

ORDINANCE NO. 1089

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING CHAPTER 4, ARTICLE VII – FENCES, SECTION 701 – PERMIT REQUIRED; FEE AND SECTION 705 – RESIDENTIAL FENCES; STANDARDS OF THE CODE OF THE CITY OF LANSING, KANSAS, 2022 EDITION, AND AMENDMENTS THERETO.

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

SECTION 1.

Chapter 4, Article VII - Fences, Section 701 – Permit Required; Fee and Section 705 – Residential Fences; Standards of the Code of the City of Lansing, Kansas, 2022 Edition, shall be amended to read as follows:

Sec. 4-701. – Permit required; fee.

It shall be unlawful for any person to erect or install anywhere in the City fencing without first obtaining a permit from the Community & Economic Development Department. Applications for permits that contain unusual requests or involve disputes of property lines shall be referred to the governing body for approval prior to a permit being issued. A site plan showing the property lines, any improvements on the lot, and the proposed fence location shall be submitted with the permit application. Prior to review and processing of the application by the Community & Economic Development Department, the applicant shall locate or have located – and marked with a lathe or pin flag – all property corner pins for the lot, the proposed location of each end post and corner post, and the proposed location of any fence to be built on a curve. Once the locations noted above have been located and clearly marked, the applicant shall notify the Community & Economic Development Department for an on-site inspection. No post or fence installation may proceed prior to inspection, approval, payment, and processing of the permit. Approval of the permit is contingent upon the field review finding that the proposed fence location complies with all regulations, and that other requirements of this article are met. Providing that all requirements are met during the application process, a field review will be made within 2 business days of the notification that the property lines and proposed fence location has been marked per these requirements.

Permit fee for fence installation shall be listed in the Schedule of Fees.

Sec. 4-705 – Residential Fences; standards.

- A. No fence shall be constructed in, or within 12 inches of, City owned Right-of-Way without the express permission of the City Council.
- B. All fences shall remain 12 inches off property lines unless written permission of the adjacent property owners to install the fence on the property lines is provided with the fence permit application.
- C. Front yard:

1. No solid fence shall be constructed or reconstructed beyond the front building line of residential property.
 2. Open fences may be constructed in the front yard but shall not exceed 48 inches in height above the natural contour of the ground.
- D. Side or rear yards:
1. No solid or open fence located in a side or rear yard of residential property shall be constructed to a height greater than 72 inches above the natural contour of the ground.

SECTION 2. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 3. 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 15th day of September, 2022.

Anthony R. McNeill, Mayor

ATTEST

Tish Sims, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1089: An Ordinance of the City of Lansing, Kansas, amending Chapter 4, Article VII – Fences, Section 701 – Permit Required; Fee and Section 705 – Residential Fences; Standards of the code of the City of Lansing, Kansas, 2022 Edition, and amendments thereto.

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1089 Summary:

On September 15, 2022, the City of Lansing, Kansas, adopted Ordinance No. 1089, an ordinance of the City of Lansing, Kansas, amending Chapter 4, Article VII – Fences, Section 701 – Permit Required; Fee and Section 705 – Residential Fences; Standards of the code of the City of Lansing, Kansas, 2022 Edition and amendments thereto. A complete copy of this ordinance is available at www.lansingks.org or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: September 15, 2022

Gregory C. Robinson, City Attorney