

WESTWOOD CITY COUNCIL
MARCH 12, 2026
COMMENTS OF BEN W. HOBERT

MAYOR WATERS AND COUNCIL MEMBERS, MY NAME IS BEN HOBERT AND I AM A RESIDENT OF WESTWOOD HILLS.

YOUR AGENDA ITEM IX.A FALSELY CLAIMS: "CONSIDER ADOPTING RESOLUTION 152-2026 TO ESTABLISH THE LEGAL RECORD AS THE OFFICIAL NEWSPAPER."

YOUR RESOLUTION, YOUR COUNCIL ACTION FORM AND YOUR CHARTER ORDINANCE NO. 20 ALL INDICATE THAT THE CITY OF WESTWOOD'S WEBSITE WILL BE THE OFFICIAL CITY NEWSPAPER **NOT THE LEGAL RECORD.**

I HAVE ATTACHED COPIES OF YOUR AGENDA WITH THE FALSE STATEMENT. I ALSO ATTACH COPIES OF YOUR CHARTER ORDINANCE NO. 20 AND RESOLUTION NO. 152-2026 WITH THE RELEVANT LANGUAGE HIGHLIGHTED.

TO FURTHER CONFUSE MATTERS, YOUR RESOLUTION THEN USES THE TERM OF ART "OFFICIAL CITY NEWSPAPER" IN SECTION 2 IN A CONTEXT IN WHICH IT DOES NOT APPLY. SECTION 2 REFERS TO NOTICES WHICH UNDER STATE LAW, REQUIRE PRINT PUBLICATION IN A NEWSPAPER PUBLISHED WEEKLY OR DAILY WITH A GENERAL CIRCULATION IN THE COUNTY. THIS IS CLEAR IN BOTH STATUTES REFERENCED, K.S.A. 79-2929 RELATED TO PROPOSED BUDGETS AND K.S.A. 60-307(d) IN ACTIONS INVOLVING PROPERTY WHICH ARE ATTACHED. BOTH STATUTES REFER TO NEWSPAPERS PUBLISHED IN THE COUNTY. **NEITHER STATUTE USES THE TERM OFFICIAL CITY NEWSPAPER.**

YOUR RESOLUTION IS INCONSISTENT WITH YOUR CHARTER ORDINANCE, IS DECEITFUL AND, LIKELY, IS NULL AND VOID.

YOU CAN'T HAVE TWO OFFICIAL CITY NEWSPAPERS, EVEN IF ONE IS LIMITED IN THE SCOPE OF ITS APPLICATION.

RESOLUTION 152-2026 SHOULD NOT BE ADOPTED IN ITS CURRENT FORM. IT SHOULD BE CORRECTED TO ELIMINATE THE REFERENCE TO "OFFICIAL CITY NEWSPAPER" IN SECTION 2. INSTEAD, THE REFERENCE SHOULD BE TO "THE NEWSPAPER OF RECORD AS REQUIRED BY STATE STATUTES."

THESE ERRORS ARE EITHER: (1) GROSS NEGLIGENCE OR (2) ARE CALCULATED TO CONFUSE YOUR CITIZENS REGARDING WHICH FORM OF NOTICE IS REQUIRED AND WHICH WEBSITE OR PUBLICATION CITIZENS SHOULD MONITOR TO PROTECT THEIR STATE LAW RIGHTS INCLUDING THE RIGHT TO PETITION FOR A VOTE ON ANY SALE, EXCHANGE OR TRADE OF PARKLAND.

HOPEFULLY, THIS COUNCIL WILL CORRECT THE EGREGIOUS RESOLUTION WHICH IS BEING PROPOSED.



CITY OF WESTWOOD, KANSAS

CITY COUNCIL MEETING

4700 RAINBOW BLVD. WESTWOOD, KS 66205

Thursday, March 12, 2026 at 7:00 PM

AGENDA

Welcome to your Westwood City Council meeting. This meeting may be attended remotely via Zoom:

Access Online: <https://us02web.zoom.us/j/89908289796>

Access by Phone: (312) 626-6799 / **Webinar ID:** 899 0828 9796

[Note: This agenda is subject to changes, additions, or deletions at the discretion of the Governing Body]

REGULAR MEETING AGENDA

I. CALL TO ORDER

II. APPROVAL OF THE AGENDA

III. PUBLIC COMMENT

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda, or about items on the regular agenda for which the Governing Body, at its discretion, accepts public comment. Public comment should be limited to 2-3 minutes and, unless the topic of public comment is before the Governing Body as part of its agenda, no action will be taken by the Governing Body on public comment items. Please state your name and address for the record. Persons attending virtually online will be able to make public comment by using the "raise hand" function on Zoom.

