat Ewert stated there were no speed limit signs on Seneca between 63rd and the Big Ditch. Chief of Police Jeff Whitfield stated that was County road and he would speak with them about that.

Councilperson Mike Kanaga asked what the speed limit was between the Big Ditch and 63rd on Seneca. Chief of Police Jeff Whitfield stated the speed limit was 35 M.P.H.

Mayor Ken Hampton presented for approval Adjournment.

Motion by Pierce- Second by Rardin

Mr. Mayor and Council, I move that we adjourn tonight's meeting.

Conrady yea, Ewert yea, Kanaga yea, Kessler yea, Rardin yea, Konkell yea, Pierce yea.
Motion declared carried.

The Regular Council Meeting adjourned at 7:40 p.m.

Janie Cox, City Clerk

Haysville Planning Commission
Draft Minutes Excerpt with Staff Comments in Bold Italics
November 15, 2012

Those members present were: Tim Aziere, Deb Coleman, Janet Parton, Katie Roggenbaum, Don Schneider, and Bob Wethington.

Aziere presented a Public Hearing for Broadway Corridor Protective Overlay Districts.

Aziere opened the public hearing and read from the script. Aziere asked for staff presentation.

Morgan approached the Planning Commission to present the case. Morgan reminded the Commission that they had previously approved the South Broadway Corridor Plan. Morgan stated they then approved and incorporated regulations for the South Broadway Overlay Districts into the Zoning Regulations. Morgan said next the overlay was prompted for properties located in the South Broadway Corridor as identified by the plan. Morgan stated the consideration of the overlay was before them that evening. Morgan explained the general overlay and its three subdistricts to accommodate the residential, commercial, and industrial uses in the corridor. Morgan stressed to the Commission that the base zoning for the properties was not being proposed to change. Morgan explained the four zoning districts found in the corridor (“AAA” Single Family; “D” Light Commercial; “E” Heavy Commercial; “F” Light Industrial) and stated none of those zoning classifications were being requested for change. Morgan stated the combination of the base zoning and the overlay classification would determine the additional allowable uses and the prohibited uses that were intended to help work towards the vision for the corridor as established by the South Broadway Corridor Plan. Morgan advised the overlay would also establish regulation for aesthetics in regards to building materials and signage. Morgan stated that overlays were not assigned by the base zoning, but rather by the land use scenario presented in the South Broadway Corridor Plan and explained some residential areas received commercial overlays as well as some commercial areas received residential overlays. Morgan went on to explain the existing protective overlays in the corridor. Morgan stated the largest protective overlay area was created during the annexation process for the Broadway Court area, areas near the turnpike, and areas near 79th Street South on Broadway. Morgan also described the protective overlay found at Broadway and Blossum. Morgan advised that all current overlays would be abolished with the approval of the Broadway Corridor Overlay and explained how the overlay established during the annexation was incorporated into their zoning allowances in “AAA” Single Family. Morgan stated the other overlay which would be removed would not be detrimental to the property and would in fact open it up for more allowable uses.

Wethington asked why an overlay was proposed, rather than rezoning. Morgan stated that going into the process staff did not want to do anything that might be detrimental to the existing businesses and property owners. Morgan stated that was why the base zoning remained and an overlay was proposed, which could be better tailored to the individual properties. Morgan advised this allowed them to review each property and its current use when determining allowable and prohibited uses in the different overlays. Morgan stated the current land use varied greatly from the recommended future land use as provided by the consultant. Morgan stated it was the best approach for guiding new development and redevelopment in the corridor while protecting existing uses. Morgan advised the overlay would not require any of the existing businesses to close or stop operating. It would only apply to new development or future redevelopment.

Aziere asked about building and signage requirements. Morgan stated there was regulation for the type of building materials that could be used, depending on the overlay district. Morgan said there were also some prohibited signs and regulation as to what type of signs could be constructed. Morgan stated the overlay also provided for a site review process that allowed staff to meet with business owners and developers in determining required improvements and materials. Morgan said this allowed for more open discussion in making the determinations of regulation.

Aziere began asking for members of the public to speak.

Ken Boote, 6603 S. Broadway, stated when he had attended the first public meeting for the South Broadway Corridor Plan it seemed that they were going to put the brakes on the project. Boote stated everything he saw in the overlay could be achieved without the overlay. Boote explained that his business was crushing salvage cars and he was concerned about where the City would like the business to go. Boote said the overlay was an attempt to emulate communities they don't care to be like such as Andover and Derby. Boote stated he supported sidewalks in the corridor but not the overlay. Boote said he wants Haysville to be a unique community.

The South Broadway Corridor Plan was recommended by Planning Commission and approved by the Governing Body. This overlay is a recommendation of the plan, modified to reduce immediate detrimental effects on existing businesses and property owners. There was no discussion of emulating other communities when creating or approving the South Broadway Corridor Plan. Mr. Boote's current business is what we would classify as a 'legal nonconforming use' by today's standards. This happens when a use is established prior to zoning regulations existing or when a use was allowable when it was established but has since been removed from being allowable in zoning. The City does not allow salvage yards in any of the zoning districts. His base zoning is "A" Single Family and "E" Heavy Commercial. The overlay proposed is BC-O/R which would allow for very small scale commercial/retail businesses. The overlay would not prohibit his "A" Single Family uses and would prohibit some of the "E" Heavy Commercial uses.

Marilyn Mosteller, 6900 S. Broadway, stated she would like them to consider the homeowners in the corridor. Mosteller read a portion of the regulation and stated she believed that meant they would not still have their residential zoning. Mosteller went through a presentation that included photos of the homes on Broadway Court, explaining how nice they were and how they were identified to be commercial. Mosteller believed the overlay would cause a decline in property values. Mosteller stated she was not sure what was included in the Comprehensive Plan for the City and said when their one lane road was installed, there were no conversations about the upcoming overlay. Mosteller also showed photos of Country Plaza Villa, explaining how they were mobile homes and were identified to be retained as residential. Mosteller stated she had a hard time understanding the logic and said the overlay must have surely been done by an aerial.

This property is zoned "AAA" Single Family. The proposed overlay is BC-O/C for Commercial Mixed uses. Property owners would maintain their residential zoning and all uses associated with it. The South Broadway Corridor Plan is included in the City of Haysville Comprehensive Plan and therefore it and its recommendations should be considered a guideline for future development in the corridor. Country Plaza Villa is currently zoned "AAA" Single Family and does consist of modular homes and manufactured homes. This area was identified for the BC-O/R overlay which would allow for very small scale commercial/retail businesses. The overlay was determined using

professional planning methods that take proximity to intersections and transportation nodes into account.

Robert Nunn, 628 Chatta, stated his property was one of the ones that already had an overlay. Nunn explained he purchased the property in 2004 and had requested a rezone to allow for automobile restoration. Nunn stated through the rezoning process, an overlay was applied to the property. Nunn stated the proposed residential overlay had nothing to do with automobile restoration. Nunn asked them to reconsider the overlay and place a commercial overlay on his property. Nunn asked the Commission to please consider what he purchased the lot for and said if they were to put the overlay to put a commercial one.

This property is zoned “E” Heavy Commercial with Protective Overlay 7 (Ord. 873). This property is proposed to have the BC-O/R overlay which would allow for very small scale commercial/retail businesses. Mr. Nunn did, as he stated, request a rezoning in approximately 2004. The Planning Commission had issues with allowing a simple rezone and requested stipulations be added to the property for prohibited uses, screening, and lighting. Mr. Nunn stated he requested the rezoning to allow for him to do automobile restoration. Automobile restoration is not allowable in the “E” Heavy Commercial zoning district and would require “F” Light Industrial zoning. Mr. Nunn would not be able to do automobile restoration regardless of the outcome of the Broadway Corridor Overlay.

Elvin Leedy, 6731 S. Broadway, stated his property was proposed to go from heavy commercial to residential. Leedy stated he was ready to retire and sell the property and stated the overlay would not allow for outside parking. Leedy stated he believed someone just copy and pasted the regulations together in order to come up with a list of prohibited things. Leedy said he wished the Commission had asked for feedback from the people that are involved.

Aziere apologized for interrupting and explained that this was a consultant project that had gone on for over a year. Aziere stated the Commission did not just make this up. Leedy stated he wasn't very impressed with the consultant or the meetings that were held for the plan. Leedy said the consultant might have been flawed. Leedy stated those who wanted to sell their property would be affected. Roggenbaum asked for clarification on the fact that the regulation would only apply if the redeveloped the property. Morgan stated that was correct and said he could sell the business as it is currently operating and it would be allowable under the nonconforming use regulations found in the zoning regulations. Roggenbaum reiterated to Leedy that he could sell the business and it would remain allowable. Leedy stated he believed Planning Commission needed to look at all the overlay regulations and see what is going to happen.

This property is zoned “E” Heavy Commercial. It is proposed to have the BC-O/R overlay which would allow for very small scale commercial/retail business. This overlay does prohibit some “E” uses, including his current use. However, as with all properties affected by this overlay, this overlay will not require businesses to quit operating as they currently are. It also allows for ‘legal non-conforming’ allowances which provides them the opportunity to sell their property and have new owners continue with the same business use. Regulations were created based on the recommendations of the South Broadway Corridor Plan. Each overlay took into account the base zoning uses as well as the overlay uses and regulation. Every property was reviewed individually to determine the effect of the overlay.

Carl Kelly, 6803 S. Broadway, stated he bought the property from a dog groomer and lives in Peck. Kelly said he had been trying to rent the property and stated with the new restrictions it would be vacant for a long time. Kelly stated he wanted to make it an automobile retail sales lot and said that would not be allowable with the new regulations. Kelly said Haysville has historically been a difficult place to build and do business and this will make it worse. Kelly stated he had a prospective tenant for automobile sales.

This property is zoned “E” Heavy Commercial. This property is proposed to have the BC-O/R overlay which would allow for very small scale commercial/retail business. This overlay does prohibit some “E” uses.

Fred Mosteller, 6910 S. Broadway, said he didn’t see the point of making residential into a commercial area. Mosteller stated he was opposed to this and asked what kind of guarantees there were that they wouldn’t be forced into this like they had been forced into annexation.

Staff acknowledges the comment but has deemed no further response/clarification is necessary.

Sherilyn Hurst, 7127 S. Broadway, said her and her husband have had the liquor store for 31 years, paying taxes on it. Hurst said she came to the first meeting but was unaware of any other meetings and thought it had died out. Hurst stated the regulations for signs and façade would affect their property. Hurst said the City should be happy that they have a business they work hard to keep in Haysville. Hurst stated they should make these regulations for all businesses in Haysville and not just on Broadway. Hurst stated she was against this.

Sign and façade regulations are prompted by redevelopment. Existing businesses will not be required to make immediate improvements to their signage or façade to comply with the overlay.

Teresa Angle, 334 N. Sunnyside, stated she had received a registered letter and asked how it would affect her and if there was going to be a road installed.

There was a comment about the residential overlay and Morgan stated she wanted to clarify the residential overlay. Morgan said it was being discussed as if that were an area intending for residential housing when in fact it was for low scale commercial businesses that would serve the surrounding neighborhoods rather than outlying communities such as Derby, Clearwater or Mulvane. Morgan stated Ms. Angle had received notification because by State statute, properties within a certain radius of a proposed change must be notified about the change.

Staff acknowledges the comment but has deemed no further response/clarification is necessary.

Richard Keiter, 6441 S. Broadway, stated he owned the nursery and said the last thing they need is more regulation. Keiter stated they had been cited for an issue that they had been doing for the past five years and it was going to put them out of business. Keiter said he spends money in the community, lives here, and grew up here. Keiter stated he was going to move his business out of here unless there is some type of code change and said that elevating his firewood six inches off the ground was totally unpractical. Keiter stated he had talked with the City Council and the Mayor to deal with this.

Mr. Keiter was cited for nuisance violations that have no relation to the overlay. The owner of this property is well informed of the overlay and the City has not received any indication that the property owner is against the overlay.

Bob Shippers, 6701 S. Broadway, said he was proposed to have a residential overlay and stated he has tractors and trailers. Shippers stated he was currently in conversations with a business that could add some additional employees but the use did have some contradictions with the proposed regulation. Shippers asked if there was a process to reassure him before going through with the business proposal.

This property is zoned “F” Light Industrial and is proposed to have the BC-O/R overlay which will allow for small scale commercial/retail business. This overlay will not prohibit current operations. Future expansion or a change in use could trigger the overlay regulation.

David Lathrom, 7131 S. Broadway, owner of Broadway Street Bikes, said he understood what they had hoped to accomplish with the overlay such as improving the looks of the corridor. Lathrom said he read the overlay to be restrictive with his business use and stated he had just put \$51,000 into his business, working with the City to put in parking. Lathrom stated he would be constructing an additional building in the future and had no problem with making it look how the City wanted it to. His problem was when he went to sell the property and retire. Lathrom stated if he was going to have a problem selling the property he would not do the \$300,000 expansion, would not increase employees from six to twelve, and would relocate his business.

This property is zoned “E” Heavy Commercial. It is proposed to have the BC-O overlay which allows for medium intensity commercial/retail business. This overlay prohibits very few “E” uses. This combination on this property lists the current business use as being allowable under the proposed overlay. He could continue the business, expand the business, sell the business and not have an issue of it being prohibited.

Marcia Armstrong, 207 N. Twin Pines, asked why they were worried about Broadway and why they weren't worried about Grand, which has trashy houses and vacant buildings. Armstrong said they needed to stop worrying about building businesses that don't exist yet and start thinking about the people who live here and the businesses that are here and to stop worrying about Broadway. Armstrong stated just because the casino built does not mean that everyone is going to want to build on Broadway.

The City has just completed the South Meridian Corridor Plan. The Economic Development Plan for the City had identified the need for corridor studies on: Broadway, Meridian, and Grand Avenue.

Marilyn Mosteller, 6900 S. Broadway, asked the Planning Commission to look at Sunnyside Court (actually referring to the Broadway Court) and notice how a portion of it was identified as commercial, red, and a portion was identified as purple. Mosteller asked that Broadway Court be exempt from any overlay development. Mosteller stated the homes had been built in the last five to seven years and they were \$200,000 – 400,000 homes. Mosteller said she had lived on the street for 43 years and said the homes built since then should be exempt. Mosteller stated people had invested their money in their home and had the rug pulled out from underneath them. Mosteller asked if they would be given any explanation for why they were doing this to them and stated she had not been at any of the South Broadway Corridor Plan meetings. Mosteller stated she does not come down here just to see what is

happening and to stir up trouble. Mosteller said she spoke with other people in the neighborhood and they all thought nothing was going on with the Broadway Plan. Mosteller stated the Commission has the power to ignore them and do whatever they want to do but said that is a negative thing to do at a time we are trying to grow Broadway.

The City has made several attempts at providing information about the South Broadway Corridor Plan and the South Broadway Corridor Overlay through media venues including: the city website, e-newsletters, channel 7, water bills, personal contact, city mailings, open meetings, public forums.

Elvin Leedy, 6731 S. Broadway, read a portion of the protective overlay regulation, stating there was a conflict in the language regarding conflicts between portions of the code. Leedy stated that there are people in administration that think this country is in really good shape and said he sees people that don't even have money to pay their storage. Leedy said to implement things that cost more money is not a good thing to do at this time. Leedy stated he pays a lot of taxes and wants to make sure that things won't be affected when he retires.

The portion of the code in which there was stated to be a conflict reads: in the case of conflict between the regulations in this section (overlay) and those of the underlying zoning district, the regulations in this section shall prevail. Staff believes this is not a conflict between codes but rather dictates which regulation prevails. This is typically used when setbacks, uses, quantities, etc. vary between the two codes. This statement does not strip the property of all underlying zoning rights.

Lavonna Benner, 6962 S. Broadway, states she has had a home since 1947 and never has anyone said that she needed to get a permit to paint her house. Benner read a portion of the code that referred to changes to the exterior of a building, including painting, and said she felt that was stupid. Benner said if she did apply for a permit she would probably be told that she couldn't have one because she wasn't licensed with the City.

Aziere asked for clarification in that requirement. Morgan stated there had been an oversight in the regulation that Planning Commission had previously approved. Morgan said the intent was not to regulate improvements to single family homes and stated that should have been clarified in the regulation to exempt them. Morgan advised it was something that needed to be revised in the next zoning regulation update.

See above discussion which explains the oversight.

David Glidden, 6964 S. Broadway, said he has a residential house. Glidden asked how the overlay benefited him.

Aziere stated he believed the intention was to have a vision for the future of the corridor so that community could have control over what was redeveloped in the corridor. Glidden asked if he could sell his house once it is zoned commercial. Aziere clarified his zoning was not changing. Morgan stated the property is zoned "AAA" Single Family and that would not change. Parton told Morgan she was doing a backwards way of rezoning and if the structure burnt down they would have to comply with the new regulation and could not rebuild. Morgan stated that was not true. Morgan explained that because he still has his base residential zoning that he could rebuild his home and said the land didn't have to redevelop as commercial, simply that it could build commercially if they wanted to.

Parton stated that was only if someone came in and had it rezoned on the base. Morgan stated that was incorrect and said with the overlay they could do which ever they wanted without a rezoning.

Glidden again asked how this benefited him. Roggenbaum stated he was getting more allowable uses for his property and said if he decided to sell he could market it to more people. Glidden asked if he could put a business in front of his home. Aziere stated not necessarily in front of his home but yes if he chose to redevelop he could do it commercially. Glidden asked what happens if he wants to replat his land to have the front half as commercial and the back half be residential. Aziere asked how replats would work. Morgan stated platting didn't dictate that zoning of the property but stated if someone wanted to rezone that was allowable. Schneiter stated that if he wanted to convert his residence to a commercial business he would have to rezone his base zoning. Morgan stated that was not correct and said as long as the business was listed as allowable in the overlay, it would be allowable without rezoning.

Glidden asked if he put up a garage in the future, fronting Broadway, would that require certain building material requirements. Morgan stated it would. Glidden stated that if he were to sell it in the future then he would need to let the buyers know that they would have to make it look like a nice office building. Aziere stated it would need to look like the requirements require.

See above comments, staff believes this conversation is an accurate explanation.

Richard Keiter, 6441 S. Broadway, said there was a lot of 'we' being used and asked who 'we' was referring to. Aziere stated this was based on what the consultants came up with from public comment at the South Broadway Corridor meetings. Keiter stated he went to the first meeting and said it was terrible, explaining there were photos of parking lots. Keiter stated he has seen parking lots before and doesn't need to see pictures of parking lots. Keiter said if 'we' were the five people sitting at the bench, then they were going in the wrong direction. Keiter stated they were appointed and not elected and asked what was wrong with that picture.

Staff acknowledges the comment but has deemed no further response/clarification is necessary.

Tom Debbrecht, 6405 S. Broadway, stated he got annexed into the City when he didn't want to be. Debbrecht said he has kept his property up and has fought the City for a long time just for a sign on his property. Debbrecht stated everyone has seen the sign, with the city administration's head in the sand, and stated it is still that way. Debbrecht stated everyone wants Broadway to look better but said nobody wants to be told how they have to do that. Debbrecht said he went to the first Broadway meeting and stated he thought they would bring the plan back and ask them what they thought but that didn't happen. Debbrecht stated the only reason this was being done was because of the casino and they didn't ask people that have been here what they think. Debbrecht stated he had put a sign up and it wasn't good enough for the City. Debbrecht said he lost the case in Haysville and gave him a \$500 a day fine and six months in jail or he could shut the sign off at night and he would get probation. Debbrecht stated he took it to County court, where they have real judges to change that. Debbrecht said city administration still has their head in the sand because they haven't woken up yet and he doesn't know if they ever will. Debbrecht said what they were proposing for the overlay is great to help make Haysville grow but the property owners didn't get asked right. Debbrecht said the Planning Commission thinks they can play with their lives and that is what has happened to him and he knows whatever Planning Commission decides is the way it is going to go down unless property owners take them to court.

Mr. Debbrecht is referring to a civil lawsuit case that is still being litigated in court and staff believes any comment would be inappropriate.

Jerry Rain, 7345 S. Broadway, said he moved here in 1947 and has lived in the same house since then. Rain stated his grandfather had started a salvage yard where A-One Auto Salvage is located now. Rain said he couldn't believe at his age he would have to beautify his house. Rain stated he doesn't like the way his house looks but he doesn't have the money to do what the overlay asks for. Rain stated the City called his property a floodplain and it made his property worthless. Rain stated he gets 8-10 inches of water in his garage every time it rains. Rain stated the overlay was a waste of taxpayer money and said there are a number of people that can't afford to do the beautification.

This property is "E" Heavy Commercial and proposed to have the BC-O overlay which allows for medium intensity commercial and retail. A single family home could not be built in this zoning district by current day standards regardless of the proposed overlay. Mr. Rain's property is located in a Shaded X zone, which is determined to be protected by the levee (Big Ditch).

Aziere asked for any more public comments. There were none and Aziere closed the public comment period. Aziere asked for any Planning Commission discussion.

Schneiter stated he still wanted to know what would happen if there was significant damage to a property. Morgan stated redevelopment would prompt the overlay regulations. Schneiter stated it is one thing if a person buys into a situation by approving or adding on. Morgan stated there are still nonconforming standards within the zoning code. Morgan said those are set at 50% of building size or value. Morgan advised they had also incorporated an administrative waiver into the overlay regulations that allowed for discretion to be given based on the situation. Schneiter stated the overlay was going to be damaging to the existing businesses.

Ken Boote, 6603 S. Broadway, asked if Alison Brown represented the City or the consultant. Morgan stated her name and explained that she was not Alison but that the nameplate had been left from Council. Boote stated Morgan was saying everything was going to be okay and to believe what she is saying and not what she is reading. Boote stated now he was hearing that if you are part of the good ole boy club you were going to be okay. Morgan apologized if that was the impression she had given. Morgan stated she was simply trying explain what had been written into the regulation that will allow for those waivers.

Parton stated if Mr. Boote's salvage yard (Air Capitol Salvage) were blown away in a tornado, he would not be allowed to rebuild because of the overlay. Morgan stated that was not a good example because salvage yards are not allowable in the City anymore. Morgan advised there were still a few that were operating as nonconforming uses but that new salvage yards would not be allowed anywhere within the City. Parton used a different example, stating that if Broadway Street Bikes were blown away by a tornado they would not be allowed to rebuild because of the overlay and again stated it was a back door zone change. Morgan stated that was incorrect because their overlay allowed for the type of business use they were conducting and they would be able to rebuild. Schneiter asked about if they wanted to expand. Morgan stated that would still be allowable and explained that the City had already worked very closely with Broadway Street Bikes with their current expansion and how that could be affected by the overlay.

Aziere stated he was concerned with the regulation in regards to the residential properties and wanted to clarify that the development criteria was applicable to the properties as currently written. Morgan stated that was correct and again said the painting portion was a mistake and that was something that needed to be corrected in the regulations.

Schneiter stated the Planning Commission had spent a lot of time with Mr. Nunn, working on his overlay several years back. Schneiter stated they had worked with the neighborhood and resolved all this issues for the best interest of everyone. Schneiter said you would think you would want your heavier stuff on Plaza and Shahin street area and stated there was no rhyme, reason, or consistency with the land use. Schneiter stated this would detrimentally impact the neighborhoods and said they are not benefiting anyone with this overlay. Schneiter stated that yes, administratively these things could be considered, but having one or two people on staff doing that was very scary.

Mr. Schneiter voted to approve the land use map at both the January 26, 2012 meeting as a component of the South Broadway Corridor Plan and on July 26, 2012 as part of the City's Comprehensive Plan. Mr. Schneiter also voted to approve the overlay regulations, including administrative site plan review, as a component of the City's Zoning Regulations on July 26, 2012.

Coleman gave a scenario where the salvage yard was hit by a tornado and asked if they would be able to rebuild. Morgan stated it would depend on the level of damage. Coleman asked if everything were gone. Morgan stated they would not be able to rebuild. Wethington stated that would be true whether the overlay was there or not. Morgan stated that was correct. Parton said that had happened with the 1999 tornado on Main Street, where businesses were nonconforming and could not rebuild. Morgan stated that was correct and said there had been attempts to require additional standards on Main Street. Someone from the audience asked what good that did since so many of the buildings on Main Street remain empty.

Motion by Schneiter

Second by Parton

Based on the hardship we will be causing on property, I would move we deny the zone change (overlay) request.

Aziere yea, Parton yea, Roggenbaum yea, Schneiter yea, and Wethington yea. Coleman abstained.

Motion declared carried.

Planning Commission voted unanimously to recommend approval of the South Broadway Corridor Plan on January 26, 2012. Planning Commission voted unanimously to recommend approval of the Zoning Regulation updates on July 26, 2012. These updates added the regulations for the Broadway Corridor Overlays, including: allowable uses, prohibited uses, administrative site plan review, and other design requirements. Planning Commission voted unanimously to recommend approval of the City's Comprehensive Plan on July 26, 2012. The Comprehensive Plan contained an updated land use map reflecting the upcoming Broadway Corridor Overlay and incorporated the South Broadway Corridor Plan in its entirety.

Coleman explained that with this being her first meeting she chose not to vote. Coleman stated that she had attended the South Broadway Corridor Plan meetings and she had not been impressed. Coleman said she had asked questions and received no answers. Coleman stated she was impressed with everyone showing up and said it is difficult to get people to be involved. Coleman urged people to keep attending the meetings because things happen and decisions are being made.

There was a question over whether the item would be coming back to Planning Commission. Morgan stated it would not. Aziere stated the intent of the overlay was good but thought maybe there were better ways to do it. Aziere said if this many people of the public attended, it must have been flawed. Aziere asked how they could re-evaluate. Morgan stated that they should have tabled the item to allow for more discussion. Morgan stated it was quite a bit of expense for the City. Aziere asked if this would go to Council. Morgan stated she would have to check with legal because she was uncertain how to proceed since Planning Commission recommended denial. Schneider stated he wasn't sure how Council could hear an item if the Commission wasn't even recommending it. Morgan again stated she would double check with the attorney and if it were presented to Council it would be done with a recommendation from Planning Commission to deny it. Aziere asked how the public would know when it went to Council. Morgan stated if it did go to Council it would be on December 10, 2012 and said that packets are placed on the website the Friday before Council. Someone from the audience continued to ask why the item should even go to Council if it had been turned down. Aziere stated they were uncertain if it would go to Council and to be sure to keep an eye out for information.

Sherilyn Hurst, 7127 S. Broadway, thanked the Planning Commission for their vote and stated that she did not live in Haysville and could not vote here. Hurst told the audience they vote and they need to find out who on Council voted for and supported the plan and overlay because they spent tax dollars on it. Hurst stated the tax money comes from China and to find out who on City Council voted for this.

Aziere clarified that the plan was paid for by the Kansas Department of Transportation and was administered by the Wichita Area Metropolitan Planning Organization. Hurst stated the money could have been turned down to help pay off the debt.

419 “BC-O” BROADWAY CORRIDOR OVERLAY DISTRICT.

- A. **PURPOSE.** The Broadway Corridor Overlay District is intended to address transportation, land use and site development in the South Broadway Corridor. The overlay district is a tool to help guide the quality of land development in the corridor and increase long-term economic viability through consistent land use, architecture, signage, landscaping and other site design features. The BC-O district is an overlay district; property within the district shall comply with the overlay district regulations of this section and the standards of the underlying zoning district. In the case of conflict between the regulations in this section and those of the underlying zoning district, the regulations in this section shall prevail.

Three special Subdistricts of the BC-O district are recognized. These subdistricts are special in that they have unique differences from the remaining BC-O district; however, they are consistent with the above stated purpose and intent of the BC-O. These subdistricts shall be classified as BC-O/R, BC-O/C, and BC-O/I. These subdistricts are intended to reflect the residential, commercial, and industrial uses in the corridor.

- B. **APPLICATION AREA.** The officially recognized Broadway Corridor Overlay District shall be classified as “BC-O – Broadway Corridor Overlay District,” and the official zoning map of the City of Haysville, Kansas shall be amended by this ordinance to clearly show the overlay area and subdistricts.
- C. **USE REGULATIONS.** The use regulations of this overlay district shall supplement and be in addition to the use regulations of the underlying districts. However, whenever an actual conflict arises between the language of the use regulations governing the underlying district and the language of this overlay district, the use regulations of this overlay district shall prevail over the underlying districts.
1. **BC-O Permitted Uses.** The following uses shall be allowed in the BC-O district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s) that are not otherwise specifically included in subsection (2) as set forth below:
 - a Any use listed as a permitted use in the “OC” Office Commercial, except that such uses must comply with the regulations of that district.

- b Any use listed as a permitted use in the “DD” Hotel and Motel, except that such uses must comply with the regulations of that district.
 - c Lawn Mower and similar small equipment sales and repairs; provided, all repairs, materials and parts are stored within an enclosed building or on an all weather surface screened from adjacent properties.
 - d Liquor and Malt Beverage store.
 - e Rental Facilities, where the primary business use is the rental of space for events, training, and seasonal sales in exchange for monetary compensation. Occupants that operate a temporary sale shall still be required to obtain any necessary permits as regulated by the Haysville City Code.
2. Prohibited Uses. The following uses are explicitly prohibited in the BC-O district:
- a Amusement enterprises, including billiard or pool hall, bowling alley, boxing arena, dance hall and games of skill and science.
 - b Animal feed store.
 - c Animal hospitals and kennels.
 - d Assembly and maintenance of oil rigging, agriculture implements and equipment.
 - e Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including electroplating and manufacturing of similar products.
 - f Auction house.
 - g Automobile painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping, battery manufacturing and the like.
 - h Baseball or football stadiums and sports arenas.
 - i Building materials sales yard, including the sales of rock, sand, gravel and the like.
 - j Carpenter or cabinet shop

k Class "A" Club.

l Class "B" Club.

m Commercial dry cleaning and/or laundry establishments.

n Commercial storage warehouse also including units available for rent and storage of property by individuals.

o Concrete and asphalt mixing plants.

p Construction Sales and Service.

q Distribution plants, parcel delivery, ice and cold storage plant, and bottling plant.

r Electronic Assembly.

s Feed and fuel storage yard.

t Feed, seed, and commercial fertilizer sales.

u Flea market.

v Foundry casting lightweight nonferrous metal.

w Freighting or trucking yard or terminal.

x Grain storage and elevators.

y Industrial dry cleaner.

z Industrial laundry.

aa Industrial storage warehouse.

ab Laboratories, experimental or testing.

ac Landscape services.

ad Laundry, cleaning and dyeing works and carpet and rug cleaning.

ae Lumber yard.

af Machine shop/ welding shop/ metal furniture fabrication/ heat treating/ Blacksmithing.

ag Manufacture, repair or modification of air craft missile,

related and allied equipment and component parts thereof, and allied and associated manufacturing, testing and research processes and functions.

- ah The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously treated prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious metals or stones, shell textiles, tobacco, wood, yards, and paint not employing a boiling process.
- ai The manufacture, compounding, processing, packing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
- aj The manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures, metal furniture, light sheet and tubular metal products, including heating and ventilating ducts and equipment, cornices, caves, small tool and die works, and the like.
- ak The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, kilns fired only by electricity or gas.
- al Manufacture of musical instruments, toys, novelties and amusement devises.
- am Metal Recycling and Recycling of Primarily Metal Goods.
- an Microwave tower.
- ao Monument sales.
- ap Outdoor Storage Yard for which lease space for the temporary storage of operable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable automobiles and trucks.
- aq Outdoor Storage Yard & Towing Storage Yard for which lease space for the temporary storage of operable or inoperable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable or inoperable automobiles and trucks.

- ar Plumbing, heating and air conditioning supply houses with sheet metal duct fabrication allowed as an incidental use.
- as Pony riding ring, without permanent stables.
- at Poultry or rabbit dressing.
- au Printing press operations including newspaper presses catalogs and bindery.
- av Private clubs.
- aw Radio transmission tower.
- ax Restaurant Drinking Establishment.
- ay Sheet metal and wholesale plumbing shops.
- az Small boat building.
- ba Stone monument works.
- bb Tattoo Parlors.
- bc Tavern.
- bd Television transmission tower.
- be Tool equipment rental with outside storage of rental items.
- bf Outdoor theaters.
- bg Vehicle restoration.
- bh Wholesale business, storage buildings and warehouses.
- bi Wholesale food commissary or catering establishment.

3. BC-O/R Permitted Uses. The following uses shall be allowed in the BC-O/R district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s) that are not otherwise specifically included in subsection (4) as set forth below:

- a. Abstract and title companies.
- b. Advertising agencies.
- c. Animal grooming, small animals.

- d. Artist, craft and hobby supply store.
 - e. Artist studios.
 - f. Bakery goods shop, no drive-thru.
 - g. Barber shop or beauty parlor, including services for hair, nails, and tanning.
 - h. Book store.
 - i. Camera shop and supplies.
 - j. Drug store, pharmacy, or apothecary.
 - k. Florists.
 - l. Grocery stores, provided they do not exceed 30,000 sq/ft.
 - m. Jewelry and jewelry repair, not as an accessory use to a pawn shop.
 - n. Key shop.
 - o. Parks, playgrounds, and community buildings owned and/or operated by the City.
 - p. Picture framing shop.
 - q. Newsstand.
 - r. Real estate offices.
 - s. Religious offices and headquarters.
 - t. Second hand store.
 - u. Shoe repair shop.
 - v. Tailor shop.
 - w. Tire servicing, not as an accessory use to automobile repair or service.
4. BC-O/R Prohibited Uses. The following uses are explicitly prohibited in the BC-O/R district:
- a. Amusement enterprises, including billiard or pool hall, bowling alley, boxing arena, dance hall and games of skill

and science.

- b. Animal feed store, wholly within a building or within a suitable enclosure to prevent obnoxious or nuisance conditions.
- c. Auction house.
- d. Automobile retail sales and related parts and accessory sales.
- e. Automobile and trailer sales area.
- f. New or used automobile, truck and travel trailer sales with outside storage of vehicles for sale.
- g. Baseball or football stadiums and sports arenas.
- h. Carpenter or cabinet shop.
- i. Class "A" Club.
- j. Class "B" Club.
- k. Commercial dry cleaning and/or laundry establishments.
- l. Commercial storage warehouse also including units available for rent and storage of property by individuals.
- m. Construction Sales and Service.
- n. Drinking Establishments.
- o. Electronic Assembly.
- p. Flea market.
- q. Industrial dry cleaner.
- r. Industrial laundry.
- s. Lawn Mower and similar small equipment sales and repairs.
- t. Lumber yard.
- u. Machine shop/ welding shop/ metal furniture fabrication/ heat treating/ Blacksmithing.

- v. Microwave tower.
 - w. Monument sales.
 - x. Outdoor Storage Yard for which lease space for the temporary storage of operable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable automobiles and trucks.
 - y. Plumbing, heating and air conditioning supply houses with sheet metal duct fabrication allowed as an incidental use.
 - z. Pony riding ring..
 - aa. Printing press operations including newspaper presses catalogs and bindery.
 - ab. Private clubs.
 - ac. Radio transmission tower.
 - ad. Rental Facilities, where the primary business use is the rental of space for events, training, and seasonal sales in exchange for monetary compensation.
 - ae. Restaurant Drinking Establishment.
 - af. Tattoo Parlors.
 - ag. Tavern.
 - ah. Television transmission tower.
 - ai. Tool equipment rental with outside storage of rental items.
 - aj. Outdoor theaters.
 - ak. Wholesale food commissary or catering establishment.
5. BC-O/C Permitted Uses. The following uses shall be allowed in the BC-O/C district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s) that are not otherwise specifically included in subsection (6) as set forth below:
- a Amusement enterprises, including billiard or pool hall, bowling alley, boxing arena, dance hall and games of skill and science.

