
AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Sarah Bodensteiner, City Clerk
DATE: December 21, 2021
SUBJECT: Ordinance No. 1078 – Codification of Ordinances

This ordinance codifies any changes and ordinances passed since the last codification ordinance. By adopting this ordinance, the City Code will be codified with these changes. A summary of changes has been included with this agenda item.

Action: Staff recommends a motion to adopt Ordinance No. 1078.

AGENDA ITEM

SUMMARY OF CODE UPDATES:

All of the following have been incorporated into the City Code and will be codified once the ordinance is passed and approved.

❖ Chapter 3 Beverages:

3-105, 3-218C2, 3-219, 3-304 – Revised regulations for Sunday Sales of Alcoholic Liquor and CMB per Ordinance No. 1068, passed and approved 8/19/2021.

❖ Chapter 8 Health and Welfare:

8-601 thru 8-604 (Removed) – Mask Ordinance Repeal 1060, passed and approved 4/1/2021.

❖ Chapter 12. Public Offenses:

12-101 – Incorporated 2021 Uniform Public Offense Code per Ordinance No. 1071, passed and approved 9/2/2021.

❖ Chapter 15. Traffic:

15-101 thru 15-104 – Incorporated 2021 Standard Traffic Ordinances per Ordinance No. 1070, passed and approved 9/2/2021.

ORDINANCE NO. 1078

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF LANSING, KANSAS, AUTHORIZED BY ORDINANCE NO. 272 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 Lansing, Kansas:

SECTION 1. The codification of ordinances of the City of Lansing, Kansas, authorized by Ordinance No. 272 and K.S.A. 12-3014 and 12-3015, as set out in the following chapters, Chapters 1 to 17 and Appendices A and B all inclusive, and entitled the "Code of the City of Lansing, Kansas, 2022," is hereby adopted and ordained as the "Code of the City of Lansing, Kansas, 2022," and said codification shall become effective upon publication of no fewer than 3 copies of said code in book form.

SECTION 2. All ordinances and parts of ordinances of a general nature passed prior to the publication date of this ordinance are hereby repealed as of the date of publication of said code except as hereinafter provided.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 be 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 head notes and footnotes at the ends of the sections, are made for the purpose of 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 affect 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 therefor.

SECTION 6. If for any reason any chapter, article, section, subsection, sentence, portion or part of the "Code of the City of Lansing, Kansas, 2022," 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 Lansing, Kansas, 2022," as provided in K.S.A. 12-3015.

PASSED AND APPROVED by the Governing Body of the City of Lansing, County of Leavenworth, State of Kansas, this 6th day of January 2022.

{SEAL}

Anthony R. McNeill, Mayor

Attest:

Sarah Bodensteiner, CMC, City Clerk

APPROVED AS TO FORM:

Gregory Robinson, City Attorney

Published: *Leavenworth Times*
Date Published:

CITY OF LANSING

FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1078: An Ordinance Adopting the Codification of Ordinances of the City of Lansing, Kansas, Authorized by Ordinance No. 272 Providing for the Repeal of Certain Other Ordinances Not Included Therein, Excepting Certain Ordinances from Repeal and Saving Certain Accrued Rights and Liabilities.

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. 1078 Summary:

On January 6, 2022, the City of Lansing, Kansas, adopted Ordinance No. 1078, adopting the Codification of Ordinances of the City of Lansing, Kansas. 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 Robinson, City Attorney.

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

DATED: January 6, 2022.

Gregory Robinson, City Attorney