IV. PRESENTATIONS AND PROCLAMATIONS

A. Promotion Recognition for Lieutenant Marcus Burke

B. Johnson County Government Update (Becky Fast, Johnson County District 1 Commissioner)

C. Update from Northeast Johnson County Chamber of Commerce (Executive Director Deb Settle)

V. CONSENT AGENDA

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion (roll call vote). There will be no separate discussion of these items unless a member of the Governing Body so requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

A. Consider approval of February 12, 2026 City Council meeting minutes

B. Consider approval of Appropriations Ordinance 784

VI. MAYOR'S REPORT

VII. CITY COUNCILMEMBER REPORTS

VIII. STAFF REPORTS

A. Administrative Report (City Administrator Leslie Herring)

B. Public Works Report (Public Works Director John Sullivan)

C. Police Department Report (Police Chief Curt Mansell)

D. Treasurer's Report (City Treasurer Michelle Ryan)

E. City Attorney Report (Ryan Denk)

IX. OLD BUSINESS

A. Consider adopting Resolution 152-2026 to establish The Legal Record as the official newspaper.

X. NEW BUSINESS

A. Consider Contain the Rain Agreement with Johnson County, Kansas

XI. ANNOUNCEMENTS/GOVERNING BODY COMMENTS

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

UPCOMING MEETINGS

Regular meetings of the Westwood City Council are held at 7:00 PM on the second Thursday of each month. The next regular meeting of the Westwood City Council will be held April 9, 2026, at 7:00 PM at Westwood City Hall. The City Calendar may be accessed at www.westwoodks.org. To receive further updates and communications, please see or sign up for the following:

Westwood Buzz Email: <https://bit.ly/3wA4DWx>

Facebook: [City of Westwood Kansas-Government](#)
[Westwood, KS Police Department](#)

CHARTER ORDINANCE NO. 20

A CHARTER ORDINANCE EXEMPTING THE CITY OF WESTWOOD, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-1651, ET. SEQ., PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS WHICH RELATE TO THE NAMING OF AN OFFICIAL CITY NEWSPAPER, AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH:

BE IT ORDAINED BY THE CITY OF WESTWOOD, KANSAS, as follows:

Section 1. The City of Westwood, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself and make inapplicable to it K.S.A. 12-1651, which applies to this city but does not apply uniformly to all cities.

Section 2. The governing body shall designate by authorizing, upon proper resolution, the City of Westwood's website as the official city newspaper. In the event that State law specifically requires print publication, the governing body shall designate a print publication newspaper of record through the adoption of a proper resolution.

Section 3. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

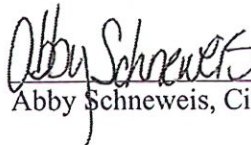
Section 4. This charter ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this charter ordinance shall become effective upon approval by the majority of the electors voting thereon.

Passed by the governing body, not less than two-thirds of the members-elect voting in favor thereof, this 18th day of December 2025.



David E. Waters, Mayor

ATTEST:



Abby Schneeweis, City Clerk



APPROVED AS TO FORM:



Ryan B. Denk, City Attorney

COUNCIL ACTION FORM

Meeting Date: March 12, 2026

Staff Contact: Abby Schneweis, City Clerk

Agenda Item: Consider adopting Resolution 152-2026 to establish The Legal Record as the official newspaper.

Background / Description of Item

During the December 18, 2025, City Council Meeting, the Governing Body adopted Charter Ordinance No. 20, exempting the City of Westwood from K.S.A. 12-1651, a statute requiring Kansas Cities of the third class to utilize a generally circulated newspaper for legal notices.

Additionally, Charter Ordinance No. 20 allows the City to adopt by Resolution the City of Westwood's official website as the City's official newspaper. Charter Ordinance No. 20 requires that the designation of the City website as the official newspaper be formally established by resolution.

Staff Comments

Pursuant to Kansas law, all notices required in connection with the adoption of Charter Ordinance No. 20 were duly published, and the ordinance became effective sixty-one (61) days following the date of the final publication of the Charter Ordinance.

Charter Ordinance No. 20 was published in The Legal Record once per week for two consecutive weeks on December 30, 2025 and January 6, 2026. The statutory publication requirement was satisfied on March 8, 2026.