- b Animal feed store, wholly within a building or within a suitable enclosure to prevent obnoxious or nuisance conditions.
- c Animal hospitals and kennels.
- d Auction house.
- e Automobile repair shop.
- f Automobile retail sales and related parts and accessory sales.
- g Automobile and trailer sales area: Provided, that any incidental repair of automobiles or trailers shall be conducted and confined wholly within a fenced area and the storage is on a properly drained hard or all weather surface.
- h New or used automobile, truck and travel trailer sales with outside storage of vehicles for sale; provided that: All vehicles displayed are in operable condition; no part/piece storage is permitted outside; all maintenance (excluding washing/waxing) is conducted inside a building; the storage is on a properly drained hard or all-weather surface; and loading/unloading of vehicles takes place off of public streets.
- i Automobile painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping, battery manufacturing and the like.
- j Baseball or football stadiums and sports arenas.
- k Carpenter or cabinet shop, if conducted wholly within a completely enclosed building.
- l Class "A" Club.
- m Class "B" Club.
- n Commercial dry cleaning and/or laundry establishments.
- o Commercial storage warehouse also including units available for rent and storage of property by individuals.
- p Construction Sales and Service, Limited; provided, all

material on premises of the outside storage area shall be located on a hard or all-weather surface and arranged to permit reasonable inspection and access to all parts of the premises by fire, police, and City authorities and must be screened from adjacent properties.

- q Construction Sales and Service, General; provided, all material on the premises of the outside storage area shall be arranged to permit reasonable inspection and access to all parts of the premises by fire, police and City authorities; located on an all weather surface and must be screened from adjacent properties.
- r Distribution plants, parcel delivery, ice and cold storage plant, and bottling plant.
- s Drinking Establishments.
- t Electronic Assembly.
- u Feed and fuel yard storage.
- v Feed, seed, and commercial fertilizer sales.
- w Flea market.
- x Grain storage and elevators.
- y Industrial dry cleaner.
- z Industrial laundry.
- aa Landscaping services, including offices and the outdoor storage of material and equipment; provided that materials and equipment are prohibited in the front setback and are stored on an all weather surface, screened from any lesser zoning district. Rock, decorative pavers or statues, and any live plant materials shall not require all weather surface but shall be kept in an orderly manner and must still meet screening requirements.
- ab Lawn Mower and similar small equipment sales and repairs; provided, all repairs, materials and parts are stored within an enclosed building or on an all weather surface screened from adjacent properties.
- ac Lumber yard.

- ad Machine shop/ welding shop/ metal furniture fabrication/ heat treating/ Blacksmithing; provided that; If this abuts residential, the area is screened by a minimum six foot tall opaque screen.
- ae Microwave tower.
- af Monument sales.
- ag Outdoor Storage Yard for which lease space for the temporary storage of operable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable automobiles and trucks, provided any area for the purpose of providing lease space for outdoor storage must have an all-weather surface and be screened from adjacent properties and any public roadway.
- ah Plumbing, heating and air conditioning supply houses with sheet metal duct fabrication allowed as an incidental use.
- ai Pony riding ring, without permanent stables.
- aj Printing press operations including newspaper presses catalogs and bindery.
- ak Private clubs.
- al Radio transmission tower.
- am Rental Facilities, where the primary business use is the rental of space for events, training, and seasonal sales in exchange for monetary compensation. Occupants that operate a temporary sale shall still be required to obtain any necessary permits as regulated by the Haysville City Code.
- an Restaurant Drinking Establishment.
- ao Stone monument works.
- ap Tattoo Parlors.
- aq Tavern.
- ar Television transmission tower.
- as Tool equipment rental with outside storage of rental items allowed provided that all units displayed are in operable condition, all maintenance is conducted inside a building,

the storage is on a properly drained hard or all-weather surface, and loading/unloading of vehicles takes place off of public streets. Any unit or vehicle rated at over 30 horsepower will be stored in the rear and screened from view to at least six feet in height.

- at Outdoor theaters.
 - au Vehicle restoration, general.
 - av Wholesale business, storage buildings and warehouses.
 - aw Wholesale food commissary or catering establishment.
6. BC-O/C Prohibited Uses. The following uses are explicitly prohibited in the BC-O/C district:
- a Assembly and maintenance of oil rigging, agriculture implements and equipment.
 - b Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including electroplating and manufacturing of similar products.
 - c Building materials sales yard, including the sales of rock, sand, gravel and the like as an incidental part of the main business, but excluding concrete mixing plant unless enclosed in a building.
 - d Concrete and asphalt mixing plants.
 - e Foundry casting lightweight nonferrous metal.
 - f Freighting or trucking yard or terminal.
 - g Industrial storage warehouse.
 - h Laboratories, experimental or testing.
 - i Laundry, cleaning and dyeing works and carpet and rug cleaning.
 - j Manufacture, repair or modification of air craft missile, related and allied equipment and component parts thereof, and allied and associated manufacturing, testing and research processes and functions.
 - k The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously

treated prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, rubber, precious or semi-precious metals or stones, shell textiles, tobacco, wood, yards, and paint not employing a boiling process;

- l The manufacture, compounding, processing, packing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
- m The manufacture and maintenance of electric and neon signs, billboards, commercial advertising structures, metal furniture, light sheet and tubular metal products, including heating and ventilating ducts and equipment, cornices, caves, small tool and die works, and the like.
- n The manufacture of pottery and figurines or other similar ceramic products.
- o Manufacture of musical instruments, toys, novelties and amusement devises.
- p Metal Recycling and Recycling of Primarily Metal Goods, provided any operation that is not entirely conducted within an enclosed building shall be required to place all items stored on an all-weather surface and must be screened from adjacent properties and any public roadway.
- q Outdoor Storage Yard & Towing Storage Yard for which lease space for the temporary storage of operable or inoperable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable or inoperable automobiles and trucks, provided any area for the purpose of providing lease space for outdoor storage must have an all-weather surface and be screened from adjacent properties and any public roadway.
- r Poultry or rabbit dressing.
- s Sheet metal and wholesale plumbing shops.
- t Small boat building.

7. BC-O/I Permitted Uses. The following uses shall be allowed in the BC-O/I district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s)

that are not otherwise specifically included in subsection (2) as set forth below:

- a Commercial storage warehouse also including units available for rent and storage of property by individuals.
- b Landscaping services, including offices and the outdoor storage of material and equipment; provided that materials and equipment are prohibited in the front setback and are stored on an all weather surface, screened from any lesser zoning district. Rock, decorative pavers or statues, and any live plant materials shall not require all weather surface but shall be kept in an orderly manner and must still meet screening requirements.
- c Machine shop/ welding shop/ metal furniture fabrication/ heat treating/ Blacksmithing; provided that; If this abuts residential, the area is screened by a minimum six foot tall opaque screen.
- d Outdoor Storage Yard & Towing Storage Yard for which lease space for the temporary storage of operable or inoperable commercial trucks or trailers and recreational vehicles or equipment, boats, campers and operable or inoperable automobiles and trucks, provided any area for the purpose of providing lease space for outdoor storage must have an all-weather surface and be screened from adjacent properties and any public roadway.

D. SPECIAL PARKING REGULATIONS. The requirements of Section 500 shall pertain.

E. LANDSCAPE REGULATIONS. The requirements of Section 501 shall pertain.

F. SIGN REGULATIONS. Signage within the BC-O district and subdistricts shall be subject to the provisions of Chapter 16B Article 2 of the Code of the City of Haysville, as well as the following requirements.

- 1. Billboards and off-site advertising signs are prohibited in the BC-O district and all subdistricts of the BC-O district.
- 2. All signs, including interior and exterior window signs, must be approved as to design, colors, materials, placement, method of attachment, and method of illumination (if applicable).

G. DESIGN REVIEW PROCEDURES.

1. Applicability. No new construction, nor alterations to building exteriors, including painting, nor alterations to fences, grounds or temporary on-site signs may be made, and no permits involving alterations to building exteriors, or permits for signs, sidewalks, driveways or demolition shall be issued by the Public Works Department for any structure or site located wholly or partially within the BC-O district and subdistricts until an application for such permit has been reviewed for compliance with the design standards of this article and the South Broadway Corridor Plan concepts and approved by Zoning Administrator, or his or her designee.
2. Application. An application for a permit with the BC-O district and subdistricts shall be submitted in a form required by the Planning Department. A complete application should include, as necessary, to-scale drawings, elevations, sections, relevant plans of site and/or immediate environs if appropriate, and shall indicate materials and colors to be used, as to conduct an adequate review of the application.
3. Action. After reviewing the completed application, the Zoning Administrator shall approve, approve with conditions or modifications, or deny the request, in accordance with the design standards of this article. Any property owner in the BC-O district and subdistricts may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.
 - a. It is during this review that the Zoning Administrator shall verify that improvements or modifications are consistent with the land use, architecture (design standards), signage, parking/access, landscaping and any other concepts from the South Broadway Corridor Plan.
4. Time limit on Action. If within thirty days from the date of receipt of a complete application, no action has been taken on the application, the Public Works Department shall issue the necessary permits and the project shall proceed. This time limit may be waived by mutual consent of the applicant and staff.

H. DESIGN STANDARDS

1. General.
 - a. New buildings, new accessory structures, and signage should be consistent with the recommendations of the South Broadway Corridor Plan. Consistency with plans will be determined during the review by the Zoning

Administrator.

2. Standards for Remodeling and Expansion of Existing Buildings.
 - a. All construction, remodeling or rehabilitation of exteriors should be compatible in appearance with the South Broadway Corridor Plan.
 - b. Accessory buildings should generally be compatible with the other structures on the street and are subject to these guidelines.
 - c. Expansions or Additions to buildings in existence before August 1, 2012 may be allowed an administrative waiver from additional exterior building material requirements reflected in the plan. Any waiver requested from the requirements shall be reflected and noted on the site plan submitted for review.
- I. EMERGENCY REPAIRS. The Director of Public Works may waive the standards and review procedures of this article in instances in which emergency repairs are required, provided that subsequent repairs comply with this article.
- J. CONFLICTS WITH OTHER CODE PROVISIONS. No section of this article shall be construed to compel alterations that will conflict with any health or safety codes, or prohibit any alterations that are required to bring buildings into compliance with the Building Code.

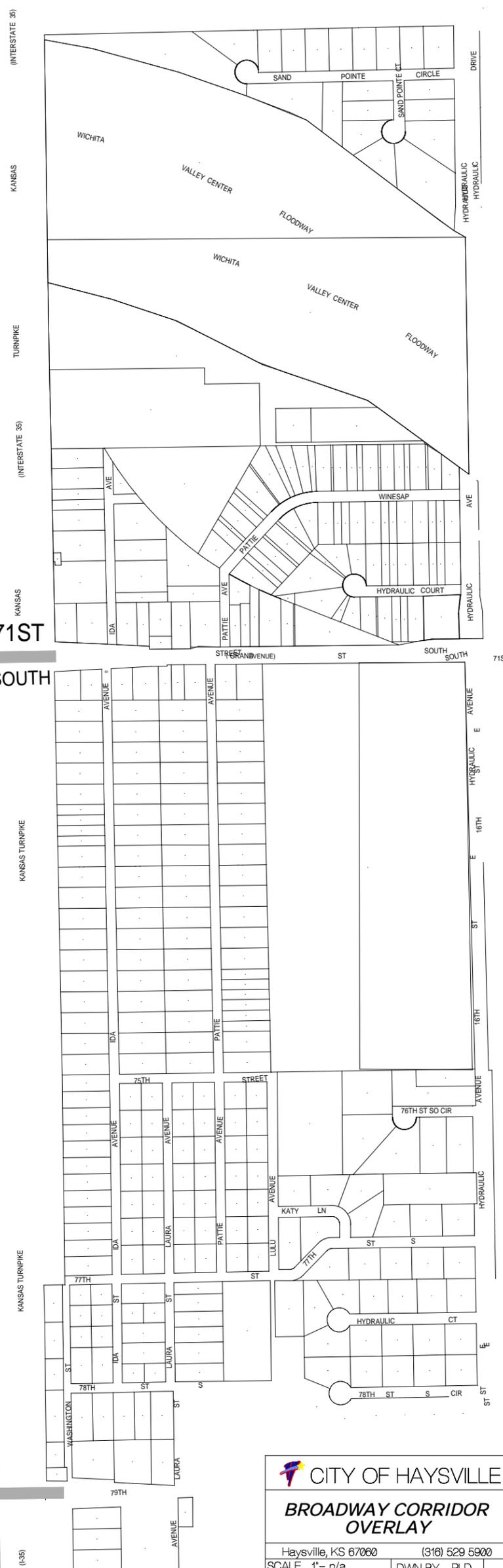
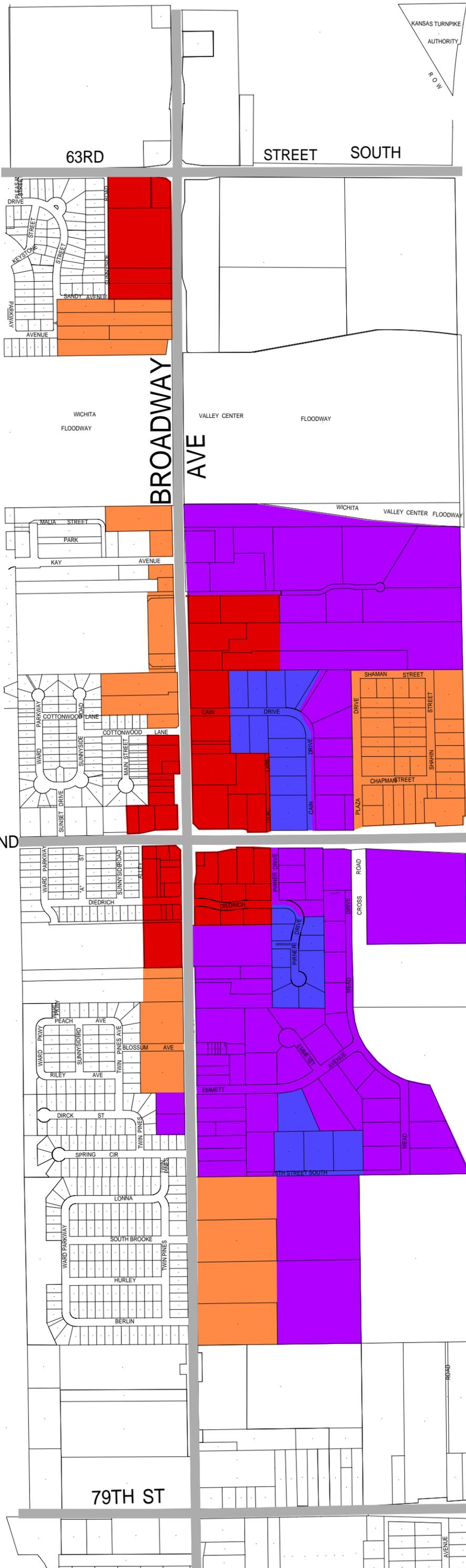
BROADWAY CORRIDOR OVERLAY

 BC - O

 BC - O/R

 BC - O/C

 BC - O/I



- (a) **Base District:** no maximum
 - (b) **Overlay District:** standard of Underlying base District controls
- (8) Maximum Floor Area Ratio**
- (a) **Base District:** 0.50
 - (b) **Overlay District:** Standard of Underlying base District controls
- f. Special regulations.** The following special regulations shall apply to property in the U District.
- (1) Base District or Overlay District.** The U District may be applied and mapped as a separate base zoning District or as an Overlay District in combination with any one of the residential Districts. The U Overlay District shall not be combined with an office, commercial, or industrial base District.

4. OT-O Old Town Overlay District (“OT-O”)

- a. Purpose.** The OT-O Old Town Overlay District is intended to recognize the special location, architectural character and proposed land-use mix of the Old Town area within the City of Wichita by allowing appropriate deviations from the standards of the Underlying base District. The design review provisions applicable within the OT-O are intended to preserve the area's special historic and architectural character and to protect private property values and public investments in and near the Old Town area by ensuring that the exterior alterations to buildings and grounds are undertaken with sensitivity to the area's special character. The OT-O district is an Overlay District; property within the district shall comply with the Overlay District regulations of this section and the standards of the Underlying District. In the case of conflict between the regulations in this section and those of the Underlying zoning District, the regulations in this section shall prevail.

Two special Subdistricts of the OT-O district are recognized. Both of these Subdistricts are special in that they have unique differences from the remaining OT-O district; however, both of the Subdistricts are consistent with the above stated purpose and intent of the OT-O. The first is the Theater Subdistrict (“OT-O/TH”); this Subdistrict is generally located between 2nd Street North and 3rd Street North, and between Rock Island Avenue and the BNSF Railroad tracks. Some design standards of the OT-O/TH Subdistrict differ from those of the remaining OT-O, recognizing that all the buildings are new construction and that a multi-screen cinema is the anchor of a planned, high-energy, entertainment area.

The second special Subdistrict is the Northeast End Subdistrict (OT-O/NE), generally located north of 2nd Street North and east of Rock Island Avenue. The Parking requirements for this Subdistrict differ from the remaining,

larger OT-O, recognizing more limited Parking circumstances. Buildings in this Subdistrict cover most of the Lot area, with little land available for Parking and no plans to develop public Parking. Therefore it is appropriate to relax some Parking standards in order to encourage redevelopment while preserving the existing Buildings.

- b. Use regulations.** The Use regulations of the Underlying zoning District shall control within the OT-O district, provided however, that all Uses allowed as Permitted and Conditional Uses within the residential zoning Districts shall also be allowed as Permitted or Conditional Uses, respectively, in the OT-O district; except that Tattooing and Body Piercing facilities and any Sexually Oriented Business in the City shall not be allowed as a Permitted or a Conditional Use.
- c. Special parking regulations.** The following special Parking regulations shall apply within the OT-O District.
 - (1) Residential.** Parking for residential dwellings shall be provided at a minimum ratio of one Parking Space per Dwelling Unit.
 - (2) Taverns and Drinking Establishments, Nightclubs (when permitted) and Restaurants.**
 - (a)** Restaurants shall provide off-street Parking at a minimum ratio of one Parking Space for every four occupants permitted.
 - (b)** Taverns and Drinking Establishments, Nightclubs (when not qualifying as an “Adult Entertainment Establishment” of the Code of the City of Wichita) shall provide off-street Parking at a minimum ratio of one Parking Space for every three occupants permitted.
 - (3) Retail and office.** Parking for retail and office Uses shall be provided at a minimum ratio of one Parking Space per 300 square feet of Floor Area.
 - (4) Theaters.** Parking for theaters shall be provided at a minimum ratio of one Parking Space for every four seats.
 - (5) Public assembly.** Public assembly uses, except those that have parking requirements specified elsewhere in this regulation, shall provide the following minimum amounts of off-street Parking:
 - (a)** concentrated use assembly areas (e.g., auction rooms, Auditoriums, lodge rooms, reviewing stands, etc. that typically do not have fixed seats, but if chairs are provided they are not accompanied by a table) - one Parking Space per 28 square feet of Floor Area used for public assembly;
 - (b)** less concentrated use assembly areas that may have fixed seats and tables (e.g., bingo parlors, conference rooms, exhibit rooms, museums,

galleries, etc.) - one Parking Space per 60 square feet of Floor Area used for public assembly.

- (6) **Parking districts.** When additional off-street Parking is required to be provided for a new Building or an addition or a change of Use to all or a portion of a Building, the requirements shall be waived if the property for which the Parking is required is located within the boundaries of a parking district established by the Governing Body and if the property owner meets other requirements as established by resolution of the Governing Body.
- (7) **Northeast End Subdistrict.** Special Parking standards for the Northeast End Subdistrict are as follows:
 - (a) The requirements for a shared parking plan written agreement and provision for revocation of occupancy permit (Secs. IV-A.9.c and IV-A.9.d) shall be waived for Parking Spaces shared or leased to meet the off-street Parking requirements for a use if: such parking is available to the general public; is paved, dimensioned, and marked in accordance with the requirements of this Code and the City Engineer; is not needed to meet off-street parking requirements for other uses at the same time; and the lease is current and placed on file with the Office of Central Inspection.
 - (b) Off-street Parking shall be allowed on Parking Areas east of Washington Street in compliance with off-site Parking requirements except for separation by an arterial Street (Sec. IV-A.10.b).

d. Design review standards and procedures.

(1) Review procedures.

- (a) **Applicability.** Except as provided in Secs. III-C.4.d(3) and III-C.4.d(4), no alterations to Building exteriors, including painting, nor alterations to fences, grounds or temporary on-site Signs may be made, and no permits involving alterations to building exteriors, or permits for Signs, sidewalks, driveways or demolition shall be issued by the Office of Central Inspection for any Structure or Site located wholly or partially within the OT-O district until an application for such permit has been reviewed for compliance with the design standards of this section and approved by the Planning Director, with the concurrence of the Zoning Administrator.
- (b) **Application.** An application for a permit with the OT-O district shall be submitted in a form required by the Planning Director. A complete application should include, as necessary, to-scale drawings, elevations, sections, relevant plans of Site and/or immediate environs if appropriate, and shall indicate materials and colors to be used, as well as any other information the Planning Director deems necessary to conduct an adequate review of the application.

- (c) **Action.** After reviewing the completed application, the Planning Director with the concurrence of the Zoning Administrator shall approve, approve with conditions or modifications, or deny the request, in accordance with the design standards of this section. Any property Owner in the OT-O may appeal the decision of the Planning Director to the Board of Zoning Appeals.

- (d) **Time limit on action.** If within ten days from the date of receipt of a complete application by the Planning Director, no action has been taken on the application, the Office of Central Inspection may issue the necessary permits and the project may proceed. This time limit may be waived by mutual consent of the applicant and staff. It shall not apply if Historic Preservation Board review is required pursuant to Sec. III-C.4.d(1)(e).

- (e) **Historic Preservation Board review.** Projects involving Lots 2-18 of the 700 Block of East Douglas, East Wichita Addition, being included in the East Douglas Historic District (H 85-1) and projects in the “environs” (as defined by state law) of a Building on the State or National Register, shall be reviewed by the Historic Preservation Board in accordance with these standards.

(2) Design standards.

(a) General.

- 1) Alterations should be respectful of the character of one of Wichita's earliest commercial and warehousing districts whose architectural type and elements represent a style unique to the past. The OT-O District encompasses that section of Wichita that historically was its jobbing, wholesale and warehouse district, laid out on a gridiron street pattern. Red brick warehouse and commercial structures predominate, exemplifying the industrial and Italianate commercial architectural styles of the early Twentieth Century. Warehouse Structures are trimmed in limestone, with mullioned windows, and commercial Buildings have large, plate-glass windows. Roofs are generally flat and tarred, although some are trimmed with red or green clay tiles. Doors are of wood or metal, and are found both at grade and at loading-dock height. The Buildings are no more than four and one-half stories in Building Height, and have uniform Setbacks.

- 2) The Building Height of all new Buildings and Building additions should be limited to the shorter of four and one-half stories or 50 feet.

- 3) For each Structure, the roofing materials visible from the street should be matching clay or synthetic tiles similar to clay in size, color and appearance, or of sheet metal, standing-seam or metal

shingle construction; the exterior of the wall of each building should be finished in red or brown brick and trim of wood, metal, terra cotta or other glazed tile, glass block, limestone or grey concrete.

- 4) Mirrored glass windows for Buildings should not be used.
- 5) Metal windows and doors should be anodized or properly primed and enameled.
- 6) Awnings or canopies should be made of metal or of cloth material.
- 7) Walkway coverings should be of sheet metal, metal shingles or of standing-seam construction, or of canvas or cloth.
- 8) Colors used in painting building exteriors should favor earth tones.
- 9) Iron railings should be of utilitarian styling as represented in the District.
- 10) Permanent fences should avoid wire materials whenever possible.

(b) Standards for rehabilitation/remodeling.

- 1) Facades should be retained.
- 2) Existing windows and openings should be retained.
- 3) Tile roofs and/or trim should be retained.
- 4) Architectural features, such as enriched cornice window heads, enriched trim, cast-iron elements, should be retained.
- 5) Additions to Buildings should be compatible in appearance by coordinating style, materials, scale and detail with the original Buildings in the District.
- 6) All remodeling or rehabilitation of exteriors should ensure the visual integrity of the building, and be compatible with the overall architectural character of the District.
- 7) Facades that have been hidden since original construction should be restored in conjunction with any facade rehabilitation work.
- 8) Accessory Buildings should generally be compatible with the other structures on the Street and be subject to these guidelines.

- 9) Routine maintenance, repairs or replacements of elements on portions of existing facades shall not require an applicant to bring the entire facade into compliance with these standards.
- 10) Repainting of surfaces with colors that duplicate the existing colors shall be permitted.
- 11) Existing doors and windows may be replaced with new products of design and/or materials similar to those which existed at the time of passage of this Code.

(c) Standards for new construction.

- 1) All Building designs should be compatible with the major elements of the historical architecture within the District. Red brick Buildings with limestone or grey concrete trim are encouraged.
- 2) All Buildings should be set back from the Street uniformly to present a continuous facade line along the Street, except that minor recesses or projections for entries, arcades and similar elements may be acceptable.
- 3) Off-street Parking should be screened along Street frontages with Landscaping and/or low brick walls and otherwise be designed in compliance with applicable Landscaping regulations.
- 4) Mechanical or electrical equipment and trash receptacles should be hidden or screened from Street level view.

- (d) Signs.** Signage within the OT-O district shall be subject to the provisions of the Sign Code of City of Wichita, as well as the following requirements.

1) General design standards.

- a) All Signs, including interior and exterior window Signs, must be approved as to design, colors, materials, placement, method of attachment, method of illumination (if applicable).
- b) No illuminated Sign may contain flashing or moving elements or change its brightness, except as otherwise provided in this division; except that within the OT-O/TH Subdistrict, illuminated Signs may contain flashing and moving elements and may change brightness; but such Signs shall not include strobe lights or any lights which could be mistaken for emergency vehicle lighting.

- c) Signs must be illuminated indirectly, except that individual letters may be backlit; and in the OT-O/TH Subdistrict, a theater marquee Sign may be backlit.
- d) The use of plastic on the exterior of a Sign is prohibited; except for individual backlit letters, and in the OT-O/TH Subdistrict, a theater marquee sign may be plastic.
- e) The use of a fluorescent color on a Sign is discouraged.
- f) The use of neon and/or incandescent bulbs is allowed.
- g) No Sign nor part of a Sign may move or rotate, with the exception of a wind device, the motion of which is not restricted; except that within the OT-O/TH Subdistrict, a Sign or part of a Sign may move or rotate.
- h) For buildings with multiple tenants, one Sign for all tenants is encouraged.
- i) Window Signs should be painted or gold-leafed directly on windows.
- j) The repainting of faded or "ghost Signs" on brick exteriors is encouraged.
- k) Whenever possible, painted Signs should be placed in bands within the space above or below windows.
- l) Letter forms should not be overly intricate nor of overtly modern styling. Suitable letter forms include, but are not limited to, the following: Helvetica, Helvetica Medium, Univers 55, Univers 65, Optima, Optima Semi-bold, Melior, Craw Clarendon, American Typewriter Medium.
- m) Logos and symbols may be incorporated into signage, but must otherwise conform to the criteria contained in these guidelines.
- n) Off-site advertising Signs should be directional in nature, and shall be limited to advertising for enterprises within the district.

2) Building Signs.

- a) Building Signs overhanging the public way are permitted, except that no Sign should project more than eight feet from the vertical plane of the Building; except for a theater marquee Sign in the OT-O/TH Subdistrict.

- b) Building Signs should be located so as not to dominate the Building, and so as to emphasize architectural elements; such Signs should not obscure architectural details or cover windows or moldings.
- c) No more than one temporary on-site Sign may be displayed on a premise at any given time.
- d) Window Signs and temporary on-site Signs attached to or painted on a window may not cover more than 25 percent of the window surface area.

3) Pole and ground Signs.

- a) No pole or ground Sign should have an effective area greater than 32 square feet.
- b) No pole and ground Sign should have a total height greater than 15 feet.
- c) Portable Signs shall be limited to unlit A-frame signs, and shall require a minor street permit if in the Street right-of-way, and shall not obstruct pedestrian traffic nor impede vehicular traffic.
- d) No portable Sign may exceed a height of four feet and a total area of 12 square feet.
- e) No more than one portable sign may be displayed on a premise at any given time.

4) Canopy Signs. All canopy signs shall be subject to the provisions of Chapter 23 (for awnings, canopies and marquees) of the Code of the City of Wichita, as well as the following requirements.

- a) No canopy Sign should be lower than eight feet above walking grade.
- b) No canopy sign should project vertically above the surface of the canopy or awning.

(3) Exceptions and modifications.

- (a) Alterations that are not visible from public Streets or Alleys shall be exempt from the OT-O District design standards and review procedures.
- (b) The design standards in this section shall be modified or waived by the Planning Director, with the concurrence of the Superintendent of

Central Inspection, to allow for alterations that are required in order to maintain the continued functional viability of existing Uses, or in extraordinary situations of Development characteristics, economic hardship or other circumstances, provided that the purposes and intent of these standards are maintained through such interpretation.

- (4) **Emergency repairs.** The Superintendent of Central Inspection may waive the standards and review procedures of this section in instances in which emergency repairs are required, provided that subsequent repairs comply with these standards.
- (5) **Conflicts with other Code provisions.** No section of this Code shall be construed to compel alterations that will conflict with any health or safety codes, or prohibit any alterations that are required to bring Buildings into compliance with the Building Code.

5. A-O Airport Overlay District (“A-O”)

- a. **Purpose.** The intent and purpose of the A-O Airport Overlay District regulations is to specify land Use controls in addition to those in Underlying zoning District that will ensure a compatible relationship between air force base operations and other land Uses in the vicinity. The A-O District standards will protect both the public and the Airport by reducing to a minimum, land Uses that concentrate large numbers of persons underneath runway takeoff and approach paths, where aircraft accidents are most likely to occur and noise levels are inappropriate for urban-density residential and high intensity nonresidential uses. The area protected falls into both hazard zones and accidental potential zones. In the event of conflict between the A-O standards of this section and any other regulation applicable to the same property, the more restrictive regulation or standard shall govern and prevail.
- b. **A-O Districts established.** The following A-O Districts are hereby established:

MAP CODE	DISTRICT NAME
A-O I-N	Airport Overlay I-North
A-O II-N	Airport Overlay II-North
A-O III-N	Airport Overlay III-North
A-O I-S	Airport Overlay I-South
A-O II-S	Airport Overlay II-South
A-O III-S	Airport Overlay III-South

- c. **A-O District boundaries.** For purposes of establishing the A-O Districts, the following measurements shall be used.
 - (1) **A-O I-N.** The width of Airport Overlay I-North (“A-O I-N”) beginning at the ends of the McConnell AFB parallel runways, 19R and 19L, is 3,800 feet. A-O I-N comprises an overlap of two 3,000-foot widths centered upon each of the two parallel run ways' centerlines that are separated by 800 feet on centerline. The length of this District extends northeast from the

ends of the parallel runways 3,750 feet. A-O I-N contains three Subdistricts as described in Secs. III-C.4.g.(1)(a) and III-C.4.g.(1)(b). It is intended that all Buildings in existence in A-O I-N at the time of the adoption of this resolution are in the West Subdistrict.

- (2) **A-O II-N.** Airport Overlay II-North ("A-O II-N"): extends northeast from A-O I-N 4,250 feet in length, and 3,800 feet in width.
 - (3) **A-O III-N.** Airport Overlay III-North ("A-O III-N") extends northeast from A-O II-N 6,000 feet in length, 3,800 feet in width.
 - (4) **A-O I-S.** The width of airport overly I-south ("A-O I-S") beginning at the ends of the McConnell AFB parallel runways, O1R and O1L, is 3,800 feet. A-O I-S comprises an overlap of two 3,000-foot widths centered upon each of the two parallel runways' centerlines which are separated by 800 feet on centerline. The length of this District extends southwest from the ends of the parallel runways 3,000 feet. A-O I-S contains three Subdistricts as described in Secs. III-C.4.g.(1)(a) and III-C.4.g.(1)(b).
 - (5) **A-O II-S.** Airport overlay II-South ("A-O II-S"): extends southwest from A-O I-S 5,000 feet in length, and 3,800 feet in width.
 - (6) **A-O III-S.** Airport overlay III-South ("A-O III-S") extends southwest from A-O II-S, 7,000 feet in length, 3,800 feet in width.
- d. Official Map.** The location and boundaries of Airport Overlay Districts northeast and southwest of McConnell Air Force Base shall be shown on the Official Map. In the event of conflicts between the Official Map and these measurements, boundaries established by the map shall control. All notations, dimensions, and designations depicted on the map shall be a part of these regulations. Any changes in the District due to changes in aircraft path patterns and operations will be noted on this map as regulations are amended as provided by law. A copy of the map will be on file at the Metropolitan Area Planning Department.
- e. Interpretation of District boundaries.** Where property is unplatted or undeveloped, only such portions of that land actually within the boundary lines of any A-O District shall be considered included therein. Whenever the boundary line of any A-O District divides a platted Lot or a Building, that entire Lot or Building is deemed to be within the Overlay District. If a platted Lot or Building is located within two Overlay Districts, that entire Lot or Building is deemed to be within the more restrictive District.
- f. General regulations.** The following regulations apply to all A-O districts.
- (1) All regulations of the Underlying zoning District will apply except where specifically modified by this regulation.
 - (2) No Lot or tract devoted to retail/wholesale trade, Vehicle Repair, Construction Sales and Service, Manufacturing, Personal

Care/Improvement Services, General Office or Medical Office Uses shall exceed 0.20 FAR.

- (3)** No land area used in a Building permit that has maximized the FAR allowed may be used in another Building permit.
- (4)** All Uses legally established on a parcel or tract prior to August 31, 2007, which do not otherwise meet the special requirements of these Overlay Districts, shall be considered Permitted Uses under this regulation subject to the following requirements:
 - (a)** The reconstruction, relocation, or conversion of any Use or Building must be for the same Use, a Use of lesser intensity (as determined by maximum occupancies permitted in the Building Code), or any Use currently permitted by these Overlay Districts and the Underlying zoning District of the parcel or tract. This includes repairing or reconstruction in instances where a Building is damaged or destroyed by fire, wind, tornado, flood, or other natural disaster.
 - (b)** In any event when a Building or Structure is to be replaced, substantially altered, repaired or rebuilt, a Building permit must be secured.
 - (c)** The relocation of any Use or Building within the Districts must be to a location on the same Lot or tract or on an Adjacent Lot or tract that is under the same ownership, and shall not be to a more restrictive District or Subdistrict. In the event a Use or Building is relocated, the Use of the vacated Building, Lot or tract shall no longer be considered a Permitted Use under Sec. III-C.5.f.(4).
 - (d)** Except as provided by Sec III.C.5.f.(4)(e), any Use or Building may be expanded so long as the total expansion of the Use or Building:
 - 1)** does not exceed 25 percent of the Use or Building at the time of adoption of these regulations;
 - 2)** does not violate the height limitations established in the Airport Hazard Zoning Code;
 - 3)** is intended as an Accessory Use for storage, warehousing, or other similar low occupancy Use; and,
 - 4)** does not result in an expansion into a more restrictive District or Subdistrict.

