

# 2015

## **CODE**

### **OF THE**

# **CITY OF ST. FRANCIS**

## **KANSAS**

Published Under the Authority and by the Direction of  
The Governing Body of the City of St. Francis, Kansas,  
This 14<sup>th</sup> day of December, 2015.

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A Codification of the General Ordinances  
Of the  
City of St. Francis, Kansas

**ROSTER OF CITY OFFICIALS  
CITY OF ST. FRANCIS**

**GOVERNING BODY**

**Mayor**

Scott Schultz

**Councilmembers**

Roger Jensen

Paula Keller

Carla Lampe

Amanda Milne

Bruce Swihart

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**Administrative Officials**

Lila L. Whitmore  
City Clerk

Michael J. Day  
City Attorney

Jennifer Blair  
City Treasurer

Robert Van Allen  
Municipal Judge

Dan Blair  
Fire Chief

JR Landenberger  
City Superintendent

Shane Guggenmos  
Chief of Police

## PREFACE

This volume contains the Code of the City of St. Francis, Kansas, 2015. As expressed in the adopted ordinance, the code supercedes all ordinances passed prior to December 14, 2015, which are not included herein or recognized as continuing in force by reference thereto. The code was prepared by St. Francis city officials under the authority of Sections 12-3014:3015 of the Kansas Statutes Annotated. Materials prepared by the staff of the League of Kansas Municipalities were utilized extensively.

This code is arranged in chapters, articles, and sections in a manner similar to the Kansas Statutes Annotated arrangement.

Any section of this code may be amended or repealed by ordinary ordinance by reference to the code section number as follows:

“Section 1-105 of the Code of the City of St. Francis is hereby amended to read as follows: (the new provision shall then be set out in full).”

All sections or articles or chapters to be repealed shall be repealed by specific reference as follows:

“Section 1-105 (or article or chapter) of the Code of the City of St. Francis is hereby repealed.”

The user’s attention is directed to the League of Kansas Municipalities publication, ***Handbook for the City Governing Body***, with the supplement for cities of the third class, both as a source of general information and as an index to the pertinent sections of the Kansas Statutes Annotated.

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

PREPARED AND PUBLISHED BY  
THE CITY OF ST. FRANCIS, KANSAS

**ORDINANCE NO. 600**

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

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. FRANCIS:

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

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

Passed and Approved by the Governing Body this 26<sup>th</sup> day of October, 2015.

/s/ SCOTT SCHULTZ, Mayor  
City of St. Francis, Kansas

ATTEST:

/s/ LILA L. WHITMORE, City Clerk  
City of St. Francis, Kansas

## **ORDINANCE NO. 601**

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF ST. FRANCIS, KANSAS, AUTHORIZED BY ORDINANCE NUMBER 600 PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. FRANCIS, KANSAS:

Section 1. The codification of ordinances of the City of St. Francis, Kansas, authorized by Ordinance No. 600 and K.S.A. 12-3014 and 12-3015, as set out in the following chapters, Chapters 1 to XVI and Appendices A and B, all inclusive, and entitled the "Code of the City of St. Francis, Kansas, 2015," is hereby adopted and ordained as the "Code of the City of St. Francis, Kansas, 2015," and said codification shall become effective upon publication of no fewer than 10 copies of said code in book form.

Section 2. All ordinances and parts of ordinances of a general nature passed prior to December 14, 2015, in force and effect at the date of the publication of no fewer than 10 copies of the "Code of the City of St. Francis, Kansas, 2015," and this ordinance, are hereby repealed as of the date of publication of said code except as hereinafter provided.

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

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

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

Section 4. The arrangement and classification of the several chapters, articles, and sections of the code adopted by Section 1 of this ordinance and the headnotes and footnotes at the ends of the sections, are made for the purpose and convenience and orderly arrangement,

and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

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

Section 6. If for any reason any chapter, article, section, subsection, sentence, portion or part of the "Code of St. Francis, Kansas, 2015," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this code.

Section 7. This ordinance shall take effect and be in force from and after the publication of the "Code of the City of St. Francis, Kansas, 2015," as provided in K.S.A. 12-3015.

Passed by the Governing Body of the City of St. Francis, Kansas, this 14<sup>th</sup> day of December, 2015.

/s/ SCOTT SCHULTZ, Mayor  
City of St. Francis, Kansas

ATTEST:

/s/ LILA L. WHITMORE, City Clerk  
City of St. Francis, Kansas

**CERTIFICATE OF THE CITY CLERK**

Office of the City Clerk  
City of St. Francis, Kansas

State of Kansas        )  
                                  )  
Cheyenne County        )

I, Lila L. Whitmore, City Clerk of the City of St. Francis, Cheyenne County, Kansas, do hereby certify that said city is a city of the third class of the mayor-council form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by Ordinance Number and in accordance therewith is entitled "Code of the City of St. Francis, Kansas, 2015," that said codification was adopted as the "Code of the City of St. Francis, Kansas, 2015," by the governing body by Ordinance No. 600 passed on the 26<sup>th</sup> day of October, 2015, as authorized by Section 12-3015 of the Kansas Statutes Annotated; that said Ordinance No. 600 and said codification of general ordinances as contained in this volume will take effect upon the publication of 10 or more copies; that the publication of 10 copies of this code and adoptive Ordinance No. 600 constitute due passage of this code and all general ordinances contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by 12-3015 of the Kansas Statutes Annotated.

I further certify that the "Code of the City of St. Francis, Kansas, 2015," and the matter therein contained will take effect upon publication and be in force from and after December 14, 2015.

Witness my hand and the seal of the City of St. Francis, Kansas, at my office in St. Francis, Kansas, this 14<sup>th</sup> day of December, 2015.

/s/ Lila L. Whitmore, City Clerk  
City of St. Francis, Kansas

(SEAL)

## COMPARATIVE TABLE OF ORDINANCES

This table shows the location within this code of all ordinances of a general nature passed prior to July 1, 1994.

<u>Ordinance</u>	<u>Section</u>
385	14-202
387	15-212A
394	Appendix B
395	13-201, 205A:205B
396	1-313
397	Appendix B
407	Appendix B
410	3-401:402
415	1-402
421	5-101:102
422	15-402A, 403A:403G 406A, 426:429
423	15-225:247
424	3-101, 3-201:213,215:219
426	15-102:103,222:223
427	15-215
428	15-301
433	12-401:417
435	7-101:111
436	2-209
441	12-301:306
442	4-601:614
443	8-301:313, 15-523
445	1-209
446	1-201A
447	14-102:103
450	15-302
451	8-401:407
452	9-111
453	15-511A
454	2-301
456	13-501:506
458	15-221
C.O. No. 1	6-103, Appendix A
C.O. No. 1	9-102,111, Appendix A
C.O. No. 2	Appendix A
C.O. No. 3	Appendix A
C.O. No. 4	Appendix A
C.O. No. 5	6-105, Appendix A



## COMPARATIVE TABLE OF ORDINANCES

This table shows the location within this code of all ordinances of a general nature passed after July 1, 1994.

<b><u>Ordinance</u></b>	<b><u>Section</u></b>	<b><u>Date</u></b>
459	Approval of Employee Deferred Comp. Plan	01-04-1994
460	Codification of Ordinance	07-05-1994
461	Repeal of Ord. 445 Compensation for Mayor/Council	07-19-1994
462	8-701 to 8-712	08-02-1994
463	15-106A	09-20-1994
464	3-206	11-08-1994
465	14-501 to 14-505	05-02-1995
466	15-511	06-20-1995
467	7-303 & 7-305	08-08-1995
468	7-204A	07-18-1995
469	11-101	09-19-1995
470	14-101	09-19-1995
471	13-601 to 13-605	02-06-1996
472	15-523	11-07-1995
473	13-701 to 13-707	02-06-1996
474	15-222	04-02-1996
475	4-902	05-07-1996
476	Franchise Agreement-KN Energy	08-30-1996
477	13-206A	08-06-1996
478	15-221	09-15-1996
479	15-428 (now 15-427)	09-03-1996
480	11-101	10-08-1996
481	14-101	10-08-1996
482	9-111	11-19-1996
483	15-504, 15-505, 15-511A, 15-523	02-18-1997
484	4-402	03-18-1997
485	1-201A	03-18-1997
486	7-401 to 7-411	07-08-1997
487	11-301	09-02-1997
488	11-401	09-02-1997
489	14-601 & 14-602	09-02-1997
490	2-116	09-02-1997
491	4-216 & 4-217	01-20-1998
492	11-101	02-17-1998
493	14-101	02-17-1998
494	9-111	07-07-1998
495	3-220	07-07-1998
496	11-101	07-01-1999
497	14-101	07-21-1998

**COMPARATIVE TABLE OF ORDINANCES**  
**PASSED AFTER JULY 1, 1994**  
**CONTINUED**

<b><u>Ordinance</u></b>	<b><u>Section</u></b>	<b><u>Date</u></b>
498	11-101	11-01-1999
499 (Repealed)	Franchise Agreement Universal Cable Holdings, Inc.	06-22-1999
499A	14-101	11-01-1999
500	7-304	07-18-2000
501	11-101	08-08-2000
502	14-101	08-08-2000
503	Did not pass	
504	9-111	09-19-2000
505	15-221	03-20-2001
506	15-428 (now 15-427)	03-20-2001
507	4-1101 to 4-1104	04-03-2001
508	3-401 to 3-404	05-22-2001
509	11-101	07-17-2001
510	14-101	07-17-2001
511	15-514 & 15-514A	01-22-2002
512	11-101	09-03-2002
513	14-101	09-03-2002
514	15-428 (now 15-427)	09-16-2002
515	15-701 to 15-705	09-24-2002
516	Water Treatment Project	12-17-2002
517	5-107(e)	03-10-2003
518	Codification of Code Book	06-17-2003
519	11-101	11-04-2003
520	14-101	11-04-2003
521	Adoption of Codification	12-16-2003
C.O. VI	Appendix A	06-20-1995
C.O. 2002-1	Appendix A	04-02-2002

## COMPARATIVE TABLE OF ORDINANCES

This table shows the location within this code of all ordinances of a general nature passed after December 16, 2003.

<u>Ordinance</u>	<u>Section</u>	<u>Date</u>
522	Art. 12-501 <i>et seq</i>	01-06-2004
523	11-101	08-03-2004
524	14-101	08-03-2004
525	15-221	09-07-2004
526	15-523	09-07-2004
527	15-105	10-05-2004
528	Budget Levy, Appendix C	12-07-2004
529	Wastewater Treatment Loan Appendix C	06-21-2005
530	11-101	07-19-2005
531	14-101	07-19-2005
532	15-301	12-20-2005
533	15-105A	01-17-2006
534	4-1401	03-21-2006
535	Budget Levy, Appendix C	07-18-2006
536	9-111	08-08-2006
537	12-1A02	08-22-2006
538	11-101	11-07-2006
539	14-101	11-07-2006
540	13-501	03-06-2007
541	14-501	06-19-2007
542	Budget Levy, Appendix C	08-07-2007
543	11-101	08-07-2007
544	14-101	08-07-2007
545	15-221	08-21-2007
546	15-523	08-21-2007
547	15-301	08-21-2007
548	114.1, 114.2	09-18-2007
550	15-212	05-06-2008
551	Budget Levy, Appendix C	08-05-2008
552	11-101	08-05-2008
553	14-101	08-05-2008
554	1-204	09-02-2008
555	14-205	01-20-2009
556	1-203	01-20-2009
557	15-221	02-23-2009
558	15-523	02-23-2009
559	15-301	02-23-2009
560	Chapter 14, ATV	07-13-2009
561	5-405	07-27-2009
562	11-101	08-10-2009

**COMPARATIVE TABLE OF ORDINANCES**  
**PASSED AFTER DECEMBER 16, 2003**  
**CONTINUED**

<b><u>Ordinance</u></b>	<b><u>Section</u></b>	<b><u>Date</u></b>
563	14-101	08-10-2009
564	Budget Levy, Appendix C	08-10-2009
565	14-101, STO Amendment	02-22-2010
566	7-303	05-10-2010
567	3-302	07-12-2010
568	11-101	08-09-2010
569	14-101	08-09-2010
570	15-221	10-25-2010
571	15-523	10-25-2010
572	15-301	10-25-2010
573	15-427	10-25-2010
574	4-213	02-28-2011
575	15-215	05-09-2011
576	15-222	05-09-2011
577	4-1201, 04, 05	05-23-2011
578	11-101	07-25-2011
579	14-101	07-25-2011
580	3-221	09-26-2011
581	15-221	12-29-2011
582	15-523	12-29-2011
583	15-427	12-29-2011
584	15-301	05-14-2012
585	Flood Plain Management Chapter 4, Article 15	08-27-2012
586	11-101	07-30-2012
587	14-101	07-30-2012
588	11-101	08-12-2013
589	14-101	08-12-2013
590	15-110	12-23-2013
591	2-107A	04-28-2014
593	11-101	09-08-2014
594	14-101	09-08-2014
595	15-601	10-27-2014
596	16-302A	11-24-2014
597	15-502A, B	08-24-2015
598	11-101	08-24-2015
599	14-101	08-24-2015
600	Codification of Code Book	10-26-2015
601	Adoption of Codification	12-14-2015



