
AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Joshua Gentzler
DATE: May 7, 2024
SUBJECT: Ordinance No. 1112 – Amending City Code Section 8-306.

Overview: City Code Section 8-306 establishes the procedures for “Notice of violations; abatement; immediate hazard.” Currently, the code refers to K.S.A. 60-303(c) which specifically allows return receipt delivery (certified mail) to service notice of violations. The Code Enforcement division is currently limited in its ways of service and has proposed to expand the options available to be able to serve residents their notice of violations.

Staff is proposing to amend Section 8-306 A.4. to allow all methods allowed by K.S.A. 60-303, including return receipt delivery and personal and residence service.

Policy Consideration: Paragraph A.4. of Section 8-306 have been amended to reflect the full text of K.S.A. 60-303

Financial Consideration: n/a

Action: A motion to approve and adopt Ordinance 1112, An Ordinance Amending City Code Section 8-306 Authorizing Personal Service of Notice of Violations.

ORDINANCE NO. 1112

AN ORDINANCE AMENDING CITY CODE SECTION 8-306 AUTHORIZING PERSONAL SERVICE OF NOTICE OF VIOLATIONS.

BE IT ORDAINED BY THE GOVERNMENT BODY OF THE CITY OF LANSING

SECTION 1. Chapter 8, Article 3, Section 306, Paragraph A. of the code of the City of Lansing, is hereby amended to read as follows:

Sec. 8-306 Notice of violations; abatement; immediate hazard.

4. Be addressed to and served upon the owner and/or occupant of the premises. Notice shall be deemed properly served in a manner as described in K.S.A. 60-303. If the notice is returned with an endorsement showing refusal to accept delivery then the notice may be sent by first-class mail addressed to the party to be served. If mailed, service shall be considered obtained three days after the mailing by first-class mail, postage prepaid, which shall be evidenced by a certificate of service. Mere failure to claim return receipt delivery is not refusal of service within the meaning of this subsection. If notice of violation cannot be served, service may be obtained by notice of publication by at least one publication in the official newspaper of the City of Lansing. Such publication shall contain the conditions and reason of said notice.

SECTION 2. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

PASSED AND APPROVED by the governing body of the city of Lansing, Kansas, this 16th day of May, 2024.

Anthony R. McNeill, Mayor

ATTEST

Tish Sims, City Clerk

(SEAL)

Publication Date: _____

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