For purposes of this Sec. III-C.5.f.(4)(d) increases in Floor Areas within an existing Building or expansion outside the boundaries of these Districts shall not be considered an expansion.

- (e) Existing Dwelling Units may be expanded without any Floor Area limitation in accordance with the Underlying zoning District.
 - (f) The designation of any prior Nonconforming Use shall not be affected by this Sec. III-C.5.f.(4).
- (5) Administrative offices, engineering offices, computer operations, and similar uses which are accessory to a main Use of an industrial or manufacturing nature and are on the same Lot or tract or one Adjacent to the Lot or tract containing the main Use shall be considered as part of the industrial or manufacturing Use.

g. Permitted Uses.

(1) A-O I-N and A-O I-S.

- (a) **Central Subdistrict.** The following Uses shall be permitted by-right in that portion of A-O I-N and A-O I-S designated as the Central Subdistrict, which extends from 350 feet west of the extended centerline of the west AFB runway to 350 feet east of the extended centerline of the east AFB runway:

- 1) Agriculture, excluding livestock farming/animal breeding, agricultural structures, and retail or wholesale sales permitted by Sec. III.D.6.b.
- 2) Surface Parking lots, outside storage areas, airplane runways and taxiways that are accessory to Adjacent Uses.

- (b) **East and West Subdistricts.** The following uses shall be permitted in the remaining portions of A-O I-N and A-O I-S, Subdistricts East and West:

- 1) Agriculture, excluding livestock farming/animal breeding, agricultural structures, and retail or wholesale sales permitted by Sec. III.D.6.b.
- 2) Surface Parking lots, outside storage areas, airplane runways and taxiways that are accessory to Adjacent Uses.
- 3) All other Uses legally established prior to August 31, 2007, subject to the limitations set forth in Sec. III-C.5.f.

- (2) **A-O II-N and A-O II-S.** All Uses allowed within the Underlying base District shall be similarly allowed in the A-O II-N and A-O II-S Districts, except for the following list of prohibited Uses:

- (a) Residential Uses

Art. III, Zoning District Standards
Sec. III-C, SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS

- (b) Hotel or Motel or Recreational Vehicle Campground
 - (c) Restaurant, Taverns and Drinking Establishment, Sexually Oriented Business and Nightclub
 - (d) Retail food stores with gross Floor Area exceeding 3,000 square feet
 - (e) Hospital, Nursing Facility or Funeral Home
 - (f) Day Care Center, Correctional Placement Residence and Day Reporting Center
 - (g) University or College, Elementary, Middle, and High School, Vocational School, Government service, Library, museum
 - (h) Church or Place of Worship and related facilities
 - (i) Correctional facility
 - (j) All Indoor/Outdoor Recreation and Entertainment, Auditorium or Stadium, Parks and Recreation, or Community Assembly uses that would attract more than 25 spectators and/or participants per acre at any one time
- (3) **A-O III-N and A-O III-S.** All Uses allowed within the Underlying base District shall be similarly allowed in the A-O III-N and A-O III-S Districts, except for the following list of prohibited Uses:
- (a) Residential Uses with less than 40,000 square feet of Lot area per Dwelling Unit
 - (b) Hotel or Motel or Recreational Vehicle Campground
 - (c) Restaurant, Tavern and Drinking Establishments, Sexually Oriented Businesses and Nightclubs
 - (d) Retail food stores with gross floor area exceeding 3,000 square feet
 - (e) Hospital, Nursing Facility or Funeral Home
 - (f) Day Care Center, Correctional Placement Residence, Day Reporting Centers
 - (g) University or College, Elementary, Middle, and High School, Vocational School, Government Service, Library, museum
 - (h) Church or Place of Worship and related facilities
 - (i) Correctional Facility

- (j) All Indoor/Outdoor Recreation and Entertainment, aAuditorium or Stadium, Parks and Recreation, or Community Assembly Uses that would attract more than 25 spectators and/or participants per acre at any one time

6. P-O Protective Overlay District (“P-O”)

- a. **Purpose.** The P-O Protective Overlay District, may be applied in combination with any base zoning District. By tailoring Use or property Development standards to individual projects or specific properties, the P-O District is intended to:
 - (1) ensure compatibility among incompatible or potentially incompatible land uses;
 - (2) ease the transition from one zoning district to another;
 - (3) address sites or land uses with special requirements; and
 - (4) guide development in unusual situations or unique circumstances.
- b. **Use and property development standards.** The P-O District, can be used to modify and restrict the use and property development standards of an Underlying base zoning District. All requirements of a P-O District are in addition to and supplement all other applicable standards and requirements of this Code. Restrictions and conditions imposed by a P-O District shall be limited to the following.
 - (1) prohibiting otherwise permitted or Conditional Uses and Accessory Uses; or making an otherwise permitted Use a Conditional Use;
 - (2) decreasing the number or average density of Dwelling Units that may be constructed on the Site;
 - (3) increasing minimum Lot Area or Lot Width;
 - (4) increasing minimum Setback requirements;
 - (5) restrictions on access to Abutting properties and nearby roads, including specific design features; and
 - (6) any other specific Development standards required or authorized by this Code.
- c. **Method of adoption.** Restrictions imposed through a P-O District are considered part of this zoning Code text and accompanying map. All property included in a P-O District shall be identified on the Official Zoning District Map by adding the letters "P-O" and a number to the base zoning District symbol. The number shall be assigned when the application is filed and numbers shall run consecutively beginning with number 1. The ordinance or

resolution zoning or rezoning property to the P-O District shall specifically state the modifications imposed pursuant to Sec. III-C.6.b. The restrictions imposed shall be considered part of the text of this Code, and a violation of the restrictions shall be a violation of this Code. The restrictions shall continue in full force and effect until modified in accordance with the amendment or adjustment procedures of Secs. V-C.13 and V-C.14.

- d. **Effect of P-O designation.** When the P-O zoning designation is applied in combination with a base zoning District it shall always be considered to result in a more restrictive designation than if the base district did not have the P-O classification. In the event that the P-O designation was not originally requested as part of the rezoning application, but instead is added during the staff review or public hearing process, renotification and re-advertisement of the requested zoning change shall not be required.

7. H-O Historic Landmark Overlay District (“H-O”)

- a. **Purpose.** The H-O Historic Landmark Overlay District is intended to provide a means of designating on the Official Zoning District Map those properties determined by the Governing Body to be historic landmarks or historic landmark Districts.
- b. **Applicability.** The provisions of this section shall apply only within the City of Wichita.
- c. **Determination of eligibility.** A determination of eligibility for designation as a historic landmark or historic landmark District shall be based on the conclusions and findings of fact of the Historic Landmark Preservation Committee and upon the recommendations of the Planning Commission following a public hearing. Upon recommendation of the Historic Landmark Preservation Committee, an application may be initiated for the designation of a historic landmark or historic landmark district on legally described property or properties that have been incorporated into the historic preservation plan of the City of Wichita.
- d. **Application contents.** The applicant shall provide the names of the owner of record, together with an accurate legal description of the property proposed to be designated. The applicant shall also identify the specific criteria set out in Sections 2.2.1019 and 2.12.1020(2) of the City of Wichita Code, under which the described property is proposed to be designated as a historic landmark or District. The application shall be accompanied by the required filing fee.
- e. **Notice.** Upon receipt of the complete application and fee, the Planning Director shall give notice of the application and of the upcoming hearing on the application by the Planning Commission. The notice shall be sent by certified mail to the owner of record of the property directly involved and shall be published once in a newspaper of general circulation at least 20 days prior to the hearing date.

- f. Planning Commission hearing and action.** At the conclusion of the public hearing, the Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Governing Body. In the event that the Governing Body takes action to approve the historic designation of the property involved, the Planning Director, on the basis of the public meeting record, shall set out on the Official Zoning District Map a designation corresponding to the case number and a delineation of the property involved.
- g. Effect of historic landmark status.** The establishment of the historic landmark designation shall in no way alter the Uses allowed by the zoning classification of the property.
- h. Effect of demolition or removal.** In the event a permit is issued, pursuant to Section 2.12.1024 of the City of Wichita Code, for the demolition or removal of a designated historic landmark structure not located within a landmark District, the Zoning Administrator shall instruct the Planning Director to remove the designation from the Official Zoning District Map, provided that, upon removal of a structure within a historic landmark District, the land shall retain its classification as a designated historic landmark District.

8. D-O Delano Neighborhood Overlay District (“D-O”)

a. General parameters.

(1) **Purpose.** The D-O Delano Neighborhood Overlay District (“D-O”) is intended to preserve, enhance, and promote the character of the Delano neighborhood as prescribed in the Delano Neighborhood Revitalization Plan. The D-O District is an Overlay District; property Development within the District shall comply with the **Delano Neighborhood Design Guidelines** and the standards of this District and the Underlying zoning District. The design review provisions applicable within the D-O District are intended to recognize the special architectural character and proposed land-use mix of the Delano neighborhood, and to protect the private property values and public investments in the Delano Neighborhood. In the case of conflict between the regulations in this section and those of the Underlying zoning District, the regulations in this section shall prevail.

(2) **Boundaries of the Delano Neighborhood Overlay District.** The Delano Neighborhood Overlay District applies to all property within the following geographic boundaries:

West Boundary - Meridian Street from Central Avenue south to Kellogg
North Boundary - Central Avenue east to the Arkansas River and following the Arkansas River to Kellogg
East Boundary - the Arkansas River
South Boundary - Kellogg from the Arkansas River west to Meridian Street
See attached map “Delano Overlay”;

but exempting from the D-O District, those properties falling within that portion of the Urban Village Redevelopment Area as depicted on Page 26, Figure 15 of the Delano Neighborhood Revitalization Plan and located east of Seneca Street, south and west of McLean Boulevard, and north of Douglas Avenue (except any properties directly fronting on Douglas Avenue or Seneca Street). The Urban Village redevelopment area has been excluded from these guidelines on the basis that the City of Wichita will be a partner in any major redevelopment initiatives. While flexibility will be key to encouraging redevelopment initiatives, the City itself should play an important role in finalizing any land use mix and design approach proposed. The City has the ability to ensure that redevelopment in the Urban Village area is done in a fashion that is compatible with the Delano neighborhood, and reflective of the spirit and intent of the Urban Village design guidelines contained in the Delano Neighborhood Revitalization Plan. The City Council also has the authority to amend the D-O District under the procedures of this Code, as it deems appropriate in the future, to include portions or all of the Urban Village redevelopment area.

b. Use regulations. The Use regulations of this Overlay District shall control over the Underlying zoning District.

(1) Prohibited uses. Subject to Section III-C.8.c(1)(b), the following Uses are explicitly prohibited in the D-O District, regardless if said Uses are stated as permitted or Conditional Uses in the Underlying Districts:

- Asphalt or Concrete Plant, Limited and General
- Businesses of an adult entertainment nature requiring a license under the Code of the City of Wichita, Chapters 3.05, 3.07, 3.56 and 3.74
- Correctional Facility
- Correctional Placement Residence, Limited and General
- Gas and Fuel, Storage and Sales
- Manufactured Home Subdivision
- Manufactured Home Park
- Mining or Quarrying
- Oil and Gas Drilling
- Rock Crushing
- Sign (off-site)
- Solid Waste Incinerator
- Vehicle Storage Yard
- Wireless Communication Facility
- Wrecking/Salvage Yard

(2) Conditional uses. Subject to Section III-C.8.c(1)(b), the following Uses shall be allowed only as a Conditional Use in the D-O District, regardless if said Uses are stated as permitted Uses in the Underlying Districts:

- Car Wash
- Convenience Store
- Freight Terminal
- Manufacturing, General and Limited
- Parking Area, Commercial

Restaurant (drive-in/drive-through)
Service Station
Storage, Outdoor
Utility, Major
Vehicle and Equipment Sales (indoor)
Vehicle and Equipment Sales, Outdoor
Vehicle Repair, General
Vehicle Repair, Limited
Warehouse, Self-service Storage
Warehousing
Wholesale or Business Services

- (3) **Accessory uses.** The following Accessory Uses shall be prohibited in the D-O District regardless if said Uses are allowed in the Underlying District:

Portable Storage Containers

c. Design review standards and procedures.

(1) Review procedures.

- (a) **Applicability.** Except as provided in Section III-C.8.d, no permits for Building demolition, construction or alterations, Signs, fences Abutting public Streets (not including Alleys), sidewalks, Parking areas and driveways may be issued for any property, Structure or Site located wholly or partially within the D-O District, unless a permit has been reviewed for compliance with this District and the **Delano Neighborhood Design Guidelines** and approved by the Design Review Committee.
- (b) **No Nonconformities created by adoption of the D-O District.** No Use of a Building, Structure or property that complied with the zoning ordinance or zoning resolution in effect prior to the effective date of the D-O District shall become or be deemed to have become nonconforming due to the adoption of the D-O District. However, all other nonconforming provisions of Article VII shall apply.
- (c) **Application.** An application for a design approval within the D-O District shall be submitted in a form required by the Design Review Committee. A complete application shall include building elevations, a Site plan and list of the types of building materials to be used, along with any other information deemed necessary by the Design Review Committee to conduct an adequate review of the application.
- (d) **Design Review Committee.** The Planning Director, the Zoning Administrator and the Historic Preservation Officer shall constitute a Design Review Committee that shall administer and render decisions on applications that require compliance with the **Delano Neighborhood Design Guidelines**. The Design Review Committee shall have the authority to approve all applications submitted in

accordance and compliance with the **Delano Neighborhood Design Guidelines**. The Design Advisory Committee shall advise the Design Review Committee on those applications submitted that do not conform to the requirements of the **Delano Neighborhood Design Guidelines**. In making its decisions, the Design Review Committee shall specify those critical exterior design elements (e.g. roof pitch, architectural style, window rhythm, Porch requirements) and Screening requirements that cannot be changed without reapplying to the Design Review Committee. All other aspects of exterior design changes would be subject to approval by any individual member of the Design Review Committee.

- (e) **Design Advisory Committee.** A Design Advisory Committee shall be appointed by the City Manager that includes representation from the Delano Business Association, the Delano Clergy Association, the Delano Neighborhood Association, the Delano Development Corporation, the Wichita Historic Preservation Board, the District IV Advisory Board, the Metropolitan Area Planning Commission, the Wichita Area Builders Association, the Wichita Independent Business Association, or the successors of such, or any other organization with a substantial interest in the Delano district. The Design Advisory Committee shall advise the Design Review Committee on all decisions pertaining to those applications submitted that do not conform to the requirements of the **Delano Neighborhood Design Guidelines**.
- (f) **Action.** After reviewing the completed application, the Design Review Committee shall approve, approve with conditions or modifications, or deny the request, in accordance with the design standards of this section. Any person with standing may appeal the written decision of the Design Review Committee to the City Council, by filing a written notice of appeal to the Planning Director within 30 days of the date of the written decision of the Design Review Committee.
- (g) **Time limit on action.** If within 20 days from the date of receipt of a complete application by the Planning Director, no action has been taken on the application, the Office of Central Inspection may issue the necessary permits and the project may proceed. This time limit may be waived by mutual consent of the applicant and staff. It shall not apply if review by the Historic Preservation Board is required.
- (2) **Design standards.** All applications for design review approval within the D-O district area shall comply with the criteria established in the Delano Neighborhood Design Guidelines, and all subsequent amendments to said design guidelines, as established by the Governing Body of the City of Wichita.

d. Exceptions and modifications.

- (1) Alterations, repairs, improvements or construction that does not require a Building Permit shall be exempt from the D-O District design standards

and review procedures. Notwithstanding the aforementioned exemption, Fences Abutting a public Street shall be subject to the D-O District design standards and review procedures, as shall the removal of more than 40% live material in a residential Front or Side Yard Abutting a public Street (Alleys are excluded).

- (2) Routine maintenance and repairs, including roof re-shingling and building re-siding using natural or synthetic materials with the same appearance, shall be exempt from the D-O District design standards and review procedures.
 - (3) Any Buildings or Structures in lawful existence prior to the effective date of this D-O District that are subsequently damaged or destroyed may be reconstructed or repaired in their prior architectural style and character.
 - (4) In addition to the requirements of Chapter 24.04 of the Code of the City of Wichita, existing non-conforming off-site Signs may be modified or altered on existing Sites if, in the opinion of the Design Review Committee, such modifications or alterations will improve the overall appearance and compatibility of said Signs within the Delano district.
 - (5) The design standards in this section shall be modified or waived by the Design Review Committee to allow for alternatives which are required in order to maintain the continued functional viability of existing Uses, or in extraordinary situations of development characteristics, economic hardship, or other circumstances, provided that the purposes and intent of these standards are maintained through such interpretation.
- e. **Emergency repairs.** The Superintendent of Central Inspection may waive the standards and review procedures of this section in instances in which emergency repairs are required, provided that subsequent repairs of a non-emergency nature comply with these standards.
- f. **Conflicts with other Code provisions.** No section of this Code shall be construed to compel alterations that will conflict with any health or safety codes, or prohibits any alterations that are required to bring Buildings into compliance with the Building Code.

9. AFBP-O Air Force Base Protection Overlay District (“AFBP-O”)

- a. **Purpose.** The AFBP-O Air Force Base Protection Overlay District is intended to provide protection to McConnell Air Force Base through Site Development regulations for properties Adjacent to the air force base that limit the risk of terrorist activities from threatening the air force base and its personnel.
- b. **Official Zoning District Map.** The location and boundaries of the AFBP-O shall be shown on the Official Zoning District Map. All notations, dimensions, and designations depicted on the Official Zoning District Map shall be a part of these regulations.

- c. Property development standards.** All structures within the AFBP-O shall be limited to a maximum height of 25 feet.
- d. Nonconformities.** All Structures legally established on a property within the AFBP-O prior to the effective date of this regulation shall be considered permitted Uses under this overlay District and may be replaced, substantially altered, repaired or rebuilt to a height not exceeding the existing Structure height.
- e. Zoning Adjustments.** The Planning Director, with the concurrence of the Zoning Administrator, shall have the authority to approve a Zoning Adjustment to the property Development standards of the AFBP-O as specified in Section V-I.2.o.

10. CP-O Corridor Preservation Plan Overlay District (“CP-O”)

- a. Purpose.** The CP-O Corridor Preservation Plan Overlay District recognizes the impact transportation corridor improvement projects can have on private and public land use expectations. New transportation improvements can lead to requests for more intense zoning and Development applications before public services required to support the more intense Development can be effectively planned and efficiently installed. The Development review provisions applicable within the CP-O District are intended to assure a comprehensive review of the impact of proposed land Uses on the anticipated character of neighborhoods immediately surrounding proposed transportation corridor improvement projects. This District is established to ensure that land use or Development decisions that could result in the need for further public improvements or public investments consider the viability and prudence of such investments in light of changes expected to occur as a result of anticipated corridor improvements. Properties located within the CP-O District shall comply with the regulations contained within the Overlay District and the standards contained in the Underlying or base zoning District. In case of a conflict between the regulations in this section and those of the Underlying zoning District, the regulations in this section shall prevail.
- b. Use regulations.** No property within the CP-O District shall be devoted to any Use, including any agricultural Use, requiring a Building Permit, other than those Uses existing at the time the CP-O District was established. Any new Use, whether allowed by right by the Underlying zoning, by Conditional Use, or as an Accessory Use in the Underlying zoning District, shall be allowed only after the proposed new Use has been approved as provided for in this section.
- c. Review procedures.** Requests requiring CP-O District zoning approval shall follow the same review procedures as required by Conditional Use applications contained in Article V-D of the Wichita-Sedgwick County Unified Zoning Code, except that in all cases final approval shall rest with the appropriate Governing Body. The action of the Metropolitan Area Planning Commission shall be advisory to the Governing Body.

- d. Review criteria.** In addition to the review criteria contained in Article V-C.8, the following criteria shall be used to evaluate CP-O District requests:
- (1) the duration of the proposed Use;
 - (2) the anticipated start and completion dates of the planned transportation corridor improvement project;
 - (3) the compatibility of the proposed use with the expected character of the neighborhood following the completion of the planned transportation corridor improvement project;
 - (4) the extent to which the proposed Use will detrimentally affect the public benefits otherwise arising from the transportation corridor improvement project; and
 - (5) the extent to which the proposed Use will require public improvements or investments that may be altered or eliminated by the planned transportation corridor improvement project.
- e. Property development standards.** Each site in the CP-O District shall be subject to the property development standards of the Underlying zoning District except the following:
- (1) **Setbacks.** In areas where the right-of-way of a proposed transportation corridor has been identified on an adopted map, whether or not that right-of-way has been acquired, minimum Setbacks shall be measured from the proposed right-of-way line. In no event shall any Building be erected, enlarged, moved in or reconstructed so as to be closer to the centerline of a proposed transportation corridor than 150 feet.
- f. Administrative approvals.** The Zoning Administrator shall have the authority to waive application of the requirements of this section for Building Permits that do not increase the Floor Area by 1,000 square feet, or ten percent, whichever is less; or the appraised value of the property by more than \$10,000, or ten percent, whichever is less.
- The Zoning Administrator may also terminate any conditions imposed under this section if the property involved is no longer contained within the designated District.
- g. Corridor Preservation Plan Overlay District designation.** The Governing Body may adopt, and amend from time to time, maps designating a CP-O District. Any such adoption or amendment shall be shown on the Official Zoning District Map.

11. CBS, Construction Burn Site, General District (“CBS, General”)

- a. Purpose.** In the normal course of the development, or the improvement of land, woody tree waste is generated. In some cases, the woody tree waste can be burned on the site where the clean tree waste was generated; in other situations the clean tree waste must be hauled off-site for disposal. For a variety of reasons, placing tree waste in a municipal or construction and demolition landfill is undesirable. The Construction Burn Site, General (“CBS, General”) district is a special purpose district that allows for the controlled burning of clean tree waste on a property other than a landfill or the site that generated the clean tree waste.
- b. Permitted Uses.** Clean tree waste as described in Sec. II-B. 3.k is permitted to be disposed by use of air curtain technology or a similar technology designed to promote a clean burn by minimizing smoke, soot and particulates, subject to the conditions listed below, on a site other than the property that generated the waste.
- c. Initiation.** A Construction Burn Site, General is permitted in the RR Rural Residential, SF-20 Single-family Residential, LI Limited Industrial and GI General Industrial districts only after review and approval of a Conditional Use permit as detailed in Sec. V. D. of this code.
- d. Property Development Standards.**

 - (1) Required permits and site plan:** Prior to filing for a Conditional Use permit the applicant shall first obtain a burn permit from the appropriate fire department. When filing for the burn permit, the applicant is to present for review and approval a site plan that, at a minimum, indicates: the address, legal description or the name of the construction project of the property where the burn is to occur; size of the site; property boundaries and dimensions; the location of any improvements (structures, driveways, parking, fuel storage, utilities, parking, etc.), if any, including buried utilities or pipelines; the location of tree or shrub rows or any other flammable material on the site; and the location where the burn is to occur on the site. Prior to burning, the applicant shall “flag” all underground utilities. The applicant shall also provide the address, legal description or the name of the construction project of the property that is generating the tree waste, and the name of the company, firm or individuals hauling the tree waste. In addition to the burn permit and Conditional Use approval, the applicant is responsible to obtain all other applicable permits, and conduct the burn in conformance with all applicable laws, regulations, ordinances, resolutions and codes, whether federal, state or local. The burn is to be attended by at least one person until completely extinguished. When the burn is completed, the applicant is to notify the appropriate fire department that the burn is completed.
 - (2) Type of burn:** No open fires are permitted. Only fires utilizing air curtain technology or a similar approved technology designed to minimize smoke and particulates is permitted.

- (3) **Minimum setbacks:** The burn area shall be setback a minimum of 300 feet from property lines, structures, power lines, public roadways, fuel storage areas, pipelines or other fuel sources.
- (4) **Time limits:** The applicant shall complete all approved burns within 30 days. In the event that a burn ban is issued after the issuance of a construction site burn permit, but before the burn can be completed, the time limit to complete the burn shall be extended by the same number of calendar days that the burn ban was in effect, but not to exceed 30 days following the expiration of the burn ban.
- (5) **Frequency of burns:** The number of, and interval between, Construction Burn, Limited, burns shall be established by the appropriate fire department as part of the burn permit review and approval; however as a condition of the Conditional Use permit, but only after the MAPC has received a recommendation from the appropriate fire department.
- (6) **Burn location:** The actual location of the burn shall be determined in consultation with representatives from the appropriate fire department, and the location of the burn shall be marked by a stake. In general, the burn area is to be located in a manner to minimize the likelihood that the burn could spread or ignite material or structures not intended to burn, and to minimize recognizable negative impacts on Adjacent property, such as noise, smoke, soot, particulates or excessive truck traffic.
- (7) **Access:** Access to the site shall be controlled to prevent unauthorized dumping or the placement of unauthorized materials on the site. The applicant is responsible to see that the material burned is only approved material, and the opportunity for unauthorized burning is minimized.
- (8) **Disposal of ash:** The ash created by the burn may only be disposed of in the following manner: buried in the burn pit; if the ash is removed from the burn pit, the ash is to be wetted and removed as a slurry-like substance and taken to an approved C&D land fill; or applied to the land as a soil amendment.

12. CBS, CONSTRUCTION BURN SITE, LIMITED DISTRICT (“CBS, Limited”)

- a. **Purpose.** In the normal course of the development, or the improvement of land, woody tree waste is generated. In some cases, the woody tree waste can be burned on the site where the clean tree waste was generated; in other situations the clean tree waste must be hauled off-site for disposal. For a variety of reasons, placing tree waste in a municipal or construction and demolition landfill is undesirable. The Construction Burn Site, Limited (“CBS, Limited”) district is a special purpose district that allows for the controlled burning of clean tree waste on a property other than a landfill or the site that generated the clean waste.

410A B-2A BUCKNER BUSINESS DISTRICT

This district was created to provide enhanced standards for the conversion of existing residential buildings as identified on Map 1, to institutional, office and commercial uses. The new district standards allow the present property owners to capitalize on the existing high traffic volume along the Buckner Street and Meadowlark corridor by providing expanded allowable uses for their property. Because of the commitment by the City to enhanced appearance standards within the streetscape, these standards should assist with the conversion to non-residential uses while maintaining the existing residential character.

All buildings are required to maintain the general single story residential character by either maintaining said appearance of existing buildings, or by constructing new structures to such appearance. Additionally, specific requirements for screening, signage, and parking for the B-2A District are included in Articles 3, 5, and 7. Special accommodations are provided for meeting parking needs based on the present lot configurations within this district and the lack of ability to provide additional off-street parking because of said lot configuration. Medical Services located in this district are limited to 4,000 square feet of floor area.

A. Permitted Uses.

1. Appliance Sales and Rental Shops.
2. Arts and Crafts Shops.
3. Art Studio and/or Gallery.
4. Banks, Credit Unions, Savings & Loans, and other Financial Institutions.
5. Barber, Beauty, Tanning, Massage Therapy, Nail Care Shops and Spas.
6. Bicycle Sales and incidental bicycle rental and Bicycle Repair Shops.
7. Book Stores.
8. Business, Professional and Public Offices.
9. Camera and Film Processing Shops.
10. Candy, Ice Cream, Coffee and Donut, Cake and Cookie Shops, and Bakeries.
11. Child and Adult Day Care.

12. Clothing and Wearing Apparel Sales and Alteration Shops.
13. Florist Shops.
14. Gift, Stationary, Antique and Collectibles Shops.
15. Interior Design/Decorating Studios.
16. Jewelers and Jewelry Repair Shops.
17. Key, Security Device and Locksmith Shops.
18. Mail Service and Photocopying Shops.
19. Medical Services.
20. Music Stores, including Musical Instrument Sales, Rental, Repair, and Instruction.
21. Novelty Stores, including Costume and Apparel Rental.
22. Pet Grooming Shops, including Ancillary Supply Services.
23. Pharmacies (without drive-through facilities).
24. Picture or Portrait Framing Shops and Photographic Studios.
25. Shoe, Tailor, Dress Making and Bridal Shops, including Rental and Repair.
26. Single Family Detached Dwelling.
27. Specialty Sporting Goods Shops, including incidental equipment rental.
28. Specialty Toy/Game Stores.
29. Vision and Optical Shops.
30. Other general limited retail, office and service uses not specifically listed above as permitted uses, but which in the opinion of the Zoning Administrator are in keeping with the intent of this section and compatible with the uses listed above.

B. Special Uses.

1. Any retail, medical, office or service business listed as permitted herein where such business includes a drive-up or drive-through window.
- 2.
3. Bed and Breakfast Inns
3. Physical fitness services.
4. Public Utility Uses such as substations. (See 303(G)).

C. Conditional Uses.

1. None Allowed.

D. Lot Size Requirements.

1. Minimum Lot Area: 7,500 square feet.
2. Minimum Lot Width: 55 feet.
3. Minimum Lot Depth: 115 feet.

E. Bulk Regulations.

1. Maximum structure height: 35 feet.
2. Yard requirements:
 - a. Minimum front yard (new construction): 25 feet on all sides abutting a street.
 - b. Minimum side yard: 5 feet
 - c. Minimum rear yard: 25 feet
3. Maximum lot coverage: 40%
4. Maximum impervious surface: 75%

F. Use Limitations.

1. All areas not otherwise used for structures, parking, loading, driveways or walkways shall be landscaped with plant materials.

2. Outdoor storage is prohibited.
3. Unless specifically permitted by Special Use, no business establishment shall offer goods or services directly to customers waiting in motor vehicles.
4. Exterior lighting fixtures shall be shaded and/or directed to minimize light cast upon any adjacent district.
5. The outdoor display of items for sale is prohibited.
6. The promotional activities of any business establishment shall not involve the following:
 - a. Outdoor use of string lighting or outdoor use of reflective or non-reflective banners, streamers, pennants, balloons or promotional flags;
 - b. Outdoor use of sound projecting devices or loudspeakers;
 - c. Advertisement materials attached or painted on any wall or on any fence erected to provide screening from adjacent properties;
7. Temporary outdoor uses identified by Section 601 of this Ordinance are prohibited.
8. Outdoor signs as permitted by Article 7 of this Ordinance.
9. Off-street parking and loading as required by Article 5 of this Ordinance.
10. Screening and Landscaping as required by Section 304 of this Ordinance.
11. The hours of operation for all uses, except the Single Family Detached Dwelling, shall be limited to 6:00 AM – 10:00 PM daily.
12. Commercial developments within this district shall be limited to a maximum of five contiguous platted lots and/or un-platted parcels.

G. Uses Not Permitted.

1. Any retail, office or service business which involves the outside storage or inventory and/or equipment on either a temporary or permanent basis.
2. Motels and Hotels.
3. Raising and wholesale sales of plant nursery stock.

4. Repair or servicing of motor vehicles, boats or trailers, including the on-site installation or removal of parts or accessories.
5. Sale of new or used automobiles, trucks, recreational vehicles, motorcycles, trailers or boats.
6. Storage Warehouses or Mini-Storage Warehouses.
7. Tattooing and Body Piercing Facilities.
8. Theaters.
9. Vehicle Paint & Body and Repair Shops.
10. Wholesale Businesses.

MEMO

TO: The Honorable Ken Hampton, Mayor
Haysville City Councilmembers

FROM: Will Black, Deputy Administrative Officer

SUBJECT: Proposed Code Changes for 2013

DATE: December 10, 2012

The proposed changes to the Haysville Municipal Code are before you for your consideration. The Animals and Fowl chapter shown below does not show changes marked, but is instead a full draft of the proposed code. This is due to the difficulty in following the marked-up version which became cumbersome to read due to the number and length of proposed changes. Proposed changes in most other chapters are shown highlighted and either italicized (new language) or struck-through (deleted language). Chapter 17 additions are in both blue and red font colors.

CHAPTER II. ANIMALS AND FOWL

Article 1.	General Provisions
Article 2.	Dogs
Article 3.	Vicious Dogs
Article 4.	Miscellaneous

ARTICLE 1. GENERAL PROVISIONS

2-101. DEFINITIONS. For the purpose of this chapter, the following words and phrases shall mean:

(a) Abandon: Includes the leaving of an animal by its owner or other person responsible for its care or custody without making effective provisions for its proper care.

(b) Animal: Any live vertebrate creature, domestic or wild.

(c) Animal Control Officer: Any person empowered by the city to enforce, or aid in the enforcement of this chapter.

(d) Animal Shelter: Haysville animal shelter, which is hereby designated by the city as the facility for the boarding and disposition of any animal impounded under the provisions of this chapter, or any city ordinance or law of the state of Kansas.

(e) Attack: any violent or aggressive physical contact with a person or domestic animal, or violent or aggressive behavior that confines the movement of a person, including, but not limited to, charging, cornering, chasing, or circling a person.

(f) Bite: any actual or suspected abrasion, scratch, puncture, tear, bruise or piercing of the skin, caused by any animal, which is actually or suspected of being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite.

(g) Cat: Any member of the species felis catus, regardless of sex.

(h) Common Areas of Condominiums, Townhouses and Apartment Buildings: Includes, but is not limited to the yards, grounds, garden areas, play area, clubhouses, swimming pools, sidewalks, walkways, common garage areas, entryways, hallways, and driveways of condominiums, townhouses or apartment building complexes.

(i) Control of a Dog or any other animal: To physically restrain by means of an appropriate pen, or by a chain or leash held by a responsible person who possesses sufficient strength for physical control of the animal.

(j) Direct Control of a Dog: To physically restrain a dog by a substantial chain or leash by a responsible person who is 18 years of age or older and possesses sufficient strength for physical control of the animal.

(k) Dog: Any member of the species canis familiaris, regardless of sex. Such term shall not include hybrid breeds of dogs which have been bred to a wild animal.

(l) Guard Dog: Any dog placed within an enclosure for the protection of persons or the property by attacking or threatening to attack any person found within the enclosure patrolled by such dog.

(m) Harbor: The act of keeping or caring for an animal or providing premises to which the animal returns for food, shelter, or care.

(n) Harborer: See Owner, Keeper, Harborer.

(o) Humane Traps: Box-type, live type, which do not cause bodily harm to the animal intended to be captured or any animal or person coming in contact with such trap.

(p) Inhumane treatment: any treatment to any animal which deprives the animal of necessary sustenance, including food, water and protection from the weather; any treatment such as overloading, overworking, tormenting; beating, mutilating, teasing or other abnormal treatment; or causing or allowing the animal to fight with any other animal.

(q) Keeper: See Owner, Keeper, Harborer.

(r) Livestock: Includes, but not limited to, cattle, horses, swine goats, sheep or other animals, commonly regarded as farm animals.

(s) Microchip: a passive transponder which can be implanted in an animal and which is a component of a radio frequency identification (RFID) system.

(t) Mistreatment: Includes every act or omission which causes or unreasonably permits the continuation of unnecessary or unjustifiable pain or suffering.

(u) Neglect: Includes the failure to provide food, water, protection from the elements, opportunity for exercise or for other normal, usual and proper care for an animal's health and well being.

(v) Neighbor: any person residing within 200 from the outermost property line of the property where a domestic animal is owned, kept or harbored.

(w) Nuisance Animal: means any repeated acts of an animal that irritates, perturbs or damages rights and privileges common to the public or enjoyment of private property or indirectly injures or threatens the safety of a member of the general public. Such actions include, but are not limited to:

1. Damage to public or private property including, but not limited to: breaking, bruising, tearing up, digging up, crushing or injuring any lawn, garden, flower bed, plant, shrub or tree in any manner;
2. Rips any trash bag or tips any solid waste collection container which spills or scatters trash, debris, refuse or waste.
3. Repeatedly defecates upon any public place or upon premises not owned or controlled by the animal's owner, keeper or harborer, provided that this definition shall not apply where such waste is immediately removed and properly disposed of by the owner of such animal.
4. Allowing or permitting an animal to be maintained in an unsanitary condition so as to be offensive to sight or smell.
5. Causes a condition which endangers public health or safety.

(x) Owner, keeper or harborer: any person who possesses, harbors, keeps, feeds, shelters, maintains, offers refuge or asylum to any animal, or who professes to keeping, owning or harboring of such animal. In addition, any person who signs a receipt as owner, keeper or harborer for the return of an animal from any shelter or animal holding facility, shall be presumed to be the owner, keeper or harborer of the animal. A parent or

legal guardian shall be deemed to be an owner, keeper or harbinger of animals owned, kept or harbored upon their premises by minor children who are less than 18 years of age. Such term shall also include any person who exercises control over or is in possession of any such animal. The term "Owner" when used in this Chapter shall be construed to include "Keepers" and "Harborers."

(y) Person: any individual, firm, association, joint stock company, syndicate, partnership, corporation, other state franchised business entity such as a professional association, limited liability company, or limited liability partnership, or other organization of any kind.

(z) Pet Animal: Includes dogs, cats, rodents, birds, reptiles and any other species of animal which is sold or retained as a household pet, but does not include skunks, and other species of the wild, exotic or carnivorous animals that may be further restricted in this chapter.

(aa) Picket: Means attaching a leash, rope, chain, lead, or other similar apparatus or device to the body of an animal and another object for the purpose of confining the animal or limiting the movement of the animal.

(bb) Rabbits, Poultry and Domestic Fowl: Includes; rabbits, pigeons, chickens, chicks, ducks, geese, turkeys, doves, squabs and all similar domestic fowl other than pet animals.

(cc) Running at Large: An animal off the premises of its owner, keeper or harbinger and not effectively controlled and restrained by means of a leash, cord, or chain not exceeding ten (10) feet in length. For the purposes of this definition, "the premises of its owner, keeper, or harbinger" shall not include common areas of the grounds of a condominium, townhouse or apartment, and unrestrained animals upon those areas shall be deemed to be running at large. The phrase "effectively controlled and restrained" does not exclude extendable leashes that are maintained at ten (10) feet of length or less. It shall be a question of fact whether an individual, due to age, ability, or attention was able to effectively control and restrain an animal by means of a leash, cord, or chain of any length.

(dd) Vicious Propensity: A known tendency or disposition to approach any individual or domestic animal in an attitude of attack when there is no provocation. The tendency or disposition may be shown by previous documented acts of "attack" or "bite" as defined above.

(ee) Wild Animals: Includes all species of animals which exist in their natural unconfined state and the majority of such species are not domesticated.

(Code 1984; Ord. 851; Ord. 860)

2-102. **RUNNING AT LARGE.** (a) It shall be unlawful for the owner, harbinger or person of any animal other than a cat or cats to permit the same to run at large.

(b) Any owner of any animal, other than cats, found running at large within the corporate limits of the city shall be deemed guilty of a misdemeanor. Knowledge or intention on the part of the owner shall not be elements of this offense. The animal control officer may seize, impound and cause to be destroyed any such animal, pursuant to the provisions of K.S.A. 47-1701, et seq., and amendments thereto. The animal control officer may cause any such impounded animal to be returned to its rightful owner upon

the payment of a service charge, a boarding fee for days spent in confinement at the shelter prior to return of the animal, and citations for the animal for running at large, and all other applicable citations for violation of this code.

(c) Any animal injured or found to be ill on public property while running at large shall be removed by an animal control or police officer who shall, if necessary, place such animal or animals in the custody of a doctor of veterinary medicine duly licensed by the state of Kansas for treatment of injury or illness, and the owner of any such animal or animals shall be liable for veterinary, impound or related expenses.

(d) The owner of an injured animal taken to a veterinarian by the animal control officer or a police officer is responsible for payment of charges for veterinary services related thereto. The owner shall reimburse the city for all expenditures the city may pay for veterinary services rendered to or on behalf of the owner's animal under this section, and the costs and fees may be ordered as restitution associated with any citation issued under this section.

(e) If any animal dies while running at large on public property, the owner shall be liable for disposal fees established by the animal shelter in addition to penalties for violation of this section as set out in the schedule of fees.

(Code 1984; Ord. 851; Code 2008)

2-102A. **AGGRESSIVE ANIMAL OR DOG AT LARGE DEFINED; PENALTIES.**

(a) An "aggressive dog at large" includes any dog that without provocation, exhibits aggression toward, attacks, or bites either 1) a person or 2) another domestic animal, while such aggressive animal or dog is running at large as that language is set forth in 2-101(r). Aggression or combativeness implies an actual threatening act as judged by a reasonable person, and may include physical harm or emotional harm, when a human being is in reasonable apprehension of immediate bodily harm to themselves, or their minor child. It is not necessary that a human victim be attacked, bitten, or scratched by the aggressive animal at large. A victim animal's harm must be physical.

(b) Any person found guilty of owning an/any animal that commits an act as described in subsection (a) above shall be fined a minimum of \$100.00 and a maximum of \$500.00 for the first offense within a twelve (12) month period; a minimum of \$250.00 and a maximum of \$1,000.00 for a second or subsequent offense within a twelve (12) month period, or by imprisonment, for not more than 10 days, or by both such fine and imprisonment. The Municipal Judge shall have no discretion to suspend payment of the minimum fine associated with this offense, but may suspend the term of imprisonment. The fine shall be in addition to any applicable court costs or impoundment fees. The impoundment facility shall not release an animal to an owner until the owner has paid the assessed fine and impoundment fees (accruing daily) in full and complied with all other terms of the adjudication.

(c) Following a conviction for a violation of this section involving a physical injury to either a domestic animal or a human being caused by a dog, the Chief of Police must follow the provisions of Article 2-301 et seq. of this Code regarding determination of the animal's status as "dangerous." Prior to any other type of animal found to have committed an act as described under section (a) being released to the owner, keeper, or harborer, the municipal court judge may determine to hold the animal pending a review

by the Chief of Police on the status of the animal as “dangerous” under the standards set forth in Article 2-301 et seq as applicable.

(d) Victims of an aggressive animal at large may submit veterinarian bills, medical bills, or any other bills detailing damages associated with the animal attack for possible court ordered restitution in the Haysville Municipal Court as determined by the court. Restitution shall not be ordered for emotional harms.

(e) Any other type of animal, owned or harbored within this City, may be impounded by the City pursuant to provisions of the nuisance code (e.g., see 7-401(g) or (i)). Any such impounded animal shall be turned over to an animal shelter or veterinarian for appropriate disposal if within seventy-two (72) hours of such animal’s impoundment 1) the animal is not claimed by the owner/harbored, 2) all fees paid in association with the impoundment, and 3) such nuisance situation corrected. (Code 2008)

2-102B. HABITUAL VIOLATOR; AGGRESSIVE ANIMAL AT-LARGE.

It shall be a separate offense for any person to receive two (2) or more citations for violation of Section 2-102A within a thirty-six month consecutive period. Such person shall be cited as a habitual violator. Violation of this section may be found when a single individual has been adjudicated guilty of a violation of section 2-102A regardless of the number of animals involved in such violations. Any person found guilty of a violation of this Section shall be fined a minimum of \$500.00 and a maximum of \$1,000.00 for each habitual violator citation. The Municipal Judge shall have no discretion to suspend the minimum fine or any portion thereof. A person cited for violation of this Section shall be required to appear in municipal court. In addition thereto, the Municipal Judge shall have the authority to sentence the individual to up to six (6) months in jail. It shall be a defense to an alleged violation of this Section for the defendant to have been adjudged not guilty of a charge of 2-102A, or that the charge was dismissed without a finding of, or admission of, guilt.

(Code 2008)

2-103. PROHIBITED ANIMALS. (a) The keeping, pasturing, housing, corralling, or maintaining within the city limits of any swine or other livestock is hereby declared to be a nuisance and is prohibited. Persons or entities keeping, pasturing, housing, corralling, or maintaining within the city limits any swine or other livestock on the effective date of this section may continue to do so provided that:

(1) The property is maintained in a manner that complies with the provisions of Chapters 2 and 7 of this code; and

(2) The number of animals does not increase and the type of animal being kept does not change; and

(3) When the keeping, pasturing, housing, corralling or maintaining of swine or livestock discontinues for a period of ninety (90) consecutive days or more, or the property upon which such keeping, pasturing, housing, corralling, or maintaining occurred is sold, the use of the property must thereafter comply with the provisions of this section.

(b) The harboring, keeping, or maintaining within the city, except by a circus or sideshow duly licensed to conduct business within the city, of any nonhuman primate, poison reptile, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, coyote, wolf, skunk or bear, (whether or not domesticated) is hereby declared to be a nuisance and is prohibited. PROVIDED HOWEVER, it shall not be unlawful for any person to harbor a Rhesus Macaque primate. Any such Rhesus Macaque primate must be kept indoors at all times.

(c) The keeping, harboring or maintaining within the city of any animal, which by any sound or cry, causing of offensive odors, or the dangerous nature thereof shall disturb the peace, safety or comfort of any neighborhood, or interfere with any person in the reasonable and comfortable enjoyment of life or property, is hereby declared to be a nuisance and is prohibited.

(Code 1984; Ord. 702; Ord. 851; Ord.)

2-104. HORSES. Horses are hereby prohibited on public sidewalks or in public parks except:

- (a) In parking areas;
- (b) In areas designated by special permits issued by the city; or
- (c) In parades sponsored by or authorized by the city of Haysville.

(Code 1984; Ord. 851)

2-105. KEEPING LIVESTOCK; DISTANCE FROM HOUSES. (a) No person shall house, keep, harbor, or maintain any livestock for more than one (1) hour, within a twenty-four (24) hour time period, within one hundred (100) feet of a residence in use by or occupied by any human. This section shall not preclude the riding of horses upon any equestrian trail established and maintained by a governmental agency or on a public street in accordance with this chapter.

(b) The construction or occupancy of a new dwelling within one hundred (100) feet of a permanent structure, other than fences and corrals, in which a horse had been continuously kept for a period of more than six (6) consecutive months prior to such construction or occupation shall not require the removal of such permanent structure nor prevent the continued maintenance of a horse or horses there.

(c) No person shall keep any rabbits, poultry or domestic fowl, within thirty-five (35) feet of any residence or dwelling, other than the residence of the person keeping or maintaining such rabbits, poultry or fowl. Dwelling shall not include any school, hospital or similar institution.

(d) The construction or occupation of a new dwelling within thirty-five (35) feet of any location in or upon which rabbits, poultry, or domestic fowl have been continuously or customarily kept for a period of six (6) consecutive months prior to such construction or occupation of such dwelling shall not require the removal of such rabbits, poultry or domestic fowl from such location.

(Code 1984; Ord. 851)

2-106. SAME; CLEANLINESS OF PREMISES REQUIRED. It is hereby declared to be a nuisance and shall be unlawful for any person to maintain on any premises owned,

occupied, or controlled by such person in the city, any chicken coop, rabbit hutch, corral, yard, kennel, stable, cow shed, horse shed, or horse picket line in a foul, offensive, noxious, or filthy condition.

(Code 1984, Ord. 851)

- 2-107. **DISPOSITION OF WILD ANIMALS RUNNING AT LARGE.** Animal control and police officers are hereby authorized to apprehend any wild animals that may be at large within the city and causing a public nuisance. Such wild animals may be impounded, released in wild areas outside the city or destroyed as such officers in their discretion shall determine, subject to applicable laws.

(Code 1984; Ord. 851)

- 2-108. **DANGEROUS ANIMALS PROHIBITED.** (a) It shall be unlawful for any person to bring an animal or animals within the city that have previously been declared vicious, dangerous, or any similar status, by any other jurisdiction. Impoundment of animals who are the subject of any citation for violation of this section shall be at the discretion of any animal control or police officer. Any such animal which presents a clear and present danger to the public health and safety shall be immediately impounded or destroyed by an animal control or police officer.

(b) Impoundment: When the animal control officer has probable cause to believe that an animal poses a danger to the community, the animal control officer shall impound such animal.

(c) Immediate Destruction: Nothing in this Chapter or Article shall prevent or be construed to prevent animal control or police officers, or any law enforcement officer, from taking whatever action is reasonably necessary, including, but not limited to, immediate destruction of any animal declared to have a vicious, dangerous, or similar status, without notice to the owner, to protect themselves or any other person from injury or danger.

(d) The Municipal Judge shall have the authority to sentence the person adjudicated guilty of this Section to serve up to a maximum of six (6) months in jail and to pay a fine not to exceed \$1,000.00.

(Code 1984; Ord. 851; Code2008)

- 2-109. **CONFINEMENT OF ANIMALS IN HEAT.** Any unspayed female animal in the state of estrus, commonly known as “heat,” shall be confined during such state in a house, building or secure enclosure so constructed that no other animal or animals may gain voluntary access to such animal except for purposes of planned breeding. Any animal in the state of estrus and not confined as required by this section, or any such animal that creates a neighborhood nuisance, shall be removed to a boarding kennel, to a veterinary hospital or to the animal shelter and all expenses incurred by the city as a result of such removal shall be paid by the owner. Owners of such animal(s) removed to the animal shelter shall be charged at the rate as may be established from time to time by the animal shelter. Failure to comply with an order of the animal control officer with the respect to the confinement of animals in the state of estrus shall be a violation of this article and the animal shall be impounded pursuant to this chapter.

(Ord. 851)

2-110. RESERVED.
(Code 1984; Ord. 851)

2-111. DESTRUCTION, INJURY TO PROPERTY. (a) It shall be unlawful for any person to permit an animal, with or without the actual knowledge of such person or such animal's owner, harbinger, or keeper, to destroy or damage or injure any property in which another person has an interest without such person's authorization. Any animal permitted to engage in the activities prohibited by this section may be impounded as provided in section 2-211 and the owner, custodian, or keeper or such animal shall be subject to the provisions of section 2-211.

(b) Any animal, running at large and found causing destruction, damage or injury to property as described in section 2-111(a) or found running at large and creating a nuisance upon such property, may be humanely restrained by the owner or occupant of such property or by such owner's or occupant's agent, for a reasonable time, during which time such owner, occupant or agent shall (1) notify animal control of his or her possession of the animal and request the impoundment of the animal; or (2) notify the owner or keeper of his or her possession of the animal and release the animal to the owner or keeper, or (3) release the animal. Impoundment of the animal by the animal control officer will be at the officer's discretion and subject to the provisions of section 2-211.

(Code 1984; Ord. 851)

2-112. CRUELTY TO OR NEGLECT OF ANIMALS. It shall be unlawful for any person to: (a) Commit or cause to be committed any intentional act of cruelty, abandonment, harassment, or torture to any animal or to intentionally cause any animal to be wounded, mutilated, strangled or inhumanely killed. Ownership of an animal shall not be a defense to such acts or to a violation of this section.

(b) Neglect or refuse to supply an animal with necessary and adequate care, food, drink, air, light, space, shelter, and protection from the elements as may be necessary for health and well-being of such animal.

(1) Food. Food provided to animals shall be wholesome, free from contamination and of sufficient quantity and nutritive value to maintain the good health of animals.

(2) Fresh Water. Adequate fresh water shall be available to animals at all times.

(3) Outdoor Shelter. Shelter affording protection from the elements and designed to prevent discomfort shall be provided for all animals kept outdoors.

(c) Without proper prior legal authorization, intentionally poison any domesticated animal or distribute or set out poison in any manner with the intent to poison such animal.

(d) Cause, instigate or encourage any animal to fight with another or to maintain any place where animals are permitted to fight for exhibition, for wager, or for sport.

(e) Leave any animal unattended in a vehicle when such vehicle does not have adequate ventilation and interior temperature to prevent the suffering, disability, or death of such animal.

(Code 1984; Ord. 851)

2-113. VEHICULAR ACCIDENTS INVOLVING ANIMALS. Any operator of a motor vehicle which strikes any pet animal shall immediately stop and report such event to the owner of such animal, or in the event that the owner cannot be ascertained and located, to the animal control officer or any police officer. The report required by this section shall include any information concerning the condition, injury or death of any animal involved.

(Code 1984; Ord. 851)

2-114. DEATH OF ANIMAL. All dead animals shall be disposed of by the owner or keeper thereof, within twenty-four (24) hours of such animal's death, by burial, incineration in a facility approved by the animal control officer, by rendering or by other lawful means approved by the animal control officer. No dead animal shall be dumped or left on any public or private property. (Code 1984; Ord. 851)

2-115. VIOLATIONS. Unless otherwise provided herein, any violation of this Chapter shall be punished in accordance with the General Penalty Provisions set forth in Chapter 1 of this Code.

(Code 2010)

2-116. ENFORCEMENT. Animal Control Officers and all members of the Police Department shall have the authority to sign complaints and serve notices to appear before the Municipal Court upon any person when the Animal Control Officer or Police Officer has probable cause to believe such person has or is violating a section of this Code. Such officer shall have the authority to issue, suspend or revoke licenses and permits as provided for by this Article.

2-117. SUMMONS AND COMPLAINTS. Every summons and complaint charging a violation or violations of this article signed by a citizen complainant shall state the name of the defendant, the code section number or numbers alleged to have been violated, the general type of the offense to which each section or ordinance relates, the date and place of each alleged violation and that the defendant is required to appear to answer the charges on a date and at a time and place designated in the complaint or summons. The complaint or summons shall be signed by the person alleging the violation.

ARTICLE 2.
DOGS

2-201. **DOG REGISTRATION AND RABIES VACCINATION REQUIRED.**

(a) All owners, harborers, or keepers of dogs of at least six (6) months in age which are kept, maintained or harbored within the city shall register the ownership of each such dog with the city. Such registration shall be done on an annual basis and all registration fees shall be paid as established by Chapter 17 of this code. It shall be unlawful for any such owner, harborer, or keeper to fail to register as required by this section, to fail to maintain current registration for each such dog or to fail to register such dog no later than thirty (30) days following the date upon which such dog was acquired or brought into the city. The failure to register within the time limits established by this section shall result in the assessment of the penalty fee established by Chapter 17 of this code and such fee shall be in addition to, and not in lieu of, the registration fees required by this section and any fines or penalties that may be assessed for violations of this article.

(b) There shall be collected by the city, pursuant to the means specified in this section and in the amounts established by Chapter 17 of this code, an annual registration fee for each neutered male dog, each spayed female dog, or a fee for each unneutered male dog or unsprayed female dog.

(c) The owner of any dog registered as a service dog for the disabled, which is trained to aid disabled persons, or which performs law enforcement or security functions for a government entity shall not be subject to the annual registration fees established herein, but shall remain subject to all other provisions of this article.

(d) The city may authorize any doctor of veterinary medicine holding a valid license to practice issued by the state of Kansas and who vaccinates dogs owned, kept or harbored within the city against rabies to collect, at the time of such vaccination, the payment required by this section. Any veterinarian who collects such fee shall certify the payment thereof by affixing the designation "PAID" to the forms described herein which shall be provided by the city, together with a stamp for affixing said designation. Fees collected by authorized veterinarians shall be forwarded to the city clerk within five (5) days after the last day of each month in which fees are collected. In lieu of tendering payment of such fees to an authorized veterinarian, owners of dogs may tender such fees to the city clerk, together with the forms prescribed by this section which shall have been completed by an authorized veterinarian and to which such veterinarian has affixed the designation "UNPAID" by use of a stamp provided by the city.

(e) A tag of durable material shall be issued to the owner of any dog vaccinated for rabies and which is subject to the annual license fee requirements of this article and for which such fees have been paid. Such tags shall also be issued to the owner of any animal expressly excepted from the fee requirement by any provision of this Chapter.. Any owner to whom such tags are issued shall thereafter cause such tags to be attached to a suitable collar or harness which shall bear an identification number unique to the tag and animal.

(f) The city shall provide to veterinarians authorized to collect the fees required by this section forms upon which the veterinarians shall record vaccinated animals'

descriptions; the name, address and telephone number of the animal's owner; rabies vaccination date; number of the tag required by subsection (e) of this section; the name of the vaccinating veterinarian of such veterinarian's clinic or hospital; the vaccinated animal's registration number; and whether such animal has been spayed or neutered. Such forms shall constitute, from and after payment of the fees required by this section, a license and certification of the rabies vaccination required herein.

(Code 1984; Ord. 146-L; 146-N; 146-M; Code 2003; Code 2004; Ord. 851; Ord. 860, Ord. 865)

2-202 **RABIES CONTROL, IMMUNIZATION AND CONFINEMENT.** (a) All dogs exceeding six (6) months in age and kept, maintained, or harbored within the city shall be inoculated by a licensed veterinarian against rabies no less frequently than once per year, or such veterinarian shall certify that it is injurious to the dog's health to receive such vaccination due to its age or health. An owner acquiring a dog shall have such dog inoculated against rabies within thirty (30) days after acquiring such animal or within thirty (30) days after such animal reaches six (6) months of age, whichever occurs last, and shall obtain a rabies vaccination tag in accordance with this article. Any person moving into the city from a location outside the city shall comply with this section no later than thirty (30) days after having moved to the city.

(b) All owners of dogs kept, harbored or maintained within the city shall maintain upon each such animal they own a collar or harness to which its rabies tag shall be attached.

(c) It is unlawful for any person to harbor any dog which has not been vaccinated for rabies as provided by this article or which cannot be identified as having a current vaccination against rabies.

(d) No person shall affix to the collar or harness of any dog, or permit to remain so affixed, a tag evidencing inoculation for any other dog.

(e) The owner of any domesticated animal other than a rodent, rabbit, fowl, or reptile that has bitten any person or animal so as to cause an abrasion of the skin shall immediately report such bite to the animal control officer or police officer. The officer to whom such report is made shall consult with a licensed veterinarian or the county health department and shall thereafter direct the confinement of such animal for a period, which shall not be less than ten (10) consecutive days, as deemed warranted by the consulting veterinarian or county health department. Such confinement may be on the premises of the owner if deemed by the animal control officer, but must be within the city. If confinement does not occur on the premises of the owner, confinement shall be at the animal shelter or in a veterinary hospital of the owner's choice. Any confinement shall be at the owner's expense. In case an animal whose owner cannot be located, such confinement shall be at the animal shelter.

(f) The owner of any animal reported to have inflicted a bite on any person shall, on demand of the animal control officer or a police officer, produce the animal for examination and confinement, as prescribed by this section. The owner of any such animal who refuses to produce it shall be subject to immediate arrest if there is probable cause to believe the animal has inflicted a bite upon a person, and such owner is keeping or harboring the animal and willfully refuses to produce the animal upon demand. Such

person shall be taken before a judge of the municipal court, who may order the immediate production of the animal. If the owner of any animal shall willfully or knowingly hide or refuse to produce such animal, each day of such refusal constitute a separate violation of this article. It shall be unlawful to destroy or remove any such animal from the city before it can be properly confined pursuant to this article.

(g) Every physician or healthcare provider who treats a person for animal bites shall report such treatment to the animal control officer. Such reports shall include the identity and address of any person so treated, and information regarding the animal suspected of having inflicted the bite and the owner thereof.

(h) All owners, harborers, or keepers of dogs who present, or cause to be presented, any such animal to a veterinarian for vaccination against rabies shall notify such veterinarian if the animal is under confinement or subject to confinement pursuant to this article, or has bitten any person within the ten (10) calendar days immediately preceding such presentation. Whenever under any circumstance a licensed veterinarian shall determine that any animal is rabid, such veterinarian shall immediately report the diagnosis to the county health department. Such report shall include, but is not limited to, the animal's description and, if known, its location, the identity and address of such animal's owner, and the identity and address of any person believed to have been in contact with such animal. In the event any animal confined pursuant to this article shall die, the animal control officer, Chief of Police, or a designee, shall immediately cause a pathological examination and a search of the inoculation records of such animal to occur, arrange to receive a complete report of the results of such examination and search, and report the same to the county health department, together with any information concerning the identity and address of any person believed to have had contact with such animal.

(i) Animals known or believed to have been bitten or exposed to a rabid animal shall be immediately confined by the animal control officer or any law enforcement officer and shall thereafter be destroyed or released upon proof of immunization and booster injection given by a licensed veterinarian at the expense of the owner of such animal. The owner of any animal so released shall be required to keep the animal under quarantine for a period of six (6) months or such other period as may deemed necessary by the Chief of Police in consultation with a licensed veterinarian.

(Code 1984; Ord. 851; Code 2008)

2-203. **TRAINED GUARD DOGS.** No guard dog shall be placed, kept or maintained at any location within the city for the protection of persons or property unless:

(a) Such guard dog is under the complete control of its handler at all times, or such dog is confined to an enclosed area sufficient in design and construction to ensure such dog shall not escape; provided that any such dog placed, kept or maintained in a residential area shall be confined within a six (6) foot high fence with an enclosed top which is separated from any property line fence, and such enclosure has been approved by the Chief of Police, animal control officer, or designee; and

(b) Warning signs shall be conspicuously posted indicating the presence of guard dogs and such signs shall plainly identify a telephone number by which to contact at all times a person or entity responsible for controlling such guard dogs.

(Code 1984; Ord. 851)

2-204. DOG FECES. When any dog defecates upon any property not belonging to its owner or keeper, including common areas of condominiums, townhouses or apartments, it shall be the duty of the owner or keeper of such dog to promptly remove and dispose of such feces.

(Code 1984, Ord. 851)

2-205. Reserved.

2-206. KENNEL LICENSES. (a) No person, entity or household shall own or harbor more than four (4) dogs individually exceeding six (6) months of age; more than four (4) cats individually exceeding six (6) months of age; in any combination, more than a total of four (4) dogs and cats individually exceeding six (6) months of age; or engage in the commercial business of breeding, buying, selling, trading, training, or boarding cats or dogs or both cats and dogs, without having first obtained a kennel license from the city clerk.

(b) Kennel licenses shall be renewed annually. No kennel license shall be issued until an inspection certificate has been completed by the animal control officer certifying approval of the kennel license and compliance with all applicable laws, the code enforcement officer has issued a certificate verifying that the kennel for which the license is sought is not violating zoning laws of the city, and the annual kennel license fee established by Chapter 17 of this code has been paid. The city clerk shall issue renewals of kennel licenses from and after the initial issuance of such license to a licensee and upon such licensee's application to renew a kennel license if the kennel location has not changed, the clerk has not received any protest or information alleging that the kennel is in violation of any applicable law or that it is operated or maintained in a manner detrimental to the health, safety or peace of mind of any person residing in the immediate vicinity of such kennel; the animal control officer finds, after inspection, that the kennel is in compliance with all applicable law; the code enforcement officer finds that the kennel does not violate any zoning code provision; and the annual kennel license fee established by Chapter 17 of this code has been paid. In the event the clerk receives such protest or information with respect to any licensed kennel, the animal control officer determines after inspection that the kennel is not in compliance with all applicable laws, or the code enforcement officer determines the kennel is in violation of any zoning code provision, no renewal of such license shall be made unless the governing body finds, after notice and public hearing, that such kennel is operated or maintained in compliance with all applicable laws and does not pose a detriment to the health, safety or peace of mind of any person residing in the immediate vicinity of such kennel.

(c) The animal control officer, the code enforcement officer, or any police officer shall have the right to inspect any premises licensed under this section at any time. Nothing shall prevent their entry onto private property for the purpose of making such inspection and all applicants for kennel licenses shall be deemed to have consented to such entry and inspection by virtue of, and from and after the time of, making application to the city for such license. In the event such entry for the purpose of making an

inspection authorized by this section is denied to the animal control officer, code enforcement officer or any police officer, the officer or officers so denied may apply to a court of competent jurisdiction for an order authorizing entry for the purposes of enforcing or administering this section including, but not limited to, inspection of such premises.

(d) The governing body may suspend or revoke a kennel license if, following notice and public hearing, it find that the licensed kennel:

(1) is maintained in violation of any applicable law of the State of Kansas, or of the City;

(2) is maintained so as to constitute a public nuisance; or,

(3) is detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.

(e) The annual kennel license fee established by Chapter 17 shall be payable in addition to, and not in lieu of, any and all licenses fees otherwise required under this article.

(f) This section shall not apply to and will not be construed to require a kennel license for a licensed veterinarian to operate an animal hospital or clinic.

(Code 1984; Ord. 796; Code 2003; Ord. 851)

2-207. PICKET OR TETHERING OF DOGS. (a) No person, entity or household shall continuously picket a dog for more than one (1) continuous hour, except that picketing of the same dog may resume after a hiatus of three (3) consecutive hours, for up to three (3) hours total time on picket per day.

(b) For the purpose of picketing a dog, a chain, leash, rope or tether shall be at least ten (10) feet in length, but shall not be of a length to allow the dog to come within two feet of any property line.

(c) A chain, leash, rope, collaring device, tether, or any assembly or attachments thereto used to picket a dog shall not weigh more than 1/8th of the animal's body weight or due to weight, inhibit the free movement of the animal within the area picketed.

(d) Dogs shall be picketed in such a manner as to prevent injury, strangulation, or entanglement on fences, trees, or other man made or natural obstacles.

(e) It is unlawful to attach chains or other tether restraint implements directly to a dog without the proper use of a collar, harness or other device designed for that purpose and made from a material that prevents injury to the animal.

(Ord. 851)

2-208. ANIMAL CONTROL OFFICER. (a) The animal control officer shall have the duty and power to enforce all sections of this chapter.

(b) It shall be the duty of the animal control officer, Chief of Police, or designee, to keep or cause to be kept records of the impoundment and disposition of all impounded animals and of animal bites reported to such officer.

(c) Law enforcement is also authorized to enforce this Chapter.

(Code 1984; Code 2003; Ord. 851)

- 2-209. INTERFERENCE. No person shall willfully hinder, obstruct or otherwise interfere with any city official, city employee, or employee of the Sedgwick County Health Department in the discharge of his or her duties under this chapter.
(Code 1984, Ord. 851)
- 2-210. TRAPPING OF ANIMALS. (a) The owner or occupant of any property within the city upon which any animal is running at large or creating a nuisance may request the placement, by any animal control or police officer, of a humane trap or traps on such property for the purpose of capturing such animal. Thereafter, any animal control or police officer may place such traps if, at and within their discretion, the deem trapping to be necessary for the general health, welfare and safety of any person or persons.
(b) Animal control or police officers are authorized and empowered to use any tranquilizer gun, firearm, humane trap, or other suitable device to subdue, capture or destroy any animal that, at and within their discretion, they determine constitutes a danger to itself or to the general health, welfare and safety of any person or persons.
(c) It shall be unlawful for any person or entity to set or cause to be set within the city any steel-jaw leg hold trap, snare, or any trap other than a humane trap for the purpose of capturing any wild or domesticated animal.
(Code 1984; Ord. 851)
- 2-211. IMPOUNDMENT. (a) Any animal deemed by an animal control or police officer to be in violation of any provision of this code or other applicable law may be taken into custody and humanely impounded by such officer. No animal may be destroyed during the first seventy-two (72) consecutive hours of such impoundment unless a licensed veterinarian determines that the destruction is necessary by virtue of serious injury, illness, disease or suffering. The owner of any impounded animal may be charged impound fees and food fees established by Chapter 17 of this code together with any other costs associated with impound including, but not limited to, costs to the city for veterinary care, and all such fees and costs shall be paid to the city before an animal is released to the owner from impound.
(b) The animal control officer or animal shelter shall take reasonable steps to identify the owner of any animal impounded pursuant to this article and shall notify such owner as soon as may be practical after impoundment.
(c) No animal impounded pursuant to the provisions of this article shall be released until its owner has paid all fees and charges due and arising from such impoundment, including, but not limited to, impoundment, boarding and veterinary costs and fees.
(d) Any animal remaining impounded after seventy-two (72) consecutive hours of impoundment and which the owner thereof has failed to claim and make release arrangements, including the payment of all costs and fees provided for by this article, may be disposed of as determined by the Chief of Police, or designee. Any such disposal shall be accomplished in compliance with all applicable laws. Disposal by euthanasia shall be accomplished in a humane manner. Any owner who fails to claim an impounded animal after it has been confined for seventy-two (72) consecutive hours shall not, by virtue of such failure, be released from liability for the payment of all fees and costs

provided for by this article including, but not limited to, costs and fees arising from the disposal by euthanasia of such animal.

(Code 1984; Ord. 781; Code 2003; Ord. 851)

2-212. **BREAKING POUND.** It shall be unlawful for any person other than a duly authorized enforcement officer to break open or attempt to break open the pound, or to take or let out any animal placed therein, or take or attempt to take from an officer of this city any animal taken up by such officer pursuant to the provisions of this article, or to in any manner interfere with or hinder such officer in catching or taking up any animal.

(Code 1984; Sec. 2-117; Ord. 851)

2-213 **BARKING DOGS.** (a) It shall be unlawful for the owner, possessor or keeper of any dog to permit such dog, by loud and persistent or habitual barking, howling or yelping, to disturb any person or neighborhood, and the same is hereby declared to be a public nuisance.

(b) Either the animal control officer of a law enforcement officer may issue a citation for violation of subsection (a) above upon receiving two complaints within two weeks for excessive barking by the same dog, or upon receiving one complaint and personally observing such excessive barking.

(c) Complainants shall sign a written complaint noting the date and time of the barking, the length of the barking episode(s), the animal believed/known to be barking, and any additional relevant information concerning the excessive barking.

(d) Animals who are found to bark excessively following teasing or harassment by neighbors shall not be found to have violated this section.

(Code 1984, Ord. 851; Code 2008)

2-214 **VIOLATIONS.** Unless otherwise provided, any violation of this Chapter shall be punished in accordance with the General Penalty Provisions set forth in Chapter 1 of this Code.

(Code 2010)

ARTICLE 3. DANGEROUS DOGS

2-301. **DANGEROUS DOG DESIGNATION; DISPOSITION; APPEAL.**

(a) The Animal Control Officer, Chief of Police, or their designee, may declare a dog to be dangerous based on:

- (1) The nature of any attack committed or wound inflicted by the animal;
- (2) The past history and seriousness of any attacks or wounds inflicted by the animal;
- (3) The potential propensity of the animal to inflict wounds or engage in aggressive or menacing behavior in the future;

(4) The conditions under which the animal is kept and maintained which could contribute to, encourage, or facilitate aggressive behavior, such as, but not limited to, allowing the animal to run at large, tethering in excess of legal limits as defined in this chapter, physical property conditions, presence of young children, the elderly, or infirm within or residing near the home, any past violations of this chapter, and/or failing to provide proper care, food, shelter, or water.