At this time, no legal notices have been posted on the City's website. If Resolution No. 152-2026 is approved, legal notices will be published under the Government > Government Resources section of the City's website.

Staff Recommendation

Staff recommends adoption of **Resolution No. 152-2026**, designating the City of Westwood website, westwoodks.org, as the official City newspaper and identifying **The Legal Record** as the official newspaper of record in the event state law requires publication in a printed newspaper.

Suggested Motion

I move to adopt Resolution No. 152-2026, designating the City of Westwood website as the official City newspaper, and further designating The Legal Record as the official City newspaper in the event state law requires publication in a newspaper of record, including notices required by K.S.A. 79-2929 and K.S.A. 60-307(d).

CITY OF WESTWOOD, KANSAS

RESOLUTION NO. 152-2026

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WESTWOOD, TO ESTABLISH THE OFFICIAL CITY NEWSPAPER OF THE CITY OF WESTWOOD, KANSAS, PURSUANT TO CHARTER ORDINANCE NO. 20.

WHEREAS, Charter Ordinance No. 20 requires the establishment of the Westwood City website (www.westwoodks.org) as the official city newspaper by Resolution; and

WHEREAS, the City aims to enhance transparency in its actions for citizens and stakeholders through multiple communication channels.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

Section 1. The Westwood City website, www.westwoodks.org, is the official city newspaper. All actions required by law to be published in the official city newspaper shall be posted on the Westwood City website, and the date of first posting shall be documented by a signed affidavit executed by the City Clerk or designee as proof thereof.

Section 2. In the event that State law requires print publication in a newspaper of record, including notices required by K.S.A. 79-2929 and K.S.A. 60-307(d), the City designates The Legal Record as the official city newspaper.

Section 3. In addition, City staff may utilize social media, traditional and online newspapers, and other forms of communication to keep the public informed.

Section 4. Any and all prior Resolutions designating an official city newspaper are hereby revoked.

Section 5. This resolution shall become effective upon approval by the governing body and posting on the Westwood City website.

Passed by the Governing Body this

David E. Waters, Mayor

ATTEST:

Abby Schneweis, City Clerk

APPROVED AS TO FORM:

EXHIBIT TO 3/12/2026 CITY COUNCIL MEETING MINUTES

60-307. Service by publication. (a) *When permissible.* Service may be made by publication in any of the following cases:

(1) In an action to obtain a divorce, maintenance or an annulment of a marriage if the defendant resides outside this state or if the party with due diligence is unable to serve summons on the defendant within this state;

(2) in an action brought against a person who is a nonresident of this state or a foreign corporation having in this state property or debts owing to the person or foreign corporation sought to be taken by a provisional remedy or to be appropriated in any way;

(3) in an action, in which the defendant is a nonresident of this state or a foreign corporation or if the party with due diligence is unable to serve summons on the defendant in this state:

(A) Which relates to or the subject of which is real or personal property in this state, if any defendant has or claims a lien or interest, vested or contingent, in the property;

(B) in which the relief demanded consists wholly or partly in excluding the defendant from any interest in the property;

(C) for partition; or

(D) for foreclosure of a lien;

(4) in an action in which the defendant, being a resident of this state, has departed from this state or from the county of the defendant's residence with the intent to delay or defraud creditors or to avoid the service of a summons, or hides in the state or county with that intent, or in an action against a domestic corporation that has not been legally dissolved, if the officers of the corporation have departed from this state or cannot be found; and

(5) in an action specified in this subsection, on any of the following who are made defendants:

(A) Unknown heirs, executors, administrators, devisees, trustees, creditors and assigns of a person alleged to be deceased;

(B) unknown spouse of a defendant;

(C) unknown officers, successors, trustees, creditor* and assigns of a defendant that is an existing, dissolved or dormant corporation;

(D) unknown executors, administrators, devisees, trustees, creditors, successors and assigns of a defendant that is or was in partnership; and

(E) unknown guardians, conservators and trustees of a defendant that is a minor or is under any legal disability.

(b) *Construction and effect.* The provisions of this section are separate and permissive methods of obtaining service. If a defendant served under this section does not appear, judgment may be rendered affecting the property, res or status within the jurisdiction of the court as to the defendant, but judgment may not be rendered against the defendant personally.

(c) *Affidavit or declaration for service by publication.* Before service by publication under this section can be made, a party or the party's attorney must file an affidavit or a declaration pursuant to K.S.A. 53-601, and amendments thereto, stating all of the following facts that apply:

(