(b) If the Animal Control Officer, Chief of Police, or their designee determines that the animal is dangerous, he or she will determine an appropriate disposition based on the known facts and consistent with the provisions of this Chapter. The Animal Control Officer, Chief of Police, or their designee may impound the dog and shall notify the owner/harbinger of such determination 1) by personal service at the person's usual place of abode by leaving a copy of the notice with some person of suitable age and discretion residing therein, or 2) by certified mail addressed to the owner's last known address, or addressed to the location where the dog is maintained/harbored. Service by certified mail, shall request return receipt, with instructions to the delivering postal employee to show to whom delivered, the date of delivery, and address where delivered. Service of process by certified mail shall be considered obtained upon the delivery of the certified mail envelope. If the certified mail envelope is returned with an endorsement showing refusal of delivery, or failure to serve the letter for any reason, the Animal Control Officer, Chief of Police, or their designee or designee shall send a copy of the notice to the defendant by ordinary, first class mail. This first class mailing shall be evidenced by a certificate of mailing. Service shall be considered obtained upon the mailing of this additional notice by first class mail. The owner of a dog declared dangerous may request an administrative review of the determination by filing a written request with the Animal Control Officer, Chief of Police, or their designee within ten days of receipt of such notification.

(c) The Chief of Police or designee will conduct a hearing within ten days of receipt of the owner's request for an administrative review of the decision to declare such dog a dangerous dog. At such hearing, testimony may be offered by the owner/harbinger of the dog, Animal Control Officer or law enforcement officer, victims of any bite or attack, neighbors or other affected persons, and veterinarians concerning the vicious propensity of the dog. In making a determination, the Chief of Police or designee shall consider the factors listed in subsections (1) through (4) above. It shall be an affirmative defense that at the time of a bite, attack, or threatening behavior:

(1) The dog was actively being used by a Law Enforcement Official for legitimate law enforcement purposes; or

(2) The threat, injury, or damage was sustained by a person:

(i) Who was committing, at the time, a criminal trespass or other wrongful act upon the premises lawfully occupied by the owner/harbinger of the dog; or

(ii) Who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused or assaulted the dog; or

(iii) Who was committing or attempting to commit a crime; or

(3) The dog was responding to pain or injury.

(c) If the Chief of Police or designee determines that the dog is dangerous, he or she shall determine an appropriate disposition based on the facts determined at the hearing and the provisions of this chapter, and will notify the owner in writing of the outcome of the hearing within five business days. The owner may appeal the hearing outcome as provided for in subsection (d) below. During the appeal process, the owner, keeper or harbinger of such animal shall be responsible for the cost of keeping such animal in the animal shelter. The owner, keeper or harbinger of such animal must file a renewable, non-refundable, cash or performance bond with the animal shelter where the animal is being held, within the ten day appeal period, in an amount equal to the cost of care and treatment of the animal for all days in which the animal has been held and for 30 subsequent days. Said cash or performance bond shall be renewable for an additional 30 days and each successive 30 days the animal is held by Animal Control during the pendency of the appeal. Payment of said renewal shall be within five days of the running of the previous 30 day period. If said cash or performance bond, or its renewal, is not tendered to the City within the time specified above, then the City, through its animal control agency, shall have immediate ownership of such animal and the Animal Control Officer, Chief of Police, or their designee shall determine the disposition of such animal. Absent such appeal, the Animal Control Officer, Chief of Police, or their designee may pick up and cause the animal to be destroyed, or in lieu of such destruction he or she may permit the confinement of the animal in a manner and location that he or she deems humane and appropriate, including turning the animal over to another animal control agency.

(d) APPEALS FROM ORDER. Any person affected or aggrieved by an order issued by the Chief of Police under the authority of this Article may, within five (5) days following service of the order, file a notice of appeal with the City Clerk, requesting an administrative review by the governing body. Such administrative review shall occur at the next regularly scheduled meeting of the Governing Body. The Governing Body, including the Mayor, shall determine, by a majority vote of the members present, whether to uphold the decision of the Chief of Police, or may reverse or affirm partially, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as, in their determination, should be made and that decision shall have all powers of the order from which the appeal is taken. Such decision shall be the final administrative decision, and is subject to applicable appeal through the Sedgwick County District Court.

2-302. DANGEROUS DOG—FAILURE TO CONFINE—DESTRUCTION AND DEFENSES.

(a) It is unlawful for an owner, keeper or harbinger of a dog designated to be a “dangerous dog” to permit the dog to be outside an approved or secure enclosure unless the dog is restrained by a substantial chain or leash and under physical restraint by a responsible person who is 18 years of age or older and possesses sufficient strength for physical control of the animal for the purpose of transportation to and from a veterinarian for medical treatment. In such event, the dangerous dog shall be securely muzzled and restrained with a chain or leash not exceeding four feet in length, and shall be under the

direct control and supervision of the owner, keeper or harbinger of the dangerous dog. The muzzle shall be made and used in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

(b) Secure or approved enclosures required under this section must be approved by the Animal Control Officer, Chief of Police, or their designee and be adequately lighted and kept in a clean and sanitary condition.

(c) The owner, keeper or harbinger shall allow the access to the property where the dangerous animal is being harbored to facilitate inspections and insure compliance for the duration of the life of the animal. Failure to allow access shall be prima facie evidence of a violation of this section.

(d) The owner, keeper or harbinger of any dog that has been determined to be dangerous shall be required to have the animal surgically sterilized by a licensed veterinarian within thirty days of the dangerous animal determination, at his or her own expense. For any animal required to be surgically sterilized, the Chief of Police or designee shall collect payment for and issue a spay/neuter voucher at the time of the animal's redemption, and the owner, keeper or harbinger shall provide documentation of the sterilization upon completion. If the dog's owner had a valid dog license, such owner shall not receive a refund of the licensing fees paid for the altering or micro chipping of the dog. Upon the renewal of the license, the amount will be changed to reflect the altering and micro chipping of the dog.

(e) Any owner, keeper or harbinger failing to provide documentation of the sterilization procedure as required by this section shall be deemed guilty of a misdemeanor, and shall be required to immediately surrender such animal to the Chief of Police or designee.

(f) The owner, keeper or harbinger of any dog that has been determined to be dangerous shall be required to have a microchip, traceable to the dangerous dog and the current owner, inserted into the dog and copies of documentation of said procedure available for review by the Animal Control Officer, Chief of Police, or their designee. If the dog's owner had a valid dog license, such owner shall not receive a refund of the licensing fees paid for the altering or micro chipping of the dog. Upon the renewal of the license, the amount will be changed to reflect the altering and micro chipping of the dog.

Any owner, keeper or harbinger of a dangerous dog who fails to comply with this provision shall be deemed guilty of a misdemeanor.

(g) It is unlawful for anyone having prior felony convictions defined in Articles 34, 35, 36, and 43 of Chapter 21, and Article 41 of Chapter 65 of the Kansas Statutes Annotated to possess, harbor, own or reside on any premises with a dangerous dog.

(h) It shall be unlawful for any person to:

(1) Harbor, keep or maintain a dangerous dog on property not owned by such person without the written consent of the land owner; or

(2) Sell, barter or give away to another person a dog which has been deemed dangerous; or

(3) Own, keep or harbor more than one dog which has been declared dangerous by this Article.

(i) Should a previously determined dangerous dog be found running at large in violation of this Article, attack or inflict injury upon any person, the Judge of the Municipal Court shall, in addition to any other penalty provided in this Chapter, order the dog destroyed. Provided, however, the Judge of the Municipal Court may, at his or her discretion, consider whether the attack or injury was sustained by a person who, at the time, was committing a criminal trespass or other wrongful act upon the premises of the owner of the dog, or was tormenting, abusing, or assaulting the dog, or has, in the past, been observed or reported to have tormented, aroused, or assaulted the dog or was committing or attempting to commit a crime.

2-303. **SIGNS REQUIRED.** Upon determination by the Animal Control Officer, Chief of Police, or their designee, the owner of a dangerous dog shall display in a prominent place at the entrance to his or her premises a clearly visible warning sign indicating there is a dangerous dog on the premises. A similar sign is required to be posted on the secure enclosure in which the animal is harbored.

2-304. **REGISTRATION AND INSURANCE.**

(a) The owner, keeper or person harboring a dangerous dog shall annually register the dangerous dog with the City of Haysville on such forms as designated by the Chief of Police or designee, and shall have a microchip, traceable to the current owner of the dog, inserted into the dog. The owner, keeper or harbinger shall complete an application and shall pay a \$100.00 annual registration fee to the City of Haysville and shall pay all costs associated with the microchip procedure. If the dog's owner had a valid dog license, such owner shall not receive a refund of the licensing fees paid for the altering or micro chipping of the dog. Upon the renewal of the license, the amount will be changed to reflect the altering and micro chipping of the dog.

The owner, keeper or person harboring a dangerous dog shall notify the City of Haysville in writing a minimum of seven days prior to any change in the address of the owner, keeper or person harboring the dog or the location of the dangerous dog. Any owner, keeper or harbinger of a dangerous dog who fails to comply with this provision shall be deemed guilty of a misdemeanor.

(b) The owner, keeper or person harboring a dangerous dog required to be registered under this section shall be required to maintain liability insurance in the amount of \$100,000.00 dollars for such dog against the potential injury or damage liabilities and hazards associated with the ownership or possession of such dog. The owner or person harboring a dangerous dog shall file with the City of Haysville a certificate of insurance reflecting the required minimum insurance. Any owner, keeper or harbinger of a dangerous dog who fails to comply with this provision shall be deemed guilty of a misdemeanor.

ARTICLE 4.
MISCELLANEOUS

2-401. **CONFLICT WITH OTHER PROVISIONS.** Nothing in this chapter shall be construed so as to prohibit the passage of zoning regulations affecting this chapter. All provisions contained within this chapter are subject to any additional rights of prohibitions provided for in any city of Haysville zoning ordinance, including zoning ordinances with protective overlays.

(Ord. 851)

13-108. WIDTH OF SIDEWALK. All public sidewalks, constructed under the provisions of this article, must be a minimum of ~~five (5)~~ **six (6)** feet in width unless otherwise ordered by the governing body.

(Code 1971, Sec. 10-108; Code 2003; *Code 2013*)

ARTICLE 5. TEMPORARY SALES

5-501. PERMIT REQUIRED FOR TEMPORARY SALE FROM RESIDENCE. No person or entity shall conduct, hold or transact a sale, commonly known as a garage sale, yard sale, estate sale, rummage sale, auction, etc. within the city without having first obtained a sale-from-residence or auction permit from the city clerk. No person shall conduct, hold or transact such a sale more than once within any six (6) month period and any such sale shall not continue for more than three (3) consecutive calendar days.

(Ord. 363, Sec. 1; Code 2003; Code 2010)

5-502. PERMIT FEE. A sale from residence, or auction permit fee (residential or commercial), as set out in Chapter 17, shall be assessed to the permit applicant and collected by the city clerk upon issuance of said permit.

(Ord. 363-A; Ord. 363-B, Sec. 1; Code 2003, Code 2006; Code 2007; Code 2010; Ord. 988, Code 2013)

5-503 TEMPORARY SALE FROM COMMERCIAL PROPERTY.

(a) A temporary sale from commercial property includes sales of goods not generally related with the associated commercial business/property, such as consignment of goods, flea markets, garage sales and sale of second hand goods. The associated commercial business/property must have a current Business Registration Permit in conformance with Article 1 of this Chapter, to apply for the ~~Sale from Residence Permit~~ **permit** to hold the temporary sale.

1. Any such sales shall conform with all other provisions of this code, including *applicable areas of* the zoning code *not related to allowable uses. Sales shall not prohibit traffic patterns in and out of the commercial property nor shall they utilize parking stalls that are otherwise required for the commercial business unless such business is not open to the public during the time of the sale.*

2. *No person shall conduct, hold or transact such a sale more than six (6) times within a calendar year and any such sale shall not continue for more than three (3) consecutive calendar days.*

3. Temporary sales ~~does not~~ **shall** include fundraisers carried out by not for profit groups, such as the girl scouts, boy scouts, school groups, *and other 501(c)(3) organizations, however, upon proof of non-profit status the fee requirement shall be waived.*

(b) A single day auction of goods may be held at a commercial property once per

calendar year after obtaining an auction permit, upon satisfaction by the Chief of Police, or designee, and the Director of Public Works, or designee, that the area is equipped to handle the amount of anticipated increase in traffic associated with such an event.

- (c) Any commercial property that is not licensed to operate in conformance with Article 1 of this Chapter shall not hold temporary sales or sales of second hand goods.
- (d) Sales from storage units by storage unit lessees shall be prohibited. The owner of a storage unit business may apply for an auction permit no more than three times annually, for the purpose of disposing of goods acquired through abandonment or non-payment by storage unit lessees.
- (e) Any sale held in violation of this Article shall be immediately shut down by action of the Chief of Police or the Public Works Director, or their designee, and a citation shall be issued to the operator.

(Code 2010; Code 2012; Ord. 988, Code 2013)

5-504. PERMIT FEE. *A sale from commercial property or auction permit fee (residential or commercial), as set out in Chapter 17, shall be assessed to the permit applicant and collected by the city clerk upon issuance of said permit.*

17-383. TEMPORARY SALES FEES. Each applicant to whom the city clerk issues a sales from residence permit pursuant to section 5-502 *or a sales from commercial property pursuant to section 5-504* of this code shall pay to the city clerk a permit fee of three dollars (\$3.00) per day for up to three (3) consecutive days. (Code 2003; Code 2007)

ARTICLE 12. TEMPORARY PORTABLE BUSINESS PERMIT CODE

5-1201 TITLE. This Article shall be known as the Temporary Portable Business Permit Code.

5-1202. DEFINITIONS.

- a) Portable business shall mean and include any person authorized to sell food, flowers, or non-alcoholic beverages or offer for sale goods, wares, merchandise or services which is carried on from a cart, trailer or stand temporarily located on property as authorized by this Code. *A portable business shall not include the sale of goods directly from tables, racks, or boxes.*

- b) All other items, not specifically defined herein, shall be defined in conformance with the Zoning Code of this City.

5-1203. REGISTRATION AND FEE. Every person, firm, entity, association or corporation now or hereafter doing business in the corporate limits of the City of Haysville and maintaining a portable business, is required to hold a permit allowing such portable business to operate in the City of Haysville and shall pay a fee as set out in Chapter 17. All fees required by this article shall be credited to the general fund of the city in the same manner as business registration fees imposed upon permanent businesses.

5-1204. INFORMATION REQUIRED. An application for temporary portable business permit shall be developed by the City Clerk, which shall require the following information, as well as other information the City deems pertinent to issuing such permit:

- (1) Contact information of the applicant;
- (2) Name and nature of the portable business;
- (3) Proof of Kansas Retail Sales Tax Number;
- (4) Location of the portable business;
- (5) Relationship of the applicant to the property location of the portable business, including lease agreement if such location is leased to Applicant;
- (6) Dates requested for temporary portable permit;
- (7) A drawing which depicts the proposed location of the temporary portable business in relation to the lot and including:
 - (a) Proposed square footage of the area used
 - (b) The number of parking spaces that will remain available for the primary business use
 - (c) The number of parking spaces to be used by the temporary portable business
 - (d) Measurements of the setback from property lines
 - (e) Size and location of any signs used for the purposes of the business

5-1205. RESTRICTION ON LOCATION. No portable business shall be permitted on a public right-of-way or public easement. Nor shall such business be located in any sight triangle, as determined by the Public Works Director, or his or her designee. The business shall be located on an all weather surface.

The business or activities of a portable business must be upon property that is accessory to an existing primary use. No portable business shall be allowed to operate if such business would be in violation of the Haysville Zoning Regulations. No person shall conduct activities pursuant to this Article on unimproved surfaces, or on aisleway area. If an actual conflict arises between the

language of Chapter 16A or 16B of the Haysville Code, and this Article, the more restrictive regulations shall prevail.

5-1206. PERMIT IS NON-TRANSFERABLE. A permit is not transferable to any other person, firm, or corporation and cannot be used for any activity or at a location other than those listed on the application and approved for the temporary permit. Either moving the business to a new location, or transferring the business to a new owner/operator will require applying for a new permit.

5-1207. SIGNS. No more than two (2) temporary signs shall be permitted if in compliance with the regulations of Chapter 16B Article 2 (Sign Code). Signs shall be of a nature which directs attention to the business conducted or to a commodity or service sold, provided that such sign(s) is limited to a combined square footage of six (6) feet of sign face. Temporary signs can be in the form of a banner, pennant, valance, or advertising display constructed of fabric, card board, wallboard or other light weight materials, with or without a frame, intended for temporary display for not more than 30 days, three times per calendar year. A site plan and application shall be submitted for such temporary signs. There shall be no fee for temporary signs associated with a temporarily permitted business. *Vehicles, trailers, carts, or stands that contain advertising as a permanent component shall be allowable provided that the advertising is related to the items or goods being sold and is not otherwise deemed offensive or inappropriate.*

5-1208. INSPECTION. Application for temporary portable business permit will constitute permission, from applicant, for inspection by the Public Works Director, or his or her designee, for the purpose of determining that the applicant has complied with applicable electrical code, zoning laws, and all other relevant regulations of the article and the code of the city.

5-1209. PERMIT. The City Clerk, upon confirmation from the Public Works Director, or his or her designee, that the applicant is in compliance of existing codes and regulations, and is operating a lawful business, shall issue a temporary portable business permit. Every permit issued pursuant to this article shall expire thirty (30) days from the issuance date, unless sooner revoked. Prior to expiration the permit holder desiring to renew a permit shall make application for renewal to the city clerk's office. A renewal application shall in all respects be treated as an application for an initial permit. There shall be no more than three (3) permits issued for a portable business on the same property in any twelve (12) month period based on the calendar year.

5-1210. DISTURBANCES. No portable business, nor any person acting on behalf of such business, shall shout, make an outcry, blow a horn, ring a bell or use any sound device, including any loud-speaking radio or sound amplifying system for the purpose of attracting attention to such business or any goods, wares or merchandise for sale/sold by such business.

5-1211. PERMIT REVOCATION.

- a) The Public Works Director, or his or her designee, upon five (5) days written notice to the applicant holding any permit regulated by this article shall revoke such permit for any one of the following reasons:
- (1) If a permit has been fraudulently obtained by giving false information in the application.
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on the business.
 - (3) Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the City.
 - (4) If there has been any violation of any of the provisions of this Article.
 - (5) If the applicant has failed to obtain all other necessary permits including but not limited to: electrical; plumbing.
 - (6) If any portion of the portable business is deemed an immediate safety hazard as determined by the Public Works Director, or his or her designee.
 - (7) Unauthorized use of the public right-of-way for sale or display of merchandise.
 - (8) Violation of a provision of Chapter 16A or Chapter 16B of this Code.
- b) Notice of the revocation of a permit shall notify the permit holder of the revocation of his or her permit in writing, setting forth the grounds for revocation, which shall be hand delivered to the permit holder or mailed to the permit holder's permanent address appearing on the permit application. Such notification shall be sent as soon as practicable but in no case beyond 24 hours from the time such permit is revoked. Any person aggrieved by the action of revocation of a permit as provided in this Article, shall have the right to appeal to the Governing Body. Such appeal shall be taken by filing with the City Clerk within ten (10) business days after notice of revocation of the permit has been mailed to such applicant's address as provided in the application setting for the grounds for appeal. The Governing Body shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the applicant in the same manner as provided herein for notice of hearing on denial of license.

5-1212. EXEMPTIONS. Vendors participating in designated community events, as established by the Governing Body of the City, including but not limited to the Hometown Market, Fourth of July Celebration, Fall Festival, City Wide Garage Sale, and Community Expo, shall be exempt from the requirements of this Article, but may be required to receive a permit to participate in any such event by the organizers of such community event.

5-1213. PENALTY. Any person, firm or corporation, company, partnership or other entity who shall be found guilty of violation of this article shall be subject to

a fine of not less than fifty dollars (\$50) or more than one-thousand dollars (\$1000); or imprisonment for not more than one hundred eighty (180) days; or both such fine and imprisonment. Each day the violation is committed shall constitute a separate offense.

5-1214. APPEALS.

- a) Any applicant who is denied issuance of a permit may seek a review and hearing on the denial before the Director of Public Works. Such an appeal must be filed in writing with the City Clerk within ten calendar days of the denial stating the specific reasons why the denial is being appealed. Upon receipt of the appeal, a hearing shall be scheduled within five business days. Within five business days following the hearing, the hearing officer shall issue his or her decision in writing. It is the responsibility of the person filing the appeal to provide sufficient information to the City Clerk so that such person may be notified consistent with the schedule herein stated. Otherwise, all notices will be sent to the permanent address appearing on the application.
- b) An applicant or licensee may appeal the decision of the City Inspector which either denies an application for a license, or revokes a license as provided in this Article. Such appeal shall be to the Governing Body, and must be filed in writing with the City Clerk within ten days after the notice of denial or revocation has been mailed or hand delivered to an applicant or licensee. The Governing Body shall set a hearing on any appeal at the next regularly scheduled City Council meeting.
- c) The decision and order of the Governing Body on such appeal shall be final and conclusive.

5-1215. ENFORCEMENT. In addition to all law enforcement officers of the City, the Director of Public Works, and his or her designees, shall have the power to enforce the provisions of this Article.

5-1216. COMPLIANCE WITH STATE STATUTE. Nothing in this chapter shall be interpreted to authorize any person licensed hereunder to transact business in violation of any state statute governing the conduct of transient merchants or portable businesses, nor shall compliance with the provisions of this chapter relieve any person from compliance with the state statutes requiring the licensing of transient merchants or portable businesses.

(Code 2010)

ARTICLE 4. NUISANCES

7-401.

NUISANCES UNLAWFUL; DEFINED. It shall be unlawful for any person to maintain, cause or permit any nuisance within the city limits. For the purpose of this article “nuisance” shall mean:

(a) Filth, excrement, lumber, brush, rocks, dirt, cans, paper, trash, metal or any other offensive or disagreeable thing or substance thrown or left or deposited upon any street, avenue, alley, sidewalk, park or public or private enclosure or lot, whether vacant or occupied;

(b) Dead animals not removed within twenty-four (24) hours after death;

(c) Any place, structure or substance which emits or causes to be emitted any offensive, disagreeable, noxious or nauseous odors;

(d) Stagnant ponds or pools of water;

(e) All grass, weeds or other unsightly vegetation not commonly used for ornamental purposes or not normally cultivated or grown for commercial or domestic use;

(f) Unused, unattended or abandoned iceboxes, refrigerators, freezers, washers, dryers, dishwashers, hot water heaters or similar devices or equipment;

(g) Any thing or things that, by virtue of the place or manner in which it is or they are maintained, permitted, stored, positioned, placed or otherwise situated, injures, impedes, obstructs or hinders the public or any neighborhood;

(h) Any fence, structure, thing or substance placed upon or being upon any street, sidewalk, alley or public ground so as to obstruct the same, except as permitted by the laws of the city; or,

(i) Any act or failure to act that causes or permits a condition to exist which injures or endangers the public health, safety or welfare;

(j) Salvage material, industrial material or commercial material located upon premises located within an area zoned for residential purposes, except building materials to be used within ninety (90) days in conjunction with a construction project on such premises;

(k) Piles or otherwise disorderly, *un-stacked* accumulations of wood located upon any residential or commercial properties, or vacant lots in residential or commercial areas, ~~except wood that is for use on the premises upon which it is located and which is stored in an orderly fashion at least six (6) inches above ground or completely on concrete.~~ Mulch may be stored in piles that are no more than five (5) feet high and set back from any property line by ten (10) feet, and shall be appropriately screened by fence or other approved screening method to prevent mulch blowing onto adjoining properties or from being viewed from any public roadway.

(l) Any recreational vehicle or commercial storage not maintained on an all-weather surface.

(Code 2007)

ARTICLE 2. SIGNS

16B-200 **PURPOSE.** The purpose of this article is: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

16B-201 **APPLICABILITY.** A sign may be erected, placed, established, created, altered or maintained in the city only in conformance with the standards, procedures, exemptions, and other requirements of this article.

16B-202 **GENERAL STANDARDS ALL SIGNS**

(a) Gross Surface Area of Sign. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces. When two or more signs are located on a zoning lot, the gross surface area of all signs on the lot shall not exceed the maximum gross surface per street frontage set by the applicable district regulations, except as is provided by Section 16B-203(b)

(b) Corner and Through Lots. On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage. On corner and through lots, restrictions that are phrased in terms of "signs per zoning lot" shall be deemed to permit the allowable number of signs facing each street or highway that abuts the lot.

(c) Height of Sign. The maximum height of signs shall be measured from ground level at the base of or below the sign to the highest element of the sign and shall be determined for purposes of Article 10 as independent from the

maximum structure height for zoning districts. *Signs that are elevated from ground level by one or more members must be elevated at a minimum of eight (8) feet measured to the bottom of the sign face or structural elements containing the sign face, whichever is lowest.*

(d) Building and Electrical Codes Applicable. All signs must conform to the structural design standards of any applicable building code. Wiring of all electrical signs must conform to any applicable electrical code.

(e) Clearance for Projecting Awning, Canopy, or Marquee Signs. All awning, canopy, or marquee signs shall maintain a clearance of at least seven feet to the grade directly below the sign.

(f) Accessway or Window. No sign shall block any accessway or window required by any applicable building, housing, fire or other codes or regulations.

(g) Signs on Trees or Utility Poles. No private sign shall be attached to a tree or utility pole whether on public or private property, except identification markers.

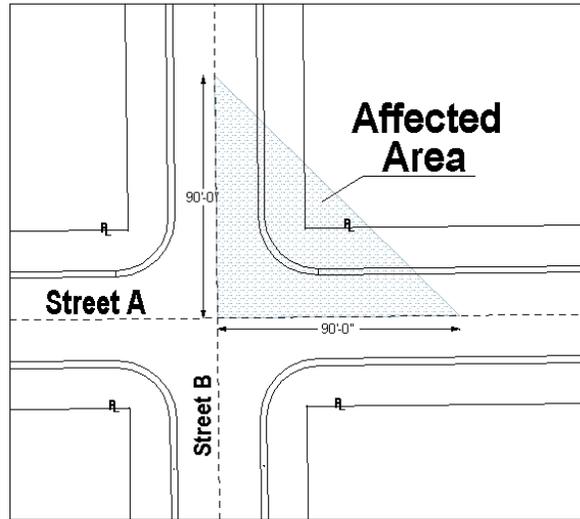
(h) Traffic Safety.

(1). No sign shall be maintained at any location where by reason of its position, size, shape or color; it may obstruct, impair, obscure, interfere with the view of, or be confused with; any traffic control sign, signal or device; or where it may interfere with, mislead or confuse traffic.

(2). No sign shall be located in any vision triangle except official traffic signs and signs mounted eight feet or more above the ground whose supports, not exceeding two, do not exceed 12 inches at the widest dimension and, thus, do not constitute an obstruction. "Vision triangle" shall mean, when applied to uncontrolled intersections, a triangular area bounded on one side (Side "A" on the Fig.1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, bounded further on the adjacent side (Side B on the attached Fig.1) by an unmarked line measured from the midpoint of the intersection and extending ninety (90) feet, and bounded further on the final side (Side "C" on the attached Fig.1) by an unmarked line joining the unmarked lines extending from the midpoint of the intersection. The Public Works Director, or his or her designee, shall determine, upon request, the location of any sight triangle.

(i) Digital Signs: Any Digital Sign adjacent to or across from any residential zoning within the City or surrounding jurisdiction may not be operational between 11:00 p.m. and 6:00 a.m.

Figure 1.



(j) Location. No sign or structure thereof shall be permitted on a public right-of-way or public easement, except:

(1). As an exception granted by the Public Works Director, or designee based on the conditions stated in K.S.A. 12-759(e)(1) for granting a variance, for signs otherwise permitted in a district; or

(2). As a use permitted by the Governing Body for public informational or directional purposes; or

(3). Garage sale signs, not to exceed six square feet in size.

(4). *Real estate signs, on premise of the property in which is being promoted for sale or lease.*

(5). *Real estate signs, off premise of the property, not to exceed six square feet in surface area, advertising an open house for not more than four days at any one showing.*

Any unauthorized sign placed on public property, including the public street right-of-way, is declared to be a public nuisance and be the cause of its removal and impoundment without notice. If not redeemed within 30 days by the owner paying a service charge of \$20, the City may dispose of the sign in any manner deemed appropriate. The Public Works Director, or his or her designee, may revoke the permit for any sign deemed to be in violation of this Section, i.e., 16B-203L, or of any condition on which the permit was based and order its removal within a reasonable period consistent with public safety. Repeat offenders may face a loss of privilege or increased fees.

(k) Damaged, Unsafe or Blight Signs. The Public Works Director, or his or her designee, shall require the immediate repair or removal of any conforming or nonconforming sign or sign structure which has been damaged or deteriorated so as to become a public hazard or blight. Such a sign or sign structure may be restored to its original condition without obtaining a permit, unless the sign is replaced and, thus, must conform to the current regulations. (Blight is defined as possessing defects that increase the hazards of fire, accident,

or other calamities; dilapidation; disrepair; structural defects; uncleanliness; overcrowding; impinging upon adequate ingress and egress; or of a quality and appearance not commensurate with the character of the properties in the neighborhood.)

(l) Abandoned signs. Any sign which is located on a property which becomes vacant and unoccupied for a period of thirty days, or any sign which was erected for an occupant or business unrelated to the present occupant or his business shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. An abandoned sign is prohibited and shall be removed within thirty days after notification by the public works director, or designee.

(m) Maintenance of Signs.

(1) All signs, together with all their supports, braces, connections, anchors and any appurtenance thereto shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted at all times. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a safe, clean, sanitary and inoffensive condition, and shall be kept free and clear of all obnoxious substances, rubbish and weeds.

(2) Any crazing, fading, chipping, peeling or flaking of paint, plastic or glass, or any mechanical, electrical or structural defect shall be corrected. No repair required by the public works director, zoning administrator, or their designee, take longer than thirty days after notice has been made in conformance with the provisions of this Article.

(3) If any sign is not maintained in good condition so as to meet the approval of the public works director, zoning administrator or their designees, then the public works director, zoning administrator or their designees may order such sign to be removed under the provisions of the nuisance code of this City.

(Ord. 901; Code 2007; Code 2010)

16B-203. CLASSIFICATION OF SIGNS.

(a) Functional Types:

(1). **Bulletin Board Sign:** A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name or names of persons connected with it, and announcements of persons, events or activities occurring at the institution. Such sign may also present a greeting or similar message.

(2). **Business Sign:** A sign which directs attention to a business or profession conducted; or to a commodity or service sold, offered or manufactured; or an entertainment offered on the premises where the sign is located or to which it is affixed.

(3). Construction Sign: A temporary sign indicating the names of designers and contractors involved in the construction of a project during the construction period and only on the premises on which the construction is taking place.

(4) Digital Signs: A variable message sign that utilizes computer-generated messages or some other electronic means of changing copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix, and may also enable changes to be made to messages from locations other than at the sign. Any Digital Sign adjacent to or across from any residential zoning within the City or surrounding jurisdiction may not be operational between 11:00 p.m. and 6:00 a.m.

(5). Directional/Informational Sign: An on-premise sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance signs. Such signs may contain a logo; provided, that the logo may not comprise more than 20% of the total sign area.

(6) Flashing or Moving Signs: Flashing, rotating or moving sign, animated sign, sign with moving lights or signs which create the illusion of movement achieved by electrical pulsation or by other means such as sequential light phasing.

(7). Garage Sale Sign: A sign which directs attention to a garage sale, yard sale, estate sale or auction. All garage sale signs must contain the address of the garage sale and the date or dates of the sale. Garage sale signs may be placed in public right-of-way. All garage sale signs must be picked up within one week from the last day posted on the garage sale sign. Such signs remaining after this period will be deemed litter and will be subject to the provisions of Chapter 11 of the City Code of the City of Haysville.

(8). Identification Sign: A sign giving the name and address of a building, business, development or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol.

(9). Illuminated Signs: any sign 1) designed to give forth any amount of artificial light, or 2) designed to reflect such light deriving from any source which is intended to cause such light or reflection, such as spotlights.

(10). Nameplate Sign: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, their professional status.

(11). Off Site Advertising Sign: Off-site advertising signs are allowed only in areas of like or less restrictive zoning. Example: An advertisement for a business allowed in Heavy Commercial zoning will only be permitted for off-site advertising in a Heavy Commercial Zone through a Heavy Industrial Zone.

(12) **On and** Off Premises Real Estate Signs. Notwithstanding the provisions of Section 16B-203N and, to temporarily provide additional visibility for new real estate developments within the City but not located

along major traffic routes, the Public Works Director, or designee, may consider an application for an exception to allow off premises real estate signs in any zoning district. If approved, such real estate signs shall otherwise comply with the provisions for real estate signs of the district in which it is located. Such sign shall be removed when all of the lots in the subdivision have been sold.

~~(13) — Real Estate Sign: A sign pertaining to the sale or lease of the lot or tract of land on which the sign is located, or to the sale or lease of one or more structures, or a portion thereof located thereon.~~

(14). Retail Promotional Sign: A temporary sign which promotes a sale associated with a business.

(b) Structural Types:

(1). Awning, Canopy or Marquee Sign: A sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by these regulations. No such sign shall project further below than seven feet from the ground level or beyond the physical dimensions of the awning, canopy or marquee.

(2). Monument or Ground Sign: Any sign placed upon the ground or supported by a base that is a minimum of 50% of the width of the monument at its widest point, independently of the principal building or structure on the property. A sign on accessory structures shall be considered a ground sign.

(3). Pole Sign: A sign that is mounted on free-standing poles or pylon. All pole signs shall be separated from residential property a distance measured in feet equal to the gross surface area of the sign measured in square feet.

(4). Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, included, but not limited to, signs designed to be transported by means of wheels; signs converted to A-or T-frames; *feather signs*, menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

(A) Use of a vehicle for a sign or sign support. It shall be prohibited to park or use a vehicle in such a way as to function as a sign, defined to include the parking of any vehicle, trailer or similar movable structure containing or supporting any signage with the exception of:

- (i) Vehicles actively involved in construction on or the serving of the site;
- (ii) Vehicles delivering products to the site in designated loading areas;
- (iii) Vehicles parked in designated truck parking areas of business park districts that have been screened

from or are not generally visible from the public right of way; or

(iv) Passenger vehicles, pick-up trucks and vans of a size that can fit fully within a standard parking space, containing signs painted on or permanently affixed on the doors or integral side body panels.

(5). Projecting Sign: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

(6). Temporary Sign: A sign in the form of a banner, pennant, valance or advertising display constructed of fabric, card board, wall-board or other light weight materials, with or without a frame, intended for temporary display of not more than 30 days, four times per calendar year.

(7). Wall Sign: A sign fastened to or painted on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than 12 inches from such building. *Window displays, painted and decaled, shall be computed in the allowable percentage of square footage for wall signs. The area of a wall shall be computed at the total square footage based on height and width of the wall, including areas of windows and doors. Height shall be measured from the ground to the point in which the wall meets with roof structures. Width shall be measured as the area from one 90 degree angle of the building to another.*

(8). Billboard Sign: Any sign or advertisement used as an outdoor display for the purpose of making anything known, the origin or point of sale of which is remote from the display.

(Ord. 901; Code 2007; Code 2010)

16B-204 EXEMPTIONS.

(a) The following signs shall be exempt from the requirements of this Article *but shall not be permitted on a public right-of-way unless otherwise stated:*

(1) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc. *Such signs may be permitted on public right-of-way.*

(2) Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organizations, when displayed on private property.

(3) Directional/Informational signs, not exceeding six square feet in area, displayed on private property.

(4) Address numerals and other signs required to be maintained by law, rule or regulation; provided, that the content and size of a sign does not exceed such requirements.

(5) Memorial signs which are displayed on private property.

(6) Scoreboards in athletic fields or stadiums.

(7) Political campaign signs, not exceeding six square feet in gross surface area, which are displayed on private property and not otherwise in the public right-of-way. Such signs must be removed 48 hours after a candidate is elected to office or is eliminated from further participation in the election as a candidate, with similar provisions for bond issues and other ballot issues. Such signs may also be displayed as advertising signs where permitted by Section 16B-210.

(8) Portable signs promoting an event sponsored by a government, civic, educational or religious organization, not exceeding 32 square feet in gross surface area, which are displayed on private property. Such signs must be removed 72 hours after the event being promoted. Such signs may be placed on public property, public rights-of-way and public easements with permission from the Governing Body.

~~(9) Window displays and temporary on-site signs placed in or upon windows of a commercial or industrial building, whether painted or attached.~~

(10) Signs designed as an integral part of vending machines and dispensing equipment, signs which are an integral part of merchandise display racks, and similar merchandise and advertising displays. All such signs included in this exception shall be located within eight feet of the building and not on public right-of-way; provided, however, such signs located on service station properties may also be located on, or immediately adjacent to, the service islands. This provision shall in no way be deemed to permit the display or storage of merchandise, vending machines or equipment not otherwise permitted by the provisions of this code.

(11) Menu board signs, except in any residential zoning district, provided that any ground menu board sign is located no closer to a front property line than the front wall elevation of the principal use structure, and no closer to a rear or side property line than the building setback allowed by the zoning ordinance or by any overlay zoning district standards or requirements. Menu board signs shall be limited to a maximum of two, fifty square foot maximum menu board signs per business, or one maximum one hundred square foot menu board sign per business, for display of menu items, pictures and/or prices. Smaller menu boards of up to six square feet may be located at individual parking stalls without meeting the building or compatibility setback requirements outlined above.

(b) The following signs are exempt from the permit requirements of Section 16B-205, but shall comply with all of the other regulations imposed by this Article:

(1) Nameplate signs not exceeding two square feet in gross surface area accessory to a residential building, including all types of manufactured and mobile homes.

(2) Identification signs not exceeding 24 square feet in gross surface area accessory to a multiple-family dwelling.

(3) Bulletin board signs not exceeding 24 square feet in gross surface area accessory to a church, school or public or non-profit institution.

(4) Business signs when located on property used for agricultural purposes and pertaining to the sale of agricultural products produced on the premises.

(5) Real estate signs not exceeding six square feet in surface area which may also be placed on the public rights-of-way and public easements; provided, (1) that they are placed no more than five feet from the property line, (2) permission is obtained from the adjacent private property owner, and (3) such signs shall only be displayed during such period of time as the model homes are regularly available for showing, or open houses for not more than four days at any one showing. Commercial property real estate signs not to exceed 32 square feet gross surface area.

(6) Temporary construction signs not exceeding 32 square feet of gross surface area.

(c) The following signs are exempt from the fee requirements of Section 16B-205, but shall comply with all of the other regulations imposed by this Article *including obtaining a permit*:

(1) Signs of a public or private school or of a religious organization, when located on private property.

(d) The following signs shall conform to the General Standards All Signs requirements of this Article, but are exempt from all of the other regulations imposed by this Article:

(1) Retail Promotional Signs when located on the private property of the business offering the sale/promotion. *The sign must contain the dates of sale/promotion and may only be advertised during the two days prior to and including actual dates of sale/promotion. Signs advertising products not at a special rate or promotion shall be considered in their allowable number of signs and square footage per frontage and will be required to comply with all regulation of this article including permitting and fees.*

(2) Ideological signs such as may pertain to religious or political expressions or personal beliefs when located on private property of the proponent.

(Ord. 901; Code 2007)

16B-205 GENERAL PERMIT PROCEDURES. The following procedures shall govern the application for, and the issuance of, all sign permits under this article:

(a) Applications. All applications for sign permits of any kind shall be submitted to the Public Works Director on forms prescribed by the Governing Body. Each application shall be accompanied by the applicable fees, which shall

be established by the Governing Body of the city from time to time by ordinance.

(b) Action. Within fourteen days of the submission of a complete application for a sign permit, the Public Works Director, or his or her designee, shall either:

(1) Issue the sign permit, if the sign(s) that is the subject of the application conforms in every respect with the requirements of this article; or

(2) Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this article. In case of a rejection, the Public Works Director, or his or her designee, shall specify in the rejection the section or sections of the ordinance or applicable plan with which the sign(s) is inconsistent.

(c) After a sign permit has been issued, the copy, wording or pictures may be changed without the necessity of obtaining a new permit or paying any additional fees, so long as the new copy, wording or pictures comply with the provisions of this article, but no change shall be made in the type, size, or shape of a sign nor shall any structural alterations be made without first obtaining a new sign permit.

The issuance or granting of a permit shall not be deemed or construed to be a permit for or an approval of any violation of any of the provisions of this Article. No permit presuming to give authority to violate or cancel the provisions of this Article shall be valid, except insofar as the work or use which it authorizes is lawful.

(Ord. 901; Code 2007; Code 2010)

16B-206 PERMITS TO CONSTRUCT OR MODIFY SIGNS. Permanent signs shall be erected, installed or created only in accordance with a duly issued and valid sign construction permit from the Public Works Director, or his or her designee. Such permits shall be issued only in accordance with the following requirements and procedures.

(a) Permit for New Sign or for Sign Modification. The individual applying for the permit must be either the property owner or the owner of the sign. An individual shall be the permittee, not a corporation or other legal entity. The property owner shall sign the Permit acknowledging such property owner's responsibility for maintaining such sign in conformance with this Article. An application for construction, creation, or installation of a new sign or for modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure, and location of each particular sign. If the Public Works Director, or his or her designee, deems it necessary, he may also require that a licensed engineer furnish information concerning structural design of the sign and the proposed attachments. One application and permit may include multiple signs on the same zone lot.

(b) Permit to Operate. Such Permit for New Sign or for Sign Modification shall become the permit to maintain and operate the sign upon completion of construction of such sign, and approval by the Public

Works Director as described below. The holder of the Permit shall be the primary party to whom notice of any violation shall be sent, and one of the party's subject to prosecution for maintaining or operating a sign in violation of this Code.

(c) Inspection. The Public Works Director, or his or her designee, shall cause an inspection of the zone lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth month after the issuance of such permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this ordinance and with the building and electrical codes, the Public Works Director, or his or her designee, shall affix to the premises a permanent symbol identifying the sign(s) and the applicable permit number or other reference. If the construction is substantially complete but not in full compliance with this ordinance and applicable codes, the Public Works Director, or his or her designee, shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is then complete, the Public Works Director, or his or her designee, shall affix to the premises the permanent symbol described above.

(d) Permit Not a Defense to Nuisance. No permit for a sign issued under this chapter shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.

(Code 2007; Code 2010)

16B-207. Reserved

16B-208 TEMPORARY SIGN PERMITS. Temporary signs on private property shall be allowed only upon the issuance of a Temporary Sign Permit, which shall be subject to the following requirements:

(a) Term. A temporary sign permit shall allow the use of a temporary sign for a specified 30-day period.

(b) Number. Only four temporary sign permits shall be issued to the same property owner or business license holder on the same zone lot in any calendar year.

(c) Type. *A sign in the form of a banner (including feather), pennant, valance or advertising display constructed of fabric, card board, wall-board or other light weight materials, with or without a frame, intended for temporary display of not more than 30 days, four times per calendar year.*

16B-209 TEMPORARY FIREWORK SIGNS

In order to allow accessory signage for temporary fireworks sales locations, the following standards shall apply:

- (1). **Structural Types Permitted:** One of each structural type of sign shall be permitted, excluding permitted permanent signs.
- (2). **Maximum Gross Surface Area:** One square foot of sign area for each one lineal foot of arterial street or U. S. Highway 81 frontage or four hundred square feet, whichever is lesser.
- (3). **Required Setback:** All temporary firework signs not otherwise affixed to the fireworks sales structure shall be separated from any principal residential building by one foot for every one square foot of sign surface area or one hundred feet, whichever is the lesser.
- (4). **Maximum Height:** 25 feet when adjacent to an arterial street.
- (5). **Time Restrictions:** Temporary firework sign permits issued accessory to temporary fireworks sales locations shall be limited to three days prior to, and three days past the duration of the fireworks sales temporary use permit. Upon the expiration of the temporary sign permit, all of the elements of the sign, including any temporary support structure shall be removed.

16B-209 **PORTABLE SIGN PERMITS.** Portable signs on private property shall be allowed only upon the issuance of a Portable Sign Permit, which shall be subject to the following requirements:

- a. **Term, Commercial.** A portable sign permit shall allow the use of a portable sign for a specified 30-day period when used for a commercial use on a non-residential zoned lot.
- b. **Term, Celebratory.** A portable sign permit shall allow the use of a portable sign for a specified 7-day period when used for a celebratory purpose (i.e., birth announcements, graduations, etc.) on a residential lot.
- c. **Number.** Only three portable sign permits shall be issued to the same resident, property owner or business license holder on the same zone lot in any calendar year.

*d. **Type.** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, included, but not limited to, signs designed to be transported by means of wheels; signs converted to A-or T-frames; feather signs, menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.*

(Ord. 901; Code 2007)

DISTRICT REGULATIONS.

- (a) AA, AAA, A, AB, AC, AZ, BB, B, Residential Districts
- (1) Functional Types Permitted:
 - (A) Bulletin Board signs.
 - (B) Business signs pertaining to home occupations.
 - (C) Construction signs.
 - (D) Garage Sale signs.
 - (E) Identification signs.
 - (F) Nameplate signs.
 - (G) Real estate signs.
 - (2) Structural Types Permitted:
 - (A) Ground signs.
 - (B) Pole signs.
 - (C) Wall signs.
 - (D) Business signs pertaining to home occupations shall be affixed flush to the wall of a building.
 - (E) Temporary signs limited to those attached to the face of the principal structure, a permanent fence, or screening wall.
 - (3) Number of Signs Permitted: One of each functional type per zoning lot.
 - (4) Maximum Gross Surface Area.
 - (A). Bulletin board, business and identification signs: 16 square feet in all residential districts, but 40 square feet is permitted for churches or public institutions in all residential districts.
 - (B) Construction signs: 32 square feet.
 - (C) Nameplate signs: Two square feet.
 - (D) Real estate signs: Six square feet per lot; provided, that one sign not more than 100 square feet in area announcing the sale of lots and/or houses in a subdivision may be located on such development. Such sign shall be removed when all of the lots in the subdivision have been sold.
 - (E) Entry Monument: One per phase of development, or arterial or collector street entrance to a development. Limited to 10 feet maximum height, two square feet of gross surface area per lot or dwelling unit for sale or lease included in such development, but not to exceed 100 square feet maximum area, including the structure. Limited to ground lighting only.
 - (F) Wall signs shall be limited ~~to 5%~~ 20% of the area of the wall area on which they are located.
 - (G) Temporary signs: 21 square feet.
 - (5) Maximum Height: 15 feet; provided, that signs associated with one and two-family dwellings and all types of manufactured

and mobile homes shall not be located at a height greater than eight feet above ground floor elevation.

(6) Required Setback: 15 feet from the front line, except temporary real estate and garage sale signs, and none from the side yard setbacks.

(7) Illumination: No sign shall be illuminated, except that entry monument, bulletin board, and identification signs may be indirectly illuminated with incandescent or fluorescent light.

(b) CC Residential District and C Manufactured Home District.

(1) Functional Types Permitted:

- (A) Bulletin board signs.
- (B) Business signs pertaining to home occupations.
- (C) Construction signs.
- (D) Garage Sale signs.
- (E) Identification signs.
- (F) Nameplate signs.
- (G) Real estate signs.

(2) Structural Types Permitted:

- (A). Ground signs.
- (B). Pole signs.
- (C). Wall signs.
- (D). Business signs pertaining to home occupations shall be affixed flush to the wall of a building.
- (E). Temporary signs limited to those attached to the face of the principal structure, a permanent fence, or screening wall.

(3) Number of Signs Permitted: One of each functional type per zoning lot.

(4) Maximum Gross Surface Area.

(A) Bulletin board, business signs and identification signs: 16 square feet in all residential districts, but 40 square feet is permitted in the C District and for churches or public institutions in all residential districts.

(B) Construction signs: 32 square feet.

(C) Nameplate signs: Two square feet.

(D) Real estate signs: Six square feet per lot; provided, that one sign not more than 100 square feet in area announcing the sale of lots and/or houses in a subdivision may be located on such development. Such sign shall be removed when all of the lots in the subdivision have been sold.

(E) Entry Monument: One per phase of development, or arterial or collector street entrance to a development. Limited to 10 feet maximum height, two square feet of gross surface area per lot or dwelling unit for sale or lease included in such development, but not to exceed 100 square feet maximum area, including the structure. Limited to ground lighting only.

(F) Wall signs shall be limited to ~~5%~~ 20% of the area of the wall area on which they are located.

(G) Temporary signs: 21 square feet.

(5) Maximum Height: 15 feet; provided, that signs associated with one and two-family dwellings and all types of manufactured and mobile homes shall not be located at a height greater than eight feet above ground floor elevation.

(6) Required Setback: 15 feet from the front line, except temporary real estate and garage sale signs, and none from the side yard setbacks.

(7) Illumination: No sign shall be illuminated, except that entry monument, bulletin board, and identification signs may be indirectly illuminated with incandescent or fluorescent light.

(c) OC Office Commercial Districts.

(1) Functional Types Permitted:

(A) Bulletin Board signs.

(B) Business signs.

(C) Construction signs.

(D) Directional/Informational signs.

(E) Garage Sale signs.

(F) Identification signs.

(G) Illuminated signs.

(H) Name Plate signs.

(I) Off Site Advertising signs for "OC Commercial" businesses.

(J) Real Estate signs.

(K) Retail Promotional signs.

(2) Structural Signs Permitted:

(A) Awning, Canopy, Marquee signs.

(B) Monument/Ground signs.

(C) Pole signs.

(D) Portable signs.

(E) Temporary signs.

(F) Wall signs.

(3) Number of Signs permitted:

(A) Monument, ground and pole signs: One of each functional type per zoning lot.

(B) Other structural types permitted: Limited to one of any of the other structure types.

(4) Maximum Gross Surface Area: One square foot of sign area for each one foot lineal of street frontage or One Hundred square foot maximum area, whichever is the lesser. Wall signs shall be limited to ~~5%~~ 20% of the area of the wall on which they are located. (*Refer to 16B-203a for calculation*).

(5) Maximum Height: 10 feet, except when adjacent to an

arterial street within 200 feet of an intersection of two arterial streets, then 20 feet.

(6) Required Setback: No minimum required.

(d) DD Hotel Motel

Signage in the DD Hotel Motel District shall be approved by the Public Works Director, Zoning Administrator, and any other applicable administrative positions during the site plan review for construction. Approval of sign structure, function, and setbacks shall be based on factors unique to the site, building, surrounding land uses, and traffic patterns. Replacement of existing signs may be approved so long as the sign face is not increasing or new components such as digitalization or lighting are not being added if not previously included in the original allowances unless deemed appropriate by the proper authority.

(d) D Light Commercial Districts.

(1) Functional Types Permitted:

- (A) Bulletin Board signs.
- (B) Business signs.
- (C) Construction signs.
- (D) Digital signs.
- (E) Directional/Informational signs.
- (F) Garage Sale signs.
- (G) Identification signs.
- (H) Illuminated signs.
- (I) Name Plate signs.
- (J) Off Site Advertising signs for “D Light Commercial” and “OC Commercial” businesses.
- (K) Real Estate signs.
- (L) Retail Promotional signs.

(2) Structural Signs Permitted:

- (A) Awning, Canopy, Marquee signs.
- (B) Monument/Ground signs.
- (C) Pole signs.
- (D) Portable signs.
- (E) Temporary signs.
- (F) Wall signs.

(3) Number of Signs Permitted:

(A) Ground, monument or pole signs: One of each functional type per zoning lot, except that each freestanding principal building which is part of an integrated shopping center may also have a ground, monument or pole sign and/or complexes with over 300 feet of frontage will be allowed one additional free standing sign for each additional 300 feet or portion thereof.

(B) Other structural types permitted: Limited to one of

any of the other structural types per business establishment.

(4) Maximum Gross Surface Area: One square foot of sign area per one lineal foot of street frontage; provided, no single sign shall exceed 150 square feet, except when adjacent to an arterial street within 500 feet of the intersection of an arterial street and a highway, or adjacent to a highway, then 200 square feet. Wall signs shall be limited to ~~5%~~ 20% of the wall area on which they are located. (Refer to 16B-203a for calculation).

(5) Maximum Height:

(A) Thirty-five feet when adjacent to a highway, or adjacent to an arterial street within 500 feet of the intersection of an arterial street and a highway.

(B) Thirty feet at all other locations.

(6) Required Setback: No minimum required.

(e) E Heavy Commercial District.

(1) Functional Types Permitted:

(A) Bulletin Board signs.

(B) Business signs.

(C) Construction signs.

(D) Digital signs.

(E) Directional/Informational signs.

(F) Garage Sale signs.

(G) Identification signs.

(H) Illuminated signs.

(I) Name Plate signs.

(J) Off Site Advertising signs for “E Heavy Commercial”, “D Light Commercial”, and “OC Commercial” businesses.

(K) Real Estate signs.

(L) Retail Promotional signs.

(2) Structural Signs Permitted:

(A) Awning, Canopy, Marquee signs.

(B) Billboard

(C) Monument/Ground signs.

(D) Pole signs.

(E) Portable signs.

(F) Temporary signs.

(G) Wall signs.

(3) Number of Signs permitted: One of each structural type permitted except that complexes with more than 500 feet of highway frontage may have two ground, monument, or pole signs, and a business with frontage also on an arterial or collector street may have one ground, monument, or pole sign per 300 feet of street frontage.

(4) Maximum Gross Surface Area: One square foot of sign

area for each one lineal foot highway frontage, provided no single sign shall exceed a gross surface area of 400 square feet, except that one additional square foot of gross surface area shall be allowed for each one foot of set back from the front property line. In the instance a sign is located at the intersection of two streets, the additional square footage shall be based on the lesser of setback. Signs adjacent to an arterial or collector street within 500 feet of the intersection of the arterial or collector street and the highway will be limited to 200 square feet. Wall signs shall be limited to ~~5%~~ 20% of the wall area on which they are located. (Refer to 16B-203a for calculation).

(5) Maximum Height: 20 feet above the highest point of the principal structure or 40 feet above the average ground level, whichever is less.

(6) Required Setback: No minimum required.

(f) F and G Industrial Districts.

(1) Functional Types Permitted:

- (A) Bulletin Board signs.
- (B) Billboard
- (C) Business signs.
- (D) Construction signs.
- (E) Digital signs.
- (F) Directional/Informational signs.
- (G) Garage Sale signs.
- (H) Identification signs.
- (I) Illuminated signs.
- (J) Name Plate signs.
- (K) Off Site Advertising signs
- (L) Real Estate signs.
- (M) Retail Promotional signs.

(2) Structural Signs Permitted:

- (A) Awning, Canopy, Marquee signs.
- (B) Monument/Ground signs.
- (C) Pole signs.
- (D) Portable signs.
- (E) Temporary signs.
- (F) Wall signs.

(3) Number of Signs Permitted. One of each structural type except that complex with frontage on more than one street may have one group or monument.

(4) Maximum Gross Surface Area: One square foot of sign area for each one foot lineal street frontage, provided no single sign shall exceed a gross surface area of 400 square feet.

(5) Maximum Height: 20 feet above the highest point of the principal structure or 40 feet above the average ground level,

whichever is less.

(6) Required Setback: No minimum required.

16B-211 TIME OF COMPLIANCE: NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS. Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does not conform with the requirements of this ordinance or for which there is not a current and valid sign permit shall be obligated to remove such sign or, in the case of a nonconforming sign, to bring it in to conformity with the requirements of this ordinance.

(a) Signs Existing on Effective Date. For any sign existing in the city on November 12, 2004, an application for a sign permit must be submitted to the Public Works Director, or his or her designee, before June 1, 2005. For any sign on property annexed at a later date, applications for sign permits shall be submitted within six months of the effective date of the annexation or within such period as may be established in an annexation agreement between the city and the landowner. Signs that are the subject of applications received after the applicable date set forth in this section shall be subject to all of the terms and conditions of this ordinance and shall not be entitled to the protection outlined in the Zoning and Subdivision Regulations.

Applications for permits for existing signs submitted before June 1, 2005 shall be exempt from the initial fees adopted under authority of this article, but not from renewal and subsequent fees.

(b) Nonconforming Existing Signs, Permits and Terms. A permanent sign that would be permitted under this article only with a sign permit, but which was in existence on November 12, 2004 or on a later date when the property is annexed to the city, and which was constructed in accordance with the ordinances and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction is not in conformance with the requirements of this ordinance, shall be issued a Nonconforming Sign Permit if an application in accordance with Section 16-B-211(a) of this article is timely filed.

Such permit shall allow the sign(s) subject to such permit, which were made nonconforming by the adoption of this article, to remain in place and be maintained provided that no action is taken which increases the degree or extent of the nonconformity. Any nonconforming sign shall either be eliminated or made to conform with the requirements of this Section when any proposed change, repair, or maintenance would constitute an expense of more than 25 percent of the lesser of the original value or replacement value of the sign. A legal nonconforming sign is subject to the provisions of Section 16B-203(l) and 16B-203(s) (abandoned signs). A change in the information on the face of an existing nonconforming sign is allowed.

(c) Nonconforming Portable Signs and Temporary Signs. Any portable or temporary sign legally in existence on November 12, 2004, shall be allowed to remain at the same location for a period ending no later than December 31, 2005, as a legal nonconforming use. Any portable or temporary sign remaining past said date shall be declared a violation, and become subject to the

provisions of Section 16B-212.
(Ord. 901; Code 2007)

16B-212 REVOCATION OF PERMITS.

The public works director, zoning administrator or their designees may revoke any sign permit under the provision of this Article or order the removal of any sign for any of the following reasons:

- (1) Whenever a permit holder is convicted of a violation of any of the provisions of this Article or any other ordinance relating to signs;
- (2) Whenever a permit holder is convicted of any violation of any condition on which the permit was based;
- (3) Whenever any false statement or misrepresentation has been made on the application on which the issuance of the permit was based;
- (4) Whenever the sign owner has failed to maintain a sign in conformance with this Article or any other ordinance relating to signs;
- (5) Whenever the owner obtains a change in the zoning of the lot and the existing sign becomes nonconforming.

Any sign for which a permit has been revoked in conformance with this Article shall be removed by the property owner immediately, or may be removed by the City in conformance with Section 16B-214, with costs assessed to the property owner.

16B-213 VIOLATIONS OF ARTICLE; FINES AND COST OF SIGN REMOVAL.

(a) It shall be unlawful to violate any provision of this Article.

(1) Any owner of the sign, holder of the sign permit, or the owner of the property upon which the sign is located shall be subject to administrative citation for such violation issued by the public works director, zoning administrator or their designee. Every day of violation shall be a separate and distinct offense.

(2) An administrative monetary penalty in the amount of \$50.00 shall be levied for each violation. If the property owner or permittee fails to pay the fine, such fine shall be certified to the city clerk, who shall assess the costs as a special assessment against the lot or parcel of land upon which the sign was located in the manner provided by law.

(b) Any sign removed by the public works director, zoning administrator or their designees may be disposed of in any reasonable manner deemed appropriate by the city. The following fee schedule for removal and storage of unauthorized or hazardous signs is hereby established:

- (1) Routine removal, each\$30.00
- (2) Removal requiring special equipment or extra labor: Actual cost of removal.

The fee may be collected from the property owner, sign owner, or sign permittee. If the property owner, sign owner, or permittee fails to pay the authorized fee, such fee shall be certified to the city clerk, who shall assess the costs as a special assessment

against the lot or parcel of land upon which the sign was located in the manner provided by law.

(c) Notwithstanding the foregoing, any property owner where a sign is located, permittee or owner of a sign which is being operated or maintained in violation of the provisions of this Article or any reasonable rule or order of the public works director, zoning administrator or their designee, or causing, permitting or suffering the same to be done, is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment of not more than six months or both such fine and imprisonment, and any such violation may be prosecuted in municipal court.

16B-214 REMOVAL OF SIGNS.

(a) Any sign placed on private property, including billboards, in violation of any provision of this Article or any other Article of the Code of the city may be removed and impounded by the public works director, zoning administrator or their designees. The public works director, zoning administrator or their designees shall prepare a written notice specifying the violation involved which shall also state that if the sign is not removed or the violation not corrected within three days, the sign shall be impounded. Additionally, the notice shall inform the recipient that he or she may appeal the violation in conformance with the provisions of the nuisance code of this City. If the violation is not corrected within the stated time period, the sign shall be removed by the public works director, zoning administrator or their designees. The city will hold the sign(s) for ten business days. After at least ten business days of storage, the city shall have the sign properly disposed. Prior to the expiration of the ten business day period the owner of the sign may secure its return upon the payment of any fines and the removal and storage fee.

(b) Any sign, including billboards, placed on city property, city right-of-way, and city easements, in violation of any provision of this Article or any other Article of the Code of the city may be immediately removed and impounded by the public works director, zoning administrator or their designees. The public works director, zoning administrator or their designees shall prepare a written notice specifying the violation involved for which the sign has been impounded, and mailed by certified and regular mail to the address provided upon the sign permit and the property owner. Additionally, the notice shall inform the recipient that he or she may appeal the violation in conformance with the provisions of the nuisance code of this City. After at least ten business days of storage, the city shall have the sign properly disposed. Prior to the expiration of the ten business day period the owner of the sign may secure its return upon the payment of any fines and the removal and storage fee.

(c) Notwithstanding the above, the public works director, zoning administrator or their designees may cause immediate removal of a dangerous or defective sign, including any billboard, which poses an immediate threat or hazard to person or

property. The public works director, zoning administrator or their designees shall prepare a written notice specifying the violation involved for which the sign has been impounded. Additionally, the notice shall inform the recipient that he or she may appeal the violation in conformance with the provisions of the nuisance code of this City. After at least ten business days of storage, the city shall have the sign properly disposed. Prior to the expiration of the ten business day period the owner of the sign may secure its return upon the payment of any fines and the removal and storage fee.

- (d) Any notice provided for in this Article involving administrative violations of this Article or removal of signs shall be served by certified mail, personal delivery or posting in a conspicuous place upon the property. Notice of an administrative violation may be served upon 1) the owner of the sign, holder of the sign permit, or an employee or representative of the permittee, and 2) the owner of the property upon which the sign is located or owner of property adjacent to the city right-of-way on which it is located as shown on the records of the register of deeds. Notice of an infraction offense shall be served upon the party to be prosecuted in conformance with the applicable law.

(Code 2010)

16B-215 ADMINISTRATIVE WAIVERS.

(a) Administrative waivers may be granted upon agreement of the Public Works Director, Zoning Administrator, and other applicable Administrative personnel. Waivers shall take into consideration factors that are unique to the property or business and shall not conflict with the general intent of these regulations. Waivers shall be issued for situations in which these regulations have not had the foresight to address.

17-319. COURT FEES; MISCELLANEOUS. The following fees are hereby adopted to defray the costs associated with the following specific processes carried out by the municipal court.

(a) Diversions. The fee required to be paid by any defendant requesting a diversion in connection with any case filed in the city municipal court pursuant to section 9-108 of this code shall be one-hundred dollars (\$100.00). Said fee shall be non-refundable. Additionally, the fee charged by the providing agency to complete a pre-diversion evaluation shall be paid to the providing agency at the time of such evaluation.

(b) Court costs assessed pursuant to section 9-106 of this code shall be eighty-one dollars (\$81.00), which shall include those costs that the City must remit to the State under K.S.A. 12-4117, and docket and administrative fees.

(c) Pre-Sentence Investigations. The fee to be paid to the city by each defendant convicted in the city's municipal court and concerning whom a pre-sentence investigation is ordered shall be \$150.00. Probation Administrative fees as set forth within shall be assessed separately from the PSI fee.

- (d) Registered letter fee \$ 10.00
- (e) Notice letter for FTO/FTA \$ 5.00
- (f) Warrant Fee \$ 25.00
- (g) Warrant Service Fee if served other than at court or police station/traffic stop \$ 20.00
 - Mileage per Mile for Warrant Service As determined by State
- (h) Witness Fee (per person) \$ 10.00
 - Mileage from home address per Mile for
- (i) Witness Under Subpoena, after first 10 miles As determined by State
- (j) Administration Fee for Post-Conviction Remedy \$ 100.00
- (k) Copying fee for court records (see 17-368 below) 25 cents/page
- (l) Copying fee for each DVD, audio or video tape \$ 25.00
(see 17-368 below)
- (m) Public defender - no trial \$50.00/case
- trial \$75.00/case

(Code 2012)

17-366 Reserved. PROBATION VIOLATION. The fine assessed for a probation violation shall be not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), per violation charged.

17-367 PROBATION VIOLATION. The fine assessed for a probation violation shall be not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), per violation charged.

PUBLIC DEFENDER COMPENSATION. The City shall hire a primary public defender who shall be compensated in conformance with a negotiated fee schedule/contract. Any attorney hired to serve as a "conflict" attorney shall be compensated at the following rate;

Per case w/out trial: \$50.00

Per case with trial: \$75.00



CITY OF HAYSVILLE, KANSAS

401 S. Jane-P.O. Box 404-Haysville, Kansas 67060

(316) 529-5940~Fax (316) 529-5945

www.haysville-ks.com

TO: The Honorable Mayor, Kenneth Hampton
Haysville City Council members

FROM: Jeff Whitfield

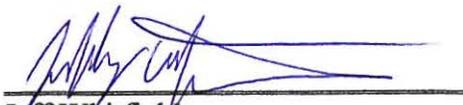
DATE: December 5, 2012

RE: Root Control/Wastewater Department

We have asked for proposals for sewer main root control and received two (2) responses from the following.

ACE Pipe	(Unfortunately cannot work this into their Wichita area work schedule at this time)
Duke's Root Control, Inc. (11,627 lft. @ \$1.29)	\$15,000.00

We are asking authorization to accept the root control services from Duke's Root Control, Inc., at a total price of \$15,000.00.



Jeff Whitfield
City of Haysville
Public Works Director



CITY OF HAYSVILLE, KANSAS

401 S. Jane-P.O. Box 404-Haysville, Kansas 67060

(316) 529-5940~Fax (316) 529-5945

www.haysville-ks.com

TO: The Honorable Mayor, Kenneth Hampton
Haysville City Council members

FROM: Jeff Whitfield

DATE: December 5, 2012

RE: Leak Detection System

The City of Haysville Water Department needs to purchase a leak detection system. The primary purpose of a leak detection system (LDS Systems) is to assist pipeline controllers in detecting and localizing leaks. Pipeline leak detection systems are beneficial because they can enhance productivity and system reliability through reduced downtime and reduced repair of streets. We have asked for proposals for a water leak detection system and received 2 responses. The responses are as follows:

Goldak Inc. (Goldak model 4360)	\$2794.35
Salisbury (Goldak model 4360)	\$3033.00
Salina Supply	Did not respond
HD Supply	Did not respond

We are asking authorization to purchase the leak detection system from Goldak, which is a Goldak model 4360 and noise cone eliminator, for a total of \$2794.35.

Jeff Whitfield
City of Haysville
Public Works Director

VENDOR NO NAME	PAYMENT AMT
10 A & E ANALYTICAL	340.00
100 AMSAN	265.29
205 AGRIMUM ADVANCED TECH	720.00
265 ALLPAK BATTERY	79.00
285 AMERICAN ELECTRIC COMPANY	1,110.45
290 AMERI-GRAPHICS SPECIAL T	675.80
470 ASSOCIATED MATERIAL & SUP	171.21
565 AWARDS FACTORY INC	18.50
653 BARKER GREGORY K	250.00
680 BAYSINGER POLICE SUPPLY	102.98
695 BEALL & MITCHELL LLC	1,750.00
720 BEST SUPPLY CO INC	22.55
774 BIG A WHOLESALE ELECTRIC	1,350.00
777 BIG TOOL STORE	50.17
785 BILL'S FRANK TRUCKING	6,563.95
836 BRENNTAG SW	530.38
844 BROOKS JIM	35.00
996 CAPITAL ONE BANK N A	4,710.00
1155 CINTAS CORPORATION	143.54
1316 CORNEJO & SONS -PRIMARY	52,060.87
1325 COX COMMUNICATIONS	774.99
1372 CREATIVE PRODUCT SOURCING	431.88
1570 DNS SERVICES	65.00
1640 ECK, RUSTY ECK FORD	102.05
1781 EXPRESS SERVICES INC	1,510.52

VENDOR NO NAME	PAYMENT AMT
1825 FASTENAL COMPANY	165.01
2150 GRAINGER	351.55
2168 GRAYBAR	140.42
2246 HAMPEL OIL	7,026.00
2261 HARPER DAVE	35.00
2266 HASTY AWARDS	211.50
2320 HAYSVILLE FLORIST	50.00
2357 HAYSVILLE SAW & MOWER	25.80
2360 HAYSVILLE SUN TIMES	342.00
2367 HAYSVILLE TRUE VALUE	584.37
2370 HAYSVILLE USD 261	180.49
2560 HUBER M S	188.40
2583 HURTIG BECKY	500.00
2679 INTEGRATED TECHNOLOGIES	405.00
2770 J D'S GRAPHICS	271.00
2838 JOLIVET ROY	35.00
2874 K & A PROPERTY MAINT	630.00
3050 KANSAS FIRE EQUIPMENT CO	62.50
3150 KDOR WATER SALES TAX	736.87
3230 KS GAS SERVICE-PRIMARY	2,802.69
3295 KANSAS ONE-CALL SYSTEM IN	119.00
3350 KANSAS STATE TREASURER	2,942.50
3440 KEY EQUIPMENT & SUPPLY CO	249.64
3500 KONICA MINOLTA BUS SYS	262.51
3502 KONICA MINOLTA PREMIERE	343.75

VENDOR NO NAME	PAYMENT AMT
3670 LEAGUE OF KS MUN	105.00
3691 LEWIS-GOETZ & COMPANY	147.45
3770 LOWE'S BUSINESS ACCOUNT	184.10
3810 MADRIGAL & ASSOCIATES INC	446.00
3840 MARTINEZ, ANTONIO JR.	35.00
3880 MAYER SPECIALTY SERVICES	370.64
3980 MICRO-COMM INC	834.00
4348 NEW MEDICAL HEALTH CARE	95.00
4520 PETTY CASH	457.77
4648 POORMAN'S AUTO SUPPLY #5	54.39
4662 POWERPLAN	989.03
4750 PROFESSIONAL ENGINEERING	200.00
4780 PRO-KEM SUPPLIES INC	88.00
4830 PUMP & POWER	26,122.33
4869 R.A.D. SYSTEMS	50.00
4885 RJ COMMUNICATIONS	1,385.00
5056 RINEHART SEAN	35.00
5127 RODRIGUEZ, MIKE	1,215.00
5220 SALINA SUPPLY COMPANY	433.32
5231 SAM'S CLUB	1,724.09
5320 SECURITY 1ST TITLE	6,000.00
5326 SEDG CTY ANIMAL CONTROL	116.00
5330 SEDGWICK COUNTY ELECTRIC	1,671.75
5335 SEDG CTY FIN-JAIL FEES	1,448.37
5345 SEDG CTY CODE ENFORCE	442.48

VENDOR NO NAME	PAYMENT AMT
5366 SEDG CTY HHW DEPT	25.00
5381 SEDGWICK COUNTY TREASURER	1,173.78
5430 SHERWIN-WILLIAMS COMPANY	139.45
5690 STAR ELECTRIC SUPPLY INC	184.14
5784 SWART KENNETH	35.00
5868 TASER INTERNATIONAL	69.95
5950 TRUDO'S AUTOMOTIVE LLC	59.95
6355 WATCHGUARD VIDEO	230.00
6380 WEISER LAW OFFICE	440.00
6407 WESTAR ENERGY	25,405.46
6630 WICHITA WINWATER	36.34
6700 WILLIAMS JANITORIAL SUPPL	56.78
	=====
REPORT TOTAL	165,000.70

FUND	NAME	TOTAL
01	GENERAL FU	35,370.94
10	SEWER FUND	42,737.89
11	WATER FUND	9,491.81
12	MUNICIPAL	196.19
14	STORMWATER	4.61
21	STREET FUN	10,578.51
28	SPECIAL AL	431.88
30	RECREATION	4,902.51
32	HAYSVILLE	648.13
36	CAPITAL IM	28,404.12
51	SPECIAL PA	607.39
94	TN 2012 CO	31,626.72
		=====
	TOTAL	165,000.70

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

INTRUST													
GENERAL FUND													
4520 PETTY CASH													
PO 11799	5 I	12/11/2012	12/07/2012	REIMBURSE FUND	150.00		150.00		150.00	01			1
								01-00-5016	GENERAL BUILDING RENTAL FEES				
				** VENDOR TOTALS *	150.00		150.00		150.00				
5345 SEDGWICK COUNTY													
NOV 2012	1 I	12/11/2012	12/07/2012	INSPECTION RECEIPTS NOV	442.48		442.48		442.48	01			1
								01-00-5008	GENERAL PERMITS				
				** VENDOR TOTALS *	442.48		442.48		442.48				
				REVENUE FUNDS	592.48		592.48		592.48				
1325 COX COMMUNICATIONS													
DEC 2012	4 I	12/11/2012	12/07/2012	DATA SERVICES	45.00		45.00		45.00	01			1
								01-01-2002	CITY CLERK TELEPHONE				
				** VENDOR TOTALS *	45.00		45.00		45.00				
2360 HAYSVILLE SUN-TIMES													
12416	1 I	12/11/2012	11/30/2012	NOV 16, ORD #22	120.00		120.00		120.00	01			1
								01-01-2014	CITY CLERK LEGAL PRINTING				
	2 I			NOV 16, ORD #999	102.00		102.00		102.00	01			1
								01-01-2014	CITY CLERK LEGAL PRINTING				
	3 I			NOV 23, ORD #22	120.00		120.00		120.00	01			1
								01-01-2014	CITY CLERK LEGAL PRINTING				
				* INVOICE TOTALS	342.00		342.00		342.00				
				** VENDOR TOTALS *	342.00		342.00		342.00				
				CITY CLERK	387.00		387.00		387.00				
265 ALLPAK BATTERY													
213685	1 I	12/11/2012	11/15/2012	2 12V BACKUP BATTERIES	79.00		79.00		79.00	01			1
								01-02-2006	POLICE EQUIPMENT MAINTENANCE				
				** VENDOR TOTALS *	79.00		79.00		79.00				
680 BAYSINGER POLICE SUPPLY INC													
87432	1 I	12/11/2012	9/21/2012	TALL SS PRO POLO B. SIM	39.99		39.99		39.99	01			1
								01-02-2016	POLICE UNIFORMS & EQUIPMENT				
89461	1 I	12/11/2012	11/30/2012	7PT STAR BADGE RETIRED	62.99		62.99		62.99	01			1
								01-02-2016	POLICE UNIFORMS & EQUIPMENT				
				** VENDOR TOTALS *	102.98		102.98		102.98				
996 CAPITAL ONE BANK N A													
NOV 2012	6 I	12/11/2012	12/07/2012	GLOCK	27.00		27.00		27.00	01			1
								01-02-2016	POLICE UNIFORMS & EQUIPMENT				
	8 I			SAFE KIDS WORLDWIDE	100.00		100.00		100.00	01			1
								01-02-2015	POLICE TRAINING/EDUC/TRAVEL				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
* INVOICE TOTALS					127.00		127.00		127.00				
** VENDOR TOTALS *					127.00		127.00		127.00				
1325 COX COMMUNICATIONS													
DEC 2012	5 I	12/11/2012	12/07/2012	DATA SERVICES	142.00		142.00		142.00	01			1
								01-02-2002	POLICE TELEPHONE				
** VENDOR TOTALS *					142.00		142.00		142.00				
1640 RUSTY ECK FORD INC													
338309	1 I	12/11/2012	12/04/2012	YC3Z-14300-CB CABLE A	102.05		102.05		102.05	01			1
								01-02-2035	POLICE VEHICLE MAINTENANCE				
** VENDOR TOTALS *					102.05		102.05		102.05				
2246 HAMPEL OIL													
90428426	1 I	12/11/2012	11/16/2012	UNLEADED GAS 1650GAL	4950.00		4950.00		4950.00	01			1
								01-02-2010	POLICE GASOLINE & OIL				
** VENDOR TOTALS *					4950.00		4950.00		4950.00				
2367 HAYSVILLE TRUE VALUE													
NOV 2012	3 I	12/11/2012	12/07/2012	MONTHLY HARDWARE SUPPLI	4.49		4.49		4.49	01			1
								01-02-2035	POLICE VEHICLE MAINTENANCE				
** VENDOR TOTALS *					4.49		4.49		4.49				
3230 KANSAS GAS SERVICE													
NOV 2012	1 I	12/11/2012	12/05/2012	MONTHLY GAS UTILITIES	42.74		42.74		42.74	01			1
								01-02-2013	POLICE ANIMAL CONTROL				
** VENDOR TOTALS *					42.74		42.74		42.74				
4520 PETTY CASH													
PO 11799	1 I	12/11/2012	12/07/2012	REIMBURSE FUND	25.00		25.00		25.00	01			1
								01-02-2010	POLICE GASOLINE & OIL				
	2 I			REIMBURSE FUND	39.95		39.95		39.95	01			1
								01-02-2035	POLICE VEHICLE MAINTENANCE				
* INVOICE TOTALS					64.95		64.95		64.95				
** VENDOR TOTALS *					64.95		64.95		64.95				
4780 PRO-KEM SUPPLIES INC													
7342	1 I	12/11/2012	11/26/2012	PULSE SERVICE PD OFFICE	40.00		40.00		40.00	01			1
								01-02-2004	POLICE OFFICE EXPENSE				
** VENDOR TOTALS *					40.00		40.00		40.00				
4869 R.A.D. SYSTEMS													
2013 DUES	1 I	12/11/2012	12/07/2012	BPD RENEWEL FEE K. KIEL	50.00		50.00		50.00	01			1
								01-02-2015	POLICE TRAINING/EDUC/TRAVEL				
** VENDOR TOTALS *					50.00		50.00		50.00				
5326 SEDGWICK COUNTY													
NOV 2012	1 I	12/11/2012	12/07/2012	4 ANIMALS PICKED UP	116.00		116.00		116.00	01			1
								01-02-2013	POLICE ANIMAL CONTROL				
** VENDOR TOTALS *					116.00		116.00		116.00				
5868 TASER INTERNATIONAL INC													

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	SQ	CK

5868 TASER INTERNATIONAL INC														
303175	1	I	12/11/2012	11/08/2012	RECHARGABLE BATTERY VDP	69.95		69.95	69.95	01				1
								01-02-2006						
									POLICE EQUIPMENT MAINTENANCE					
					** VENDOR TOTALS *	69.95		69.95	69.95					
6355 WATCHGUARD VIDEO														
5355	1	I	12/11/2012	10/25/2012	BLACK BASE REPAIR	35.00		35.00	35.00	01				1
								01-02-2006						
									POLICE EQUIPMENT MAINTENANCE					
	2	I			BLACK BASE	195.00		195.00	195.00	01				1
								01-02-2006						
									POLICE EQUIPMENT MAINTENANCE					
					* INVOICE TOTALS	230.00		230.00	230.00					
					** VENDOR TOTALS *	230.00		230.00	230.00					
6407 WESTAR ENERGY														
NOV 2012	2	I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	64.80		64.80	64.80	01				1
								01-02-2013						
									POLICE ANIMAL CONTROL					
					** VENDOR TOTALS *	64.80		64.80	64.80					
					POLICE	6185.96		6185.96	6185.96					
205 AGRIMUM ADVANCED TECHNOLOGIES														
575319	1	I	12/11/2012	10/29/2012	FERTILIZER 2000LBS	720.00		720.00	720.00	01				1
								01-03-2009						
									PARK MATERIALS					
					** VENDOR TOTALS *	720.00		720.00	720.00					
720 BEST SUPPLY CO INC														
208639	1	I	12/11/2012	11/08/2012	1"X16gX24' SQUARE TUBE	15.55		15.55	15.55	01				1
								01-03-2009						
									PARK MATERIALS					
	2	I			STANDARD STEEL CUT	7.00		7.00	7.00	01				1
								01-03-2009						
									PARK MATERIALS					
					* INVOICE TOTALS	22.55		22.55	22.55					
					** VENDOR TOTALS *	22.55		22.55	22.55					
774 BIG A WHOLESALE ELECTRIC														
180401	1	I	12/11/2012	11/28/2012	RAB 78W LED TYPE 3, 3EA	1350.00		1350.00	1350.00	01				1
								01-03-2009						
									PARK MATERIALS					
					** VENDOR TOTALS *	1350.00		1350.00	1350.00					
996 CAPITAL ONE BANK N A														
NOV 2012	13	I	12/11/2012	12/07/2012	CHRISTMAS DESIGNERS	2456.25		2456.25	2456.25	01				1
								01-03-2009						
									PARK MATERIALS					
	18	I			NORTHERN TOOL EQUIPMENT	59.99		59.99	59.99	01				1
								01-03-2009						
									PARK MATERIALS					
	21	I			KMART	124.75		124.75	124.75	01				1
								01-03-2009						
									PARK MATERIALS					
	22	I			BELLACOR.COM	236.52		236.52	236.52	01				1
								01-03-2009						
									PARK MATERIALS					
	23	I			1000BULBS.COM	235.88		235.88	235.88	01				1
								01-03-2009						
									PARK MATERIALS					
	24	I			HUPP TRUE VALUE	26.97		26.97	26.97	01				1

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
					01-03-2009		PARK MATERIALS						
				* INVOICE TOTALS	3140.36		3140.36		3140.36				
				** VENDOR TOTALS *	3140.36		3140.36		3140.36				
1155 CINTAS CORPORATION #451													
PO 11813	4	I	12/11/2012	12/07/2012 UNIFORM RENT & CLEAN	18.23		18.23		18.23	01			1
					01-03-2012		PARK MISCELLANEOUS						
				** VENDOR TOTALS *	18.23		18.23		18.23				
1325 COX COMMUNICATIONS													
DEC 2012	12	I	12/11/2012	12/07/2012 DATA SERVICES	31.80		31.80		31.80	01			1
					01-03-2002		PARK TELEPHONE						
				** VENDOR TOTALS *	31.80		31.80		31.80				
1781 EXPRESS SERVICES INC													
11815710-6	2	I	12/11/2012	12/05/2012 K LYONS 36.01HRS	437.88		437.88		437.88	01			1
					01-03-2040		PARK CONTRACTUAL						
11827111-3	2	I	12/11/2012	11/27/2012 K LYONS 15.99 HRS	194.44		194.44		194.44	01			1
					01-03-2040		PARK CONTRACTUAL						
				** VENDOR TOTALS *	632.32		632.32		632.32				
1825 FASTENAL COMPANY													
1227101	1	I	12/11/2012	12/07/2012 410S/SLASHWR	165.01		165.01		165.01	01			1
					01-03-2009		PARK MATERIALS						
				** VENDOR TOTALS *	165.01		165.01		165.01				
2150 GRAINGER													
9948913711	1	I	12/11/2012	10/11/2012 TIME DELAY RELAY	88.65		88.65		88.65	01			1
					01-03-2009		PARK MATERIALS						
	2	I		CONTROL STATION, GREEN	47.57		47.57		47.57	01			1
					01-03-2009		PARK MATERIALS						
				* INVOICE TOTALS	136.22		136.22		136.22				
				** VENDOR TOTALS *	136.22		136.22		136.22				
2168 GRAYBAR													
963589783	1	I	12/11/2012	11/16/2012 MULTI-TAP CONNECTOR 8EA	140.42		140.42		140.42	01			1
					01-03-2009		PARK MATERIALS						
				** VENDOR TOTALS *	140.42		140.42		140.42				
2367 HAYSVILLE TRUE VALUE													
NOV 2012	1	I	12/11/2012	12/07/2012 MONTHLY HARDWARE SUPPLI	130.38		130.38		130.38	01			1
					01-03-2009		PARK MATERIALS						
	2	I		MONTHLY HARDWARE SUPPLI	10.48		10.48		10.48	01			1
					01-03-2006		PARK EQUIPMENT MAINTENANCE						
				* INVOICE TOTALS	140.86		140.86		140.86				
				** VENDOR TOTALS *	140.86		140.86		140.86				
3770 LOWES BUSINESS ACCT/GEGRB													
NOV 2012	1	I	12/11/2012	12/07/2012 CHRISTMAS LIGHTS MATERI	27.75		27.75		27.75	01			1
					01-03-2009		PARK MATERIALS						
				** VENDOR TOTALS *	27.75		27.75		27.75				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

5381 SEDGWICK COUNTY TREASURER													
2012 TAXES 6	I	12/11/2012	12/07/2012	REAL ESTATE TAXES & FEE	34.16		34.16		34.16	01			1
								01-03-2012	PARK MISCELLANEOUS				
				** VENDOR TOTALS *	34.16		34.16		34.16				
5950 TRUDO'S AUTOMOTIVE LLC													
9999	I	12/11/2012	12/07/2012	FRONT END ALIGNMENT	59.95		59.95		59.95	01			1
								01-03-2006	PARK EQUIPMENT MAINTENANCE				
				** VENDOR TOTALS *	59.95		59.95		59.95				
6407 WESTAR ENERGY													
NOV 2012	I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	1495.16		1495.16		1495.16	01			1
								01-03-2003	PARK UTILITIES				
				** VENDOR TOTALS *	1495.16		1495.16		1495.16				
				PARK	8114.79		8114.79		8114.79				
1325 COX COMMUNICATIONS													
DEC 2012	I	12/11/2012	12/07/2012	DATA SERVICES	4.70		4.70		4.70	01			1
								01-04-2002	PL COMM TELEPHONE				
				** VENDOR TOTALS *	4.70		4.70		4.70				
				PLANNING COMMISSI	4.70		4.70		4.70				
653 GREGORY K BARKER													
PO 11756	I	12/11/2012	12/05/2012	COURT APPOINTED ATTORNE	250.00		250.00		250.00	01			1
								01-06-2037	MUN COURT CT APPOINTED ATTY				
				** VENDOR TOTALS *	250.00		250.00		250.00				
695 BEALL & MITCHELL LLC													
DEC2012	I	12/11/2012	12/05/2012	PROSECUTING SERVICES NO	1000.00		1000.00		1000.00	01			1
								01-06-1100	MUN COURT PERSONNEL SERVICES				
	I			PROSECUTION B MORARIE 1	150.00		150.00		150.00	01			1
								01-06-2012	MUN COURT MISCELLANEOUS				
	I			PROSECUTION T GILLIS 12	400.00		400.00		400.00	01			1
								01-06-2012	MUN COURT MISCELLANEOUS				
				* INVOICE TOTALS	1550.00		1550.00		1550.00				
				** VENDOR TOTALS *	1550.00		1550.00		1550.00				
1325 COX COMMUNICATIONS													
DEC 2012	I	12/11/2012	12/07/2012	DATA SERVICES	10.90		10.90		10.90	01			1
								01-06-2002	MUN COURT TELEPHONE				
				** VENDOR TOTALS *	10.90		10.90		10.90				
2583 BECKY C HURTIG													
PO 11773	I	12/11/2012	12/05/2012	CASE NO 2012/3603	250.00		250.00		250.00	01			1
								01-06-2037	MUN COURT CT APPOINTED ATTY				
PO 11774	I	12/11/2012	12/05/2012	PROF SERVICES CASE #201	250.00		250.00		250.00	01			1
								01-06-2037	MUN COURT CT APPOINTED ATTY				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
** VENDOR TOTALS *					500.00		500.00		500.00				
3350 KANSAS STATE TREASURER													
PO 11781	1	I	12/11/2012	12/05/2012 REINSTATEMENT FEES	295.00		295.00		295.00	01			1
								01-06-2060	MUN COURT REINSTATEMENT FEES				
	2	I		JUDICIAL BRANCH SURCHAR	110.00		110.00		110.00	01			1
								01-06-2060	MUN COURT REINSTATEMENT FEES				
	3	I		JUDICIAL BRANCH EDUCATI	50.50		50.50		50.50	01			1
								01-06-2073	MUN COURT JUDGES' TRAINING FEE				
	4	I		COURT COSTS / LAW ENF T	1987.00		1987.00		1987.00	01			1
								01-06-2074	MUN COURT LAW ENF TRAINING FEE				
	5	I		DUI FEES	500.00		500.00		500.00	01			1
								01-06-2075	MUN COURT DUI FEE				
* INVOICE TOTALS					2942.50		2942.50		2942.50				
** VENDOR TOTALS *					2942.50		2942.50		2942.50				
5335 SEDGWICK COUNTY DIV OF FINANCE													
NOV 2012	1	I	12/11/2012	12/07/2012 NOV 2012 PRISONER HOUSI	1448.37		1448.37		1448.37	01			1
				693 HRS @ \$2.09									
								01-06-3066	MUN COURT JAIL FEES				
** VENDOR TOTALS *					1448.37		1448.37		1448.37				
6380 PHILIP L WEISER JD													
12CR432	1	I	12/11/2012	10/10/2012 4.4HRS PROF SERVICES -	440.00		440.00		440.00	01			1
								01-06-2012	MUN COURT MISCELLANEOUS				
** VENDOR TOTALS *					440.00		440.00		440.00				
MUNICIPAL COURT					7141.77		7141.77		7141.77				
6407 WESTAR ENERGY													
NOV 2012	1	I	12/11/2012	12/07/2012 MONTHLY ELECTRIC UTILIT	5975.96		5975.96		5975.96	01			1
								01-08-2003	STREET LIGHT UTILITIES				
	4	I		MONTHLY ELECTRIC UTILIT	952.47		952.47		952.47	01			1
								01-08-2003	STREET LIGHT UTILITIES				
* INVOICE TOTALS					6928.43		6928.43		6928.43				
** VENDOR TOTALS *					6928.43		6928.43		6928.43				
STREET LIGHTS					6928.43		6928.43		6928.43				
285 AMERICAN ELECTRIC COMPANY													
515744	1	I	12/11/2012	11/08/2012 34W FLOURESCENT LAMP 15	525.00		525.00		525.00	01			1
								01-09-2025	BLDG & GROUNDS BUILDING MAINT				
	2	I		28W FLOURESCENT LAMP 21	160.65		160.65		160.65	01			1
								01-09-2025	BLDG & GROUNDS BUILDING MAINT				
* INVOICE TOTALS					685.65		685.65		685.65				
516215	1	I	12/11/2012	11/15/2012 FLOURESCENT LAMPS 144EA	424.80		424.80		424.80	01			1
								01-09-2009	BLDG & GROUNDS MATERIALS				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

3500 KONICA MINOLTA BUSINESS													
222941954	1	I	12/11/2012	11/29/2012	ADMIN COPIER MAINT	262.51		262.51	262.51	01			1
								01-10-2040					
					** VENDOR TOTALS *	262.51		262.51	262.51				
3502 KONICA MINOLTA PREMIERE													
216998484	1	I	12/11/2012	11/28/2012	KONICA C550 COPIER LEAS	343.75		343.75	343.75	01			1
								01-10-2040					
					** VENDOR TOTALS *	343.75		343.75	343.75				
3810 MADRIGAL & ASSOCIATES, INC													
61699	1	I	12/11/2012	11/06/2012	CANINE MORTALITY RENEWA 9-10-12 TO 9-10-13	510.00		510.00	510.00	01			1
								01-10-2020					
61764	1	I	12/11/2012	11/15/2012	CANCELLED SIRENS TURKLE, S BROADWAY & W	64.00-		64.00-	64.00-	01			1
								01-10-2020					
					** VENDOR TOTALS *	446.00		446.00	446.00				
					SPECIAL FUNDS	1252.26		1252.26	1252.26				
1325 COX COMMUNICATIONS													
DEC 2012	1	I	12/11/2012	12/07/2012	CABLE & DATA SERVICES	109.42		109.42	109.42	01			1
								01-12-2003					
					** VENDOR TOTALS *	109.42		109.42	109.42				
2874 K & A PROPERTY MAINTENANCE LLC													
2919	4	I	12/11/2012	12/02/2012	CLEAN SR CTR, COMPLETE	425.00		425.00	425.00	01			1
								01-12-2025					
					** VENDOR TOTALS *	425.00		425.00	425.00				
3050 KANSAS FIRE EQUIPMENT CO INC													
361051	1	I	12/11/2012	12/04/2012	FIRE SYSTEM 6 MONTH INS	62.50		62.50	62.50	01			1
								01-12-2006					
					** VENDOR TOTALS *	62.50		62.50	62.50				
3230 KANSAS GAS SERVICE													
NOV 2012	3	I	12/11/2012	12/05/2012	MONTHLY GAS UTILITIES	184.12		184.12	184.12	01			1
								01-12-2003					
					** VENDOR TOTALS *	184.12		184.12	184.12				
4780 PRO-KEM SUPPLIES INC													
7342	3	I	12/11/2012	11/26/2012	SENIOR CENTER RESTROOMS	16.00		16.00	16.00	01			1
								01-12-2025					
					** VENDOR TOTALS *	16.00		16.00	16.00				
6407 WESTAR ENERGY													
NOV 2012	6	I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	342.89		342.89	342.89	01			1
								01-12-2003					
					** VENDOR TOTALS *	342.89		342.89	342.89				
					SENIOR CENTER	1139.93		1139.93	1139.93				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHK	SQ	CK

996 CAPITAL ONE BANK N A														
NOV 2012	1	I	12/11/2012	12/07/2012	USTREAM TV415	49.00		49.00	49.00	01				1
								01-18-2012	GEN GOVT MISCELLANEOUS					
	5	I			GODADDY.COM	59.88		59.88	59.88	01				1
								01-18-2012	GEN GOVT MISCELLANEOUS					
	9	I			LEEKERS	48.95		48.95	48.95	01				1
								01-18-2012	GEN GOVT MISCELLANEOUS					
					* INVOICE TOTALS	157.83		157.83	157.83					
					** VENDOR TOTALS *	157.83		157.83	157.83					
1325 COX COMMUNICATIONS														
DEC 2012	8	I	12/11/2012	12/07/2012	DATA SERVICES	13.20		13.20	13.20	01				1
								01-18-2002	GEN GOVT TELEPHONE/POSTAGE					
	11	I			DATA SERVICES	4.70		4.70	4.70	01				1
								01-18-2002	GEN GOVT TELEPHONE/POSTAGE					
					* INVOICE TOTALS	17.90		17.90	17.90					
					** VENDOR TOTALS *	17.90		17.90	17.90					
3670 LEAGUE OF KANSAS														
12-3121	1	I	12/11/2012	11/26/2012	WEBSITE CLASSIFIED AD ECONOMIC/DEVELOPMENT DI	40.00		40.00	40.00	01				1
								01-18-2012	GEN GOVT MISCELLANEOUS					
					** VENDOR TOTALS *	40.00		40.00	40.00					
					GENERAL GOVERNMEN	215.73		215.73	215.73					
1155 CINTAS CORPORATION #451														
PO 11813	5	I	12/11/2012	12/07/2012	UNIFORM RENT & CLEAN	3.40		3.40	3.40	01				1
								01-20-2016	INSPECTION UNIFORMS					
					** VENDOR TOTALS *	3.40		3.40	3.40					
1325 COX COMMUNICATIONS														
DEC 2012	13	I	12/11/2012	12/07/2012	DATA SERVICES	31.80		31.80	31.80	01				1
								01-20-2002	INSPECTION TELEPHONE					
					** VENDOR TOTALS *	31.80		31.80	31.80					
4520 PETTY CASH														
PO 11799	6	I	12/11/2012	12/07/2012	REIMBURSE FUND	1.50		1.50	1.50	01				1
								01-20-2012	INSPECTION MISCELLANEOUS					
					** VENDOR TOTALS *	1.50		1.50	1.50					
					INSPECTION	36.70		36.70	36.70					
1325 COX COMMUNICATIONS														
DEC 2012	9	I	12/11/2012	12/07/2012	DATA SERVICES	4.70		4.70	4.70	01				1
								01-21-2002	INFORMATION SYS TELEPHONE					
					** VENDOR TOTALS *	4.70		4.70	4.70					

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
INFORMATION SYSTE					4.70		4.70		4.70				
1325 COX COMMUNICATIONS													
DEC 2012	10	I	12/11/2012	12/07/2012	DATA SERVICES	4.70		4.70	4.70	01			1
								01-22-2002					
					** VENDOR TOTALS *	4.70		4.70	4.70				
					MEDIA SPECIALIST	4.70		4.70	4.70				
996 CAPITAL ONE BANK N A													
NOV 2012	4	I	12/11/2012	12/07/2012	PERSONALIZATION MALL	64.95		64.95	64.95	01			1
								01-23-2082					
					FRED MEYER JEWELRY	70.07		70.07	70.07	01			1
								01-23-2082					
					* INVOICE TOTALS	135.02		135.02	135.02				
					** VENDOR TOTALS *	135.02		135.02	135.02				
					GENERAL EMPLOYEE	135.02		135.02	135.02				
					GENERAL FUND	35370.94		35370.94	35370.94				
SEWER FUND													
10 A & E ANALYTICAL LAB INC													
2979	1	I	12/11/2012	11/20/2012	AMMONIA	20.00		20.00	20.00	10			1
								10-30-2040					
					2 BOD	50.00		50.00	50.00	10			1
								10-30-2040					
					2 TOTAL SUSPENDED SOLID	30.00		30.00	30.00	10			1
								10-30-2040					
					E COLI ANALYSIS	30.00		30.00	30.00	10			1
								10-30-2040					
					2 TOTAL KJEDAHL NITROGE	50.00		50.00	50.00	10			1
								10-30-2040					
					2 TOTAL PHOSPHOROUS	50.00		50.00	50.00	10			1
								10-30-2040					
					COPPE ANALYSIS	20.00		20.00	20.00	10			1
								10-30-2040					
					LEAD ANALYSIS	20.00		20.00	20.00	10			1
								10-30-2040					
					2 NITRATE/NITRITE AS NI	70.00		70.00	70.00	10			1
								10-30-2040					
					* INVOICE TOTALS	340.00		340.00	340.00				
					** VENDOR TOTALS *	340.00		340.00	340.00				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

100 AMSAN													
277375358	1	I	12/11/2012	11/14/2012	TOWELS & CUPS	88.43		88.43	88.43	10			1
								10-30-2012	SEWER MISCELLANEOUS				
					** VENDOR TOTALS *	88.43		88.43	88.43				
777 BIG TOOL STORE													
309959	1	I	12/11/2012	11/20/2012	5/8" SWIVEL QUICK SNAP	7.48		7.48	7.48	10			1
								10-30-2009	SEWER MATERIALS				
					** VENDOR TOTALS *	7.48		7.48	7.48				
996 CAPITAL ONE BANK N A													
NOV 2012	2	I	12/11/2012	12/07/2012	PAYFLOW, PAYPAL	12.98		12.98	12.98	10			1
								10-30-2040	SEWER CONTRACTUAL				
	16	I			HARBOR FREIGHT	35.48		35.48	35.48	10			1
								10-30-2012	SEWER MISCELLANEOUS				
					* INVOICE TOTALS	48.46		48.46	48.46				
					** VENDOR TOTALS *	48.46		48.46	48.46				
1155 CINTAS CORPORATION #451													
PO 11813	1	I	12/11/2012	12/07/2012	SHOP TOWELS & SUPPLIES	14.98		14.98	14.98	10			1
								10-30-2009	SEWER MATERIALS				
	6	I			UNIFORM RENT & CLEAN	26.14		26.14	26.14	10			1
								10-30-2016	SEWER UNIFORMS				
					* INVOICE TOTALS	41.12		41.12	41.12				
					** VENDOR TOTALS *	41.12		41.12	41.12				
1325 COX COMMUNICATIONS													
DEC 2012	14	I	12/11/2012	12/07/2012	DATA SERVICES	31.80		31.80	31.80	10			1
								10-30-2002	SEWER TELEPHONE				
					** VENDOR TOTALS *	31.80		31.80	31.80				
1781 EXPRESS SERVICES INC													
11815710-6	1	I	12/11/2012	12/05/2012	J RHYNARD 32.13HRS	390.70		390.70	390.70	10			1
								10-30-2040	SEWER CONTRACTUAL				
11827111-3	1	I	12/11/2012	11/27/2012	J RHYNARD 24.10 HRS	293.06		293.06	293.06	10			1
								10-30-2040	SEWER CONTRACTUAL				
					** VENDOR TOTALS *	683.76		683.76	683.76				
2150 GRAINGER													
9003282937	1	I	12/11/2012	11/21/2012	SUMP PUMP 1/3HP	215.33		215.33	215.33	10			1
								10-30-2006	SEWER EQUIPMENT MAINTENANCE				
					** VENDOR TOTALS *	215.33		215.33	215.33				
2246 HAMPEL OIL													
90428426	2	I	12/11/2012	11/16/2012	DIESEL 200GAL	692.00		692.00	692.00	10			1
								10-30-2009	SEWER MATERIALS				
					** VENDOR TOTALS *	692.00		692.00	692.00				
2261 DAVE HARPER													
NOV 2012	1	I	12/11/2012	12/05/2012	PERSONAL CELL PHONE REI	35.00		35.00	35.00	10			1
								10-30-2002	SEWER TELEPHONE				
					** VENDOR TOTALS *	35.00		35.00	35.00				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

2367 HAYSVILLE TRUE VALUE													
NOV 2012	4	I	12/11/2012	12/07/2012	MONTHLY HARDWARE SUPPLI	231.16		231.16	231.16	10			1
								10-30-2009	SEWER MATERIALS				
	7	I			MONTHLY HARDWARE SUPPLI	7.98		7.98	7.98	10			1
								10-30-2006	SEWER EQUIPMENT MAINTENANCE				
	10	I			MONTHLY HARDWARE SUPPLI	34.90		34.90	34.90	10			1
								10-30-2012	SEWER MISCELLANEOUS				
					* INVOICE TOTALS	274.04		274.04	274.04				
					** VENDOR TOTALS *	274.04		274.04	274.04				
2770 J D'S GRAPHICS													
3019	1	I	12/11/2012	11/26/2012	WHITE STUBS 2250EA	17.00		17.00	17.00	10			1
								10-30-2004	SEWER OFFICE EXPENSE				
	3	I			METER CHANGE BOOKS 10EA	48.50		48.50	48.50	10			1
								10-30-2004	SEWER OFFICE EXPENSE				
	5	I			WATER SHUT OFF RED TAG	70.00		70.00	70.00	10			1
								10-30-2004	SEWER OFFICE EXPENSE				
					* INVOICE TOTALS	135.50		135.50	135.50				
					** VENDOR TOTALS *	135.50		135.50	135.50				
2838 ROY JOLIVET													
NOV 2012	1	I	12/11/2012	12/05/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	11.67		11.67	11.67	10			1
								10-30-2002	SEWER TELEPHONE				
					** VENDOR TOTALS *	11.67		11.67	11.67				
3230 KANSAS GAS SERVICE													
NOV 2012	4	I	12/11/2012	12/05/2012	MONTHLY GAS UTILITIES	1954.01		1954.01	1954.01	10			1
								10-30-2003	SEWER UTILITIES				
					** VENDOR TOTALS *	1954.01		1954.01	1954.01				
3295 KANSAS ONE-CALL SYSTEM INC													
2110280	1	I	12/11/2012	11/30/2012	LOCATE FEES	39.67		39.67	39.67	10			1
								10-30-2040	SEWER CONTRACTUAL				
					** VENDOR TOTALS *	39.67		39.67	39.67				
3670 LEAGUE OF KANSAS													
12-3128	1	I	12/11/2012	12/05/2012	WASTEWATER OPERATOR AD	65.00		65.00	65.00	10			1
								10-30-2004	SEWER OFFICE EXPENSE				
					** VENDOR TOTALS *	65.00		65.00	65.00				
3691 LEWIS-GOETZ & COMPANY INC													
25882	1	I	12/11/2012	10/10/2012	40 MICRON FILTER	143.50		143.50	143.50	10			1
								10-30-2009	SEWER MATERIALS				
	2	I			FREIGHT	3.95		3.95	3.95	10			1
								10-30-2009	SEWER MATERIALS				
					* INVOICE TOTALS	147.45		147.45	147.45				
					** VENDOR TOTALS *	147.45		147.45	147.45				
3770 LOWES BUSINESS ACCT/GEGRB													
NOV 2012	4	I	12/11/2012	12/07/2012	MISC PLUMBING PARTS	86.42		86.42	86.42	10			1

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
						10-30-2009			SEWER MATERIALS				
** VENDOR TOTALS *					86.42		86.42		86.42				
3880 MAYER SPECIALTY SERVICES LLC													
12274	1 I	12/11/2012	11/12/2012	8" CABLE 5EA	285.00		285.00		285.00	10			1
						10-30-2009			SEWER MATERIALS				
	2 I			3"X36" TIGER TAIL	68.00		68.00		68.00	10			1
						10-30-2009			SEWER MATERIALS				
	3 I			FREIGHT	17.64		17.64		17.64	10			1
						10-30-2009			SEWER MATERIALS				
* INVOICE TOTALS					370.64		370.64		370.64				
** VENDOR TOTALS *					370.64		370.64		370.64				
3980 MICRO-COMM INC													
35311	1 I	12/11/2012	11/12/2012	L5A015 XDCR SNUB ASSEMB	710.00		710.00		710.00	10			1
						10-30-2006			SEWER EQUIPMENT MAINTENANCE				
	2 I			TRANSDUCER CABLE MICRO-	105.00		105.00		105.00	10			1
						10-30-2006			SEWER EQUIPMENT MAINTENANCE				
	3 I			SHIPPING	19.00		19.00		19.00	10			1
						10-30-2006			SEWER EQUIPMENT MAINTENANCE				
* INVOICE TOTALS					834.00		834.00		834.00				
** VENDOR TOTALS *					834.00		834.00		834.00				
4648 POORMAN AUTO SUPPLY #5													
563814	1 I	12/11/2012	10/31/2012	PRMRY WIRE	18.13		18.13		18.13	10			1
						10-30-2006			SEWER EQUIPMENT MAINTENANCE				
** VENDOR TOTALS *					18.13		18.13		18.13				
4750 PROFESSIONAL ENGINEERING													
510109	1 I	12/11/2012	11/27/2012	PROFESSIONAL SERVICES M	66.66		66.66		66.66	10			1
						10-30-2040			SEWER CONTRACTUAL				
** VENDOR TOTALS *					66.66		66.66		66.66				
4830 PUMP & POWER EQUIPMENT INC													
5443016	1 I	12/11/2012	11/07/2012	8" SUB-PUMP SOLIDS-HAND	26122.33		26122.33		26122.33	10			1
						10-30-2080			SEWER CAPITAL OUTLAY				
** VENDOR TOTALS *					26122.33		26122.33		26122.33				
5056 SEAN RINEHART													
NOV 2012	1 I	12/11/2012	12/07/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	11.67		11.67		11.67	10			1
						10-30-2002			SEWER TELEPHONE				
** VENDOR TOTALS *					11.67		11.67		11.67				
5366 SEDGWICK COUNTY HHW DEPT													
1284	1 I	12/11/2012	9/28/2012	FLOURESCENT BULB DISPOS	8.34		8.34		8.34	10			1
						10-30-2012			SEWER MISCELLANEOUS				
** VENDOR TOTALS *					8.34		8.34		8.34				
5381 SEDGWICK COUNTY TREASURER													
2012 TAXES	1 I	12/11/2012	12/07/2012	REAL ESTATE TAXES & FEE	458.53		458.53		458.53	10			1
						10-30-2012			SEWER MISCELLANEOUS				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	SQ	CK
** VENDOR TOTALS *					458.53		458.53		458.53					
5690 STAR ELECTRIC SUPPLY INC														
351054	1	I 12/11/2012	11/19/2012	2EA 600V TIME DELAY J F	35.66		35.66		35.66	10			1	
								10-30-2009	SEWER MATERIALS					
	2	I		2EA 600V 150A TIME DELA	148.48		148.48		148.48	10			1	
								10-30-2009	SEWER MATERIALS					
* INVOICE TOTALS					184.14		184.14		184.14					
** VENDOR TOTALS *					184.14		184.14		184.14					
6407 WESTAR ENERGY														
NOV 2012	7	I 12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	9766.31		9766.31		9766.31	10			1	
								10-30-2003	SEWER UTILITIES					
** VENDOR TOTALS *					9766.31		9766.31		9766.31					
SEWER					42737.89		42737.89		42737.89					
SEWER FUND					42737.89		42737.89		42737.89					
WATER FUND														
100 AMSAN														
277375358	2	I 12/11/2012	11/14/2012	TOWELS & CUPS	88.43		88.43		88.43	11			1	
								11-31-2012	WATER MISCELLANEOUS					
** VENDOR TOTALS *					88.43		88.43		88.43					
777 BIG TOOL STORE														
309424	1	I 12/11/2012	11/15/2012	ADJ SPANNER 1.25"-3"	42.69		42.69		42.69	11			1	
								11-31-2009	WATER MATERIALS					
** VENDOR TOTALS *					42.69		42.69		42.69					
836 BRENNTAG SOUTHWEST INC														
BSW362508	1	I 12/11/2012	12/03/2012	CHLORINE 600LBS	430.38		430.38		430.38	11			1	
								11-31-2009	WATER MATERIALS					
	2	I		FUEL SURCHARGE	75.00		75.00		75.00	11			1	
								11-31-2009	WATER MATERIALS					
	3	I		SECURITY SURCHARGE	25.00		25.00		25.00	11			1	
								11-31-2009	WATER MATERIALS					
* INVOICE TOTALS					530.38		530.38		530.38					
** VENDOR TOTALS *					530.38		530.38		530.38					
844 JIM BROOKS														
NOV 2012	1	I 12/11/2012	12/05/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	17.50		17.50		17.50	11			1	
								11-31-2002	WATER TELEPHONE					
** VENDOR TOTALS *					17.50		17.50		17.50					
996 CAPITAL ONE BANK N A														
NOV 2012	3	I 12/11/2012	12/07/2012	PAYFLOW, PAYPAL	12.97		12.97		12.97	11			1	
								11-31-2040	WATER CONTRACTUAL					

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
14	I			DOLLAR GENERAL	25.75		25.75		25.75	11			1
						11-31-2009			WATER MATERIALS				
15	I			HARBOR FREIGHT	35.49		35.49		35.49	11			1
						11-31-2012			WATER MISCELLANEOUS				
				* INVOICE TOTALS	74.21		74.21		74.21				
				** VENDOR TOTALS *	74.21		74.21		74.21				
				1155 CINTAS CORPORATION #451									
PO 11813	2	I	12/11/2012	12/07/2012 SHOP TOWELS & SUPPLIES	14.97		14.97		14.97	11			1
						11-31-2009			WATER MATERIALS				
	7	I		UNIFORM RENT & CLEAN	32.63		32.63		32.63	11			1
						11-31-2016			WATER UNIFORMS				
				* INVOICE TOTALS	47.60		47.60		47.60				
				** VENDOR TOTALS *	47.60		47.60		47.60				
				1325 COX COMMUNICATIONS									
DEC 2012	15	I	12/11/2012	12/07/2012 DATA SERVICES	31.80		31.80		31.80	11			1
						11-31-2002			WATER TELEPHONE				
				** VENDOR TOTALS *	31.80		31.80		31.80				
				1570 DNS SERVICES									
11-31-2040	1	I	12/11/2012	11/08/2012 MANAGED DNS BACKUP SERV	65.00		65.00		65.00	11			1
						11-31-2040			WATER CONTRACTUAL				
				** VENDOR TOTALS *	65.00		65.00		65.00				
				1781 EXPRESS SERVICES INC									
11815710-6	3	I	12/11/2012	12/05/2012 J BAKER 13.31HRS	161.85		161.85		161.85	11			1
						11-31-2040			WATER CONTRACTUAL				
11827111-3	3	I	12/11/2012	11/27/2012 J BAKER 2.68 HRS	32.59		32.59		32.59	11			1
						11-31-2040			WATER CONTRACTUAL				
				** VENDOR TOTALS *	194.44		194.44		194.44				
				2246 HAMPEL OIL									
90428426	3	I	12/11/2012	11/16/2012 DIESEL 200GAL	692.00		692.00		692.00	11			1
						11-31-2009			WATER MATERIALS				
				** VENDOR TOTALS *	692.00		692.00		692.00				
				2367 HAYSVILLE TRUE VALUE									
NOV 2012	5	I	12/11/2012	12/07/2012 MONTHLY HARDWARE SUPPLI	17.74		17.74		17.74	11			1
						11-31-2009			WATER MATERIALS				
	11	I		MONTHLY HARDWARE SUPPLI	34.90		34.90		34.90	11			1
						11-31-2012			WATER MISCELLANEOUS				
				* INVOICE TOTALS	52.64		52.64		52.64				
				** VENDOR TOTALS *	52.64		52.64		52.64				
				2770 J D'S GRAPHICS									
3019	2	I	12/11/2012	11/26/2012 WHITE STUBS 2250EA	17.00		17.00		17.00	11			1
						11-31-2004			WATER OFFICE EXPENSE				
	4	I		METER CHANGE BOOKS 10EA	48.50		48.50		48.50	11			1
						11-31-2004			WATER OFFICE EXPENSE				
	6	I		WATER SHUT OFF RED TAG	70.00		70.00		70.00	11			1

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
							11-31-2002		WATER TELEPHONE				
** VENDOR TOTALS *					11.67		11.67		11.67				
5220 SALINA SUPPLY COMPANY													
1125421	1	I	12/11/2012	12/07/2012 5/8X3/4X3/4 AB STOP	284.50		284.50		284.50	11			1
							11-31-2009		WATER MATERIALS				
	2	I		3/4 CPLG	133.60		133.60		133.60	11			1
							11-31-2009		WATER MATERIALS				
	3	I		FREIGHT	15.22		15.22		15.22	11			1
							11-31-2009		WATER MATERIALS				
* INVOICE TOTALS					433.32		433.32		433.32				
** VENDOR TOTALS *					433.32		433.32		433.32				
5231 SAM'S CLUB / GEGRB													
NOV 2012	1	I	12/11/2012	12/07/2012 GLOVES	71.84		71.84		71.84	11			1
							11-31-2009		WATER MATERIALS				
** VENDOR TOTALS *					71.84		71.84		71.84				
5330 SEDGWICK COUNTY ELECTRIC COOP													
NOV 2012	1	I	12/11/2012	12/07/2012 ELECTRIC USE WEST @ WAT	509.20		509.20		509.20	11			1
							11-31-2003		WATER UTILITIES				
	2	I		ELECTRIC USE EAST @ WAT	1162.55		1162.55		1162.55	11			1
							11-31-2003		WATER UTILITIES				
* INVOICE TOTALS					1671.75		1671.75		1671.75				
** VENDOR TOTALS *					1671.75		1671.75		1671.75				
5366 SEDGWICK COUNTY HHW DEPT													
1284	2	I	12/11/2012	9/28/2012 FLOURESCENT BULB DISPOS	8.33		8.33		8.33	11			1
							11-31-2012		WATER MISCELLANEOUS				
** VENDOR TOTALS *					8.33		8.33		8.33				
5381 SEDGWICK COUNTY TREASURER													
2012 TAXES	2	I	12/11/2012	12/07/2012 REAL ESTATE TAXES & FEE	10.92		10.92		10.92	11			1
							11-31-2012		WATER MISCELLANEOUS				
** VENDOR TOTALS *					10.92		10.92		10.92				
5784 KENNETH SWART													
NOV 2012	1	I	12/11/2012	12/07/2012 REIMBURSE CELL PHONE US ON CALL PERSONNEL	35.00		35.00		35.00	11			1
							11-31-2002		WATER TELEPHONE				
** VENDOR TOTALS *					35.00		35.00		35.00				
6407 WESTAR ENERGY													
NOV 2012	8	I	12/11/2012	12/07/2012 MONTHLY ELECTRIC UTILIT	3176.51		3176.51		3176.51	11			1
							11-31-2003		WATER UTILITIES				
** VENDOR TOTALS *					3176.51		3176.51		3176.51				
6630 WICHITA WINWATER WORKS													
188851	1	I	12/11/2012	11/19/2012 6X3/4CC DBL STRAP SADDL	36.34		36.34		36.34	11			1
							11-31-2009		WATER MATERIALS				
** VENDOR TOTALS *					36.34		36.34		36.34				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
				WATER	9491.81		9491.81		9491.81				
				WATER FUND	9491.81		9491.81		9491.81				
MUNICIPAL POOL													
5381 SEDGWICK COUNTY TREASURER													
2012 TAXES 3	I	12/11/2012	12/07/2012	REAL ESTATE TAXES & FEE	4.10		4.10		4.10	12			1
				** VENDOR TOTALS *	4.10		4.10		4.10				
6407 WESTAR ENERGY													
NOV 2012	I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	192.09		192.09		192.09	12			1
				** VENDOR TOTALS *	192.09		192.09		192.09				
				MUNICIPAL POOL	196.19		196.19		196.19				
				MUNICIPAL POOL	196.19		196.19		196.19				
STORMWATER SEWER													
1155 CINTAS CORPORATION #451													
PO 11813	I	12/11/2012	12/07/2012	UNIFORM RENT & CLEAN	4.61		4.61		4.61	14			1
				** VENDOR TOTALS *	4.61		4.61		4.61				
				STORMWATER DEPART	4.61		4.61		4.61				
				STORMWATER SEWER	4.61		4.61		4.61				
STREET FUND													
100 AMSAN													
277375358	I	12/11/2012	11/14/2012	TOWELS & CUPS	88.43		88.43		88.43	21			1
				** VENDOR TOTALS *	88.43		88.43		88.43				
470 ASSOCIATED MATERIAL & SUPPLY													
27224	I	12/11/2012	11/05/2012	FILL SAND 65.85TON	171.21		171.21		171.21	21			1
				** VENDOR TOTALS *	171.21		171.21		171.21				
785 FRANK BILL'S TRUCKING													
74815	I	12/11/2012	10/10/2012	3/8 CHIP ROCK HAULED, 3	6563.95		6563.95		6563.95	21			1
				** VENDOR TOTALS *	6563.95		6563.95		6563.95				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

844 JIM BROOKS													
NOV 2012	2	I	12/11/2012	12/05/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	17.50		17.50		17.50	21		1
								21-41-2002		STREET TELEPHONE			
					** VENDOR TOTALS *	17.50		17.50		17.50			
996 CAPITAL ONE BANK N A													
NOV 2012	17	I	12/11/2012	12/07/2012	NORTHERN TOOL EQUIPMENT	314.97		314.97		314.97	21		1
								21-41-2009		STREET MATERIALS			
					** VENDOR TOTALS *	314.97		314.97		314.97			
1155 CINTAS CORPORATION #451													
PO 11813	3	I	12/11/2012	12/07/2012	SHOP TOWELS & SUPPLIES	14.97		14.97		14.97	21		1
								21-41-2009		STREET MATERIALS			
	9	I			UNIFORM RENT & CLEAN	13.61		13.61		13.61	21		1
								21-41-2016		STREET UNIFORMS			
					* INVOICE TOTALS	28.58		28.58		28.58			
					** VENDOR TOTALS *	28.58		28.58		28.58			
1325 COX COMMUNICATIONS													
DEC 2012	16	I	12/11/2012	12/07/2012	DATA SERVICES	31.80		31.80		31.80	21		1
								21-41-2002		STREET TELEPHONE			
					** VENDOR TOTALS *	31.80		31.80		31.80			
2246 HAMPEL OIL													
90428426	4	I	12/11/2012	11/16/2012	DIESEL 200GAL	692.00		692.00		692.00	21		1
								21-41-2009		STREET MATERIALS			
					** VENDOR TOTALS *	692.00		692.00		692.00			
2357 HAYSVILLE SAW AND MOWER													
8408	1	I	12/11/2012	9/26/2012	PUSH BEHIND SAW FILTER	25.80		25.80		25.80	21		1
								21-41-2009		STREET MATERIALS			
					** VENDOR TOTALS *	25.80		25.80		25.80			
2367 HAYSVILLE TRUE VALUE													
NOV 2012	6	I	12/11/2012	12/07/2012	MONTHLY HARDWARE SUPPLI	41.50		41.50		41.50	21		1
								21-41-2009		STREET MATERIALS			
	12	I			MONTHLY HARDWARE SUPPLI	34.90		34.90		34.90	21		1
								21-41-2012		STREET MISCELLANEOUS			
					* INVOICE TOTALS	76.40		76.40		76.40			
					** VENDOR TOTALS *	76.40		76.40		76.40			
2838 ROY JOLIVET													
NOV 2012	3	I	12/11/2012	12/05/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	11.66		11.66		11.66	21		1
								21-41-2002		STREET TELEPHONE			
					** VENDOR TOTALS *	11.66		11.66		11.66			
3230 KANSAS GAS SERVICE													
NOV 2012	6	I	12/11/2012	12/05/2012	MONTHLY GAS UTILITIES	100.74		100.74		100.74	21		1
								21-41-2003		STREET UTILITIES			
					** VENDOR TOTALS *	100.74		100.74		100.74			

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

3295 KANSAS ONE-CALL SYSTEM INC													
2110280	3 I	12/11/2012	11/30/2012	LOCATE FEES	39.66		39.66		39.66	21			1
								21-41-2040	STREET CONTRACTUAL				
				** VENDOR TOTALS *	39.66		39.66		39.66				
3440 KEY EQUIPMENT & SUPPLY CO													
221001	1 I	12/11/2012	11/07/2012	3BEARING-TAKE UP	153.74		153.74		153.74	21			1
								21-41-2006	STREET EQUIPMENT MAINTENANCE				
	2 I			FLANGE BEARING-A	95.90		95.90		95.90	21			1
								21-41-2006	STREET EQUIPMENT MAINTENANCE				
				* INVOICE TOTALS	249.64		249.64		249.64				
				** VENDOR TOTALS *	249.64		249.64		249.64				
3770 LOWES BUSINESS ACCT/GEGRB													
NOV 2012	5 I	12/11/2012	12/07/2012	MISC PLUMBING PARTS	19.89		19.89		19.89	21			1
								21-41-2009	STREET MATERIALS				
				** VENDOR TOTALS *	19.89		19.89		19.89				
4648 POORMAN AUTO SUPPLY #5													
563814	3 I	12/11/2012	10/31/2012	PRMRY WIRE	18.13		18.13		18.13	21			1
								21-41-2006	STREET EQUIPMENT MAINTENANCE				
				** VENDOR TOTALS *	18.13		18.13		18.13				
4750 PROFESSIONAL ENGINEERING													
510109	3 I	12/11/2012	11/27/2012	PROFESSIONAL SERVICES M	66.67		66.67		66.67	21			1
								21-41-2040	STREET CONTRACTUAL				
				** VENDOR TOTALS *	66.67		66.67		66.67				
5056 SEAN RINEHART													
NOV 2012	3 I	12/11/2012	12/07/2012	REIMBURSE CELL PHONE US ON CALL PERSONNEL	11.66		11.66		11.66	21			1
								21-41-2002	STREET TELEPHONE				
				** VENDOR TOTALS *	11.66		11.66		11.66				
5127 RODRIGUEZ, MIKE													
PO 11819	1 I	12/11/2012	12/07/2012	HIKE & BIKE PATH OFF MA	442.50		442.50		442.50	21			1
								21-41-2040	STREET CONTRACTUAL				
	2 I			TEAR OUT & REPLACE SIDE	772.50		772.50		772.50	21			1
								21-41-2040	STREET CONTRACTUAL				
				* INVOICE TOTALS	1215.00		1215.00		1215.00				
				** VENDOR TOTALS *	1215.00		1215.00		1215.00				
5366 SEDGWICK COUNTY HHW DEPT													
1284	3 I	12/11/2012	9/28/2012	FLOURESCENT BULB DISPOS	8.33		8.33		8.33	21			1
								21-41-2012	STREET MISCELLANEOUS				
				** VENDOR TOTALS *	8.33		8.33		8.33				
6407 WESTAR ENERGY													
NOV 2012	10 I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	826.49		826.49		826.49	21			1
								21-41-2003	STREET UTILITIES				
				** VENDOR TOTALS *	826.49		826.49		826.49				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
				STREET	10578.51		10578.51		10578.51				
				STREET FUND	10578.51		10578.51		10578.51				
SPECIAL ALCOHOL													
1372 CREATIVE PRODUCT SOURCING INC													
51592-2	1 I	12/11/2012	9/14/2012	DARE WORKBOOK 100EA	356.00		356.00		356.00	28			1
								28-48-2032	SP ALCOHOL PREVENTION/EDUC				
	2 I			SHIPPING & HANDLING	75.88		75.88		75.88	28			1
								28-48-2032	SP ALCOHOL PREVENTION/EDUC				
				* INVOICE TOTALS	431.88		431.88		431.88				
				** VENDOR TOTALS *	431.88		431.88		431.88				
				SPECIAL ALCOHOL	431.88		431.88		431.88				
				SPECIAL ALCOHOL	431.88		431.88		431.88				
RECREATION DEPARTMENT													
4520 PETTY CASH													
PO 11799	3 I	12/11/2012	12/07/2012	REIMBURSE FUND	137.00		137.00		137.00	30			1
								30-00-5077	RECREATION DEPT PROGRAMS				
	4 I			REIMBURSE FUND	50.00		50.00		50.00	30			1
								30-00-5078	RECREATION DEPT MISCELLANEOUS				
				* INVOICE TOTALS	187.00		187.00		187.00				
				** VENDOR TOTALS *	187.00		187.00		187.00				
				REVENUE FUNDS	187.00		187.00		187.00				
290 AMERI-GRAPHICS SPECIAL T'S													
5035	1 I	12/11/2012	11/26/2012	HOOPIN 2012-13 T-SHIRTS	675.80		675.80		675.80	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
				** VENDOR TOTALS *	675.80		675.80		675.80				
996 CAPITAL ONE BANK N A													
NOV 2012	10 I	12/11/2012	12/07/2012	ORIENTAL TRADING	126.00		126.00		126.00	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
	12 I			LITTLE CEASARS	10.00		10.00		10.00	30			1
								30-50-2031	RECREATION DEPT CONCESSIONS				
	19 I			AED SUPERSTORE	53.71		53.71		53.71	30			1
								30-50-2009	RECREATION DEPT MATERIALS				
	20 I			AMAZON	194.70		194.70		194.70	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
				* INVOICE TOTALS	384.41		384.41		384.41				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
** VENDOR TOTALS *					384.41		384.41		384.41				
1325 COX COMMUNICATIONS													
DEC 2012	2	I	12/11/2012	12/07/2012 CABLE TV 7106 S BROADWA	117.67		117.67		117.67	30			1
								30-50-2003	RECREATION DEPT UTILITIES				
	3	I		DATA SERVICES 7106 S BR	159.00		159.00		159.00	30			1
								30-50-2002	RECREATION DEPT TELEPHONE				
* INVOICE TOTALS					276.67		276.67		276.67				
** VENDOR TOTALS *					276.67		276.67		276.67				
2266 HASTY AWARDS													
11122406	1	I	12/11/2012	12/04/2012 NICKEL BASKETBALL MEDAL	152.90		152.90		152.90	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
	2	I		ENGRAVING CHARGE	49.50		49.50		49.50	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
	3	I		SHIPPING	9.10		9.10		9.10	30			1
								30-50-2092	RECREATION DEPT PROGRAMS				
* INVOICE TOTALS					211.50		211.50		211.50				
** VENDOR TOTALS *					211.50		211.50		211.50				
2367 HAYSVILLE TRUE VALUE													
NOV 2012	9	I	12/11/2012	12/07/2012 MONTHLY HARDWARE SUPPLI	27.95		27.95		27.95	30			1
								30-50-2012	RECREATION DEPT MISCELLANEOUS				
** VENDOR TOTALS *					27.95		27.95		27.95				
2370 HAYSVILLE USD 261													
103 2012	1	I	12/11/2012	12/05/2012 SOS DAY 10-12-2012	56.82		56.82		56.82	30			1
								30-50-2094	RECREATION DEPT LATCHKEY PROG				
	2	I		SOS DAY 10-18-2012	123.67		123.67		123.67	30			1
								30-50-2094	RECREATION DEPT LATCHKEY PROG				
* INVOICE TOTALS					180.49		180.49		180.49				
** VENDOR TOTALS *					180.49		180.49		180.49				
2560 HUBER MAINTENANCE SUPPLY													
21382	1	I	12/11/2012	11/27/2012 BUCKEYE TERMINATOR 255	139.90		139.90		139.90	30			1
								30-50-2009	RECREATION DEPT MATERIALS				
	2	I		BUCKEYE GLASS CLEANER 5	48.50		48.50		48.50	30			1
								30-50-2009	RECREATION DEPT MATERIALS				
* INVOICE TOTALS					188.40		188.40		188.40				
** VENDOR TOTALS *					188.40		188.40		188.40				
2679 INTEGRATED TECHNOLOGIES													
8184	1	I	12/11/2012	11/28/2012 SONICWALL 3 YEAR WARRANT	405.00		405.00		405.00	30			1
								30-50-2004	RECREATION DEPT OFFICE EXPENSE				
** VENDOR TOTALS *					405.00		405.00		405.00				
3230 KANSAS GAS SERVICE													
NOV 2012	7	I	12/11/2012	12/05/2012 MONTHLY GAS UTILITIES	213.86		213.86		213.86	30			1
								30-50-2003	RECREATION DEPT UTILITIES				
** VENDOR TOTALS *					213.86		213.86		213.86				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

3770 LOWES BUSINESS ACCT/GECRB													
NOV 2012	2	I	12/11/2012	12/07/2012	LONG HANDLE FAN	11.38		11.38	11.38	30			1
								30-50-2009					RECREATION DEPT MATERIALS
					** VENDOR TOTALS *	11.38		11.38	11.38				
4348 NEW MARKET HEALTH CARE LLC													
177771	1	I	12/11/2012	11/30/2012	TRACY SHAFFER UDS/BAT	47.50		47.50	47.50	30			1
								30-50-2094					RECREATION DEPT LATCHKEY PROG
178619	1	I	12/11/2012	11/30/2012	TRINA DANIELS UDS/BAT	47.50		47.50	47.50	30			1
								30-50-2094					RECREATION DEPT LATCHKEY PROG
					** VENDOR TOTALS *	95.00		95.00	95.00				
5231 SAM'S CLUB / GECRB													
NOV 2012	3	I	12/11/2012	12/07/2012	MISC GROCERIES	19.88		19.88	19.88	30			1
								30-50-2012					RECREATION DEPT MISCELLANEOUS
	5	I			MISC SUPPLIES	133.02		133.02	133.02	30			1
								30-50-2009					RECREATION DEPT MATERIALS
	6	I			LATCHKEY	702.38		702.38	702.38	30			1
								30-50-2094					RECREATION DEPT LATCHKEY PROG
					* INVOICE TOTALS	855.28		855.28	855.28				
					** VENDOR TOTALS *	855.28		855.28	855.28				
5381 SEDGWICK COUNTY TREASURER													
2012 TAXES	5	I	12/11/2012	12/07/2012	REAL ESTATE TAXES & FEE	5.46		5.46	5.46	30			1
								30-50-2012					RECREATION DEPT MISCELLANEOUS
					** VENDOR TOTALS *	5.46		5.46	5.46				
5430 SHERWIN-WILLIAMS COMPANY													
2857-7	1	I	12/11/2012	11/27/2012	5 GAL PERFECT GREIGE	139.45		139.45	139.45	30			1
								30-50-2025					RECREATION DEPT BLDG MAINT
					** VENDOR TOTALS *	139.45		139.45	139.45				
6407 WESTAR ENERGY													
NOV 2012	11	I	12/11/2012	12/07/2012	MONTHLY ELECTRIC UTILIT	980.09		980.09	980.09	30			1
								30-50-2003					RECREATION DEPT UTILITIES
	12	I			MONTHLY ELECTRIC UTILIT	64.77		64.77	64.77	30			1
								30-50-3065					RECREATION DEPT P-C UTILITIES
					* INVOICE TOTALS	1044.86		1044.86	1044.86				
					** VENDOR TOTALS *	1044.86		1044.86	1044.86				
					RECREATION DEPART	4715.51		4715.51	4715.51				
					RECREATION DEPART	4902.51		4902.51	4902.51				
HAYSVILLE HISTORICAL FUND													
565 AWARDS FACTORY INC													
12-3611	1	I	12/11/2012	11/20/2012	METAL PLATE	18.50		18.50	18.50	32			1
								32-52-2012					HY HISTORIC MISCELLANEOUS EXP
					** VENDOR TOTALS *	18.50		18.50	18.50				

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHK	SQ	CK

				996 CAPITAL ONE BANK N A										
NOV 2012	11	I	12/11/2012	12/07/2012 ORIENTAL TRADING	327.74		327.74		327.74	32				1
								32-52-2012	HY HISTORIC MISCELLANEOUS EXP					
				** VENDOR TOTALS *	327.74		327.74		327.74					

				2320 HAYSVILLE FLORIST										
806636	1	I	12/11/2012	11/29/2012 CHRISTMAS GARLAND	50.00		50.00		50.00	32				1
								32-52-2012	HY HISTORIC MISCELLANEOUS EXP					
				** VENDOR TOTALS *	50.00		50.00		50.00					

				4520 PETTY CASH										
PO 11799	7	I	12/11/2012	12/07/2012 REIMBURSE FUND	54.32		54.32		54.32	32				1
								32-52-2012	HY HISTORIC MISCELLANEOUS EXP					
				** VENDOR TOTALS *	54.32		54.32		54.32					

				5231 SAM'S CLUB / GECRB										
NOV 2012	4	I	12/11/2012	12/07/2012 MISC COOKING MATERIALS	197.57		197.57		197.57	32				1
								32-52-2012	HY HISTORIC MISCELLANEOUS EXP					
				** VENDOR TOTALS *	197.57		197.57		197.57					
				HAYSVILLE HISTORI	648.13		648.13		648.13					
				HAYSVILLE HISTORI	648.13		648.13		648.13					

CAPITAL IMPROVEMENTS														

				1316 CORNEJO & SONS INC										
EST4 MA	1	I	12/11/2012	12/07/2012 MAYNARD AVE PAVING IMPR	20434.15		20434.15		20434.15	36				2
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
				** VENDOR TOTALS *	20434.15		20434.15		20434.15					

				4885 ROBERT J JIMENEZ										
857	1	I	12/11/2012	12/04/2012 SINGLE ZONE PAGING UNIT	355.00		355.00		355.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
	2	I		8" 24V AMPLIFIED SPEAKE	590.00		590.00		590.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
	3	I		PAGING RELAY FOR 600OHM	50.00		50.00		50.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
	4	I		LABOR TO INTALL & PROGR	375.00		375.00		375.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
	5	I		TRIP CHARGE	15.00		15.00		15.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
				* INVOICE TOTALS	1385.00		1385.00		1385.00					
				** VENDOR TOTALS *	1385.00		1385.00		1385.00					

				5320 SECURITY 1ST TITLE LLC										
PO 11822	1	I	12/11/2012	12/07/2012 M & D ANDERSON, 520 CAL	2500.00		2500.00		2500.00	36				1
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
PO 11823	1	I	12/11/2012	12/07/2012 A MEDLAM, 270 TIMBER CR	2500.00		2500.00		2500.00	36				2
								36-56-3001	CAP IMPR MISCELLANEOUS PROJECT					
PO 11824	1	I	12/11/2012	12/07/2012 D SNYDER, 817 W 4TH	1000.00		1000.00		1000.00	36				3

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ
					36-56-3001		CAP IMPR MISCELLANEOUS PROJECT						
** VENDOR TOTALS *					6000.00		6000.00		6000.00				
5381 SEDGWICK COUNTY TREASURER													
2012 TAXES 4 I		12/11/2012	12/07/2012	REAL ESTATE TAXES & FEE	584.97		584.97		584.97	36			1
					36-56-3001		CAP IMPR MISCELLANEOUS PROJECT						
** VENDOR TOTALS *					584.97		584.97		584.97				
CAPITAL IMPROVEME					28404.12		28404.12		28404.12				
CAPITAL IMPROVEME					28404.12		28404.12		28404.12				
SPECIAL PARK IMPR RESERVE													
2367 HAYSVILLE TRUE VALUE													
NOV 2012 8 I		12/11/2012	12/07/2012	MONTHLY HARDWARE SUPPLI	7.99		7.99		7.99	51			1
					51-66-3005		SP PARK IMPR RES FIREWORKS EXP						
** VENDOR TOTALS *					7.99		7.99		7.99				
5231 SAM'S CLUB / GEGRB													
NOV 2012 2 I		12/11/2012	12/07/2012	CHRISTMAS LIGHTS	599.40		599.40		599.40	51			1
					51-66-3005		SP PARK IMPR RES FIREWORKS EXP						
** VENDOR TOTALS *					599.40		599.40		599.40				
RESERVE/PROJECT F					607.39		607.39		607.39				
SPECIAL PARK IMPR					607.39		607.39		607.39				
TN 2012 COUNTRY PLAZA VIL													
1316 CORNEJO & SONS INC													
EST3 CP 1 I		12/11/2012	12/07/2012	PAVING IMPROVEMENTS	31626.72		31626.72		31626.72	94			1
					94-66-3001		TN 2012 COUNTRY PLAZA VILLAS						
** VENDOR TOTALS *					31626.72		31626.72		31626.72				
RESERVE/PROJECT F					31626.72		31626.72		31626.72				
TN 2012 COUNTRY P					31626.72		31626.72		31626.72				
BANK TOTALS					165000.70		165000.70		165000.70				
TOTAL MANUAL CHECKS									.00				
TOTAL E-PAYMENTS									.00				
TOTAL PURCH CARDS									.00				
TOTAL OPEN PAYMENTS									165000.70				
GRAND TOTALS					165000.70		165000.70		165000.70				

VENDOR NO NAME	PAYMENT AMT
6030 UNITED STATES POSTAL SERV	1,080.00
	=====
REPORT TOTAL	1,080.00

FUND	NAME	TOTAL
10	SEWER FUND	360.00
11	WATER FUND	720.00
		=====
	TOTAL	1,080.00

INVOICE#/LN	TY	DUE DATE	INV DATE	REFERENCE	GROSS	DISCOUNT	NET	DISCOUNT TAKEN	PAYMENT AMOUNT	DIST	MAN	CHCK	CK SQ

INTRUST													
SEWER FUND													
6030 UNITED STATES POSTAL SERVICE													
NOV 2012	1	I	11/29/2012	11/27/2012	PAYMENT ON PERMIT #1	360.00		360.00	360.00	10			1
								10-30-2011	SEWER POSTAGE				
					** VENDOR TOTALS *	360.00		360.00	360.00				
					SEWER	360.00		360.00	360.00				
					SEWER FUND	360.00		360.00	360.00				
WATER FUND													
6030 UNITED STATES POSTAL SERVICE													
NOV 2012	2	I	11/29/2012	11/27/2012	PAYMENT ON PERMIT #1	720.00		720.00	720.00	11			1
								11-31-2011	WATER POSTAGE				
					** VENDOR TOTALS *	720.00		720.00	720.00				
					WATER	720.00		720.00	720.00				
					WATER FUND	720.00		720.00	720.00				
					BANK TOTALS	1080.00		1080.00	1080.00				
					TOTAL MANUAL CHECKS				.00				
					TOTAL E-PAYMENTS				.00				
					TOTAL PURCH CARDS				.00				
					TOTAL OPEN PAYMENTS				1080.00				
					GRAND TOTALS	1080.00		1080.00	1080.00				

NOVEMBER TRANSFERS

TRANSFER TO:	DESCRIPTION	FUND	AMOUNT	TOTAL
Capital Improvements	Transfer 1/2 Sales/Use Tax/October Collection	General Fund	63,231.80	63,231.80
General - Office Rent	Transfer for November 2012	Wastewater Water	150.00 150.00	300.00
W/W Revenue Bond Debt Service	Transfer for November 2012	Wastewater	32,980.42	32,980.42
W/W G.O. Bond Debt Service Fund	Transfer for November 2012	Wastewater	5,343.04	5,343.04
General	Transfer Employee Benefits - November 2012	Wastewater	6,677.13	6,677.13
General	Transfer Employee Benefits - November 2012	Water	9,456.27	9,456.27
General	Transfer Employee Benefits - November 2012	Street	4,832.87	4,832.87
General	Transfer Employee Benefits - November 2012	Stormwater	722.11	722.11



CITY OF HAYSVILLE

ACTION REQUEST FORM

To: Deputy Administrative Officer

Date: 11/15/12

Address of Request: Library

(please complete a separate form for each property)

The following action is being requested:

Please see about having the Library post their meeting agendas and minutes on either their website or ours. At least maybe we could have their minutes included in our Council packets. Also Please see about having monthly or quarterly financial updates provided to Council. (Revenue, and expense vs:budgeted expense.) similar to what the City does monthly)

Please:

Check into this

Contact me to discuss this

further by phone or email (circle one)

Get me information regarding this

Other

Submitted By:

Name: Keith Pierce

Phone #: 522-5422

Email kapierce55@yahoo.com

FIRST RESPONSE:

Remarks from staff:

Betty Cattrell will take the request to the next library board meeting.

-Will Black

Signature:

Date: 11/16/12

UPDATE:

Remarks from staff

The Library Board briefly discussed the matter at their last meeting. They should make a decision at their December 27th meeting.

-Will Black

Signature:

Date: 12/7/12

No Supporting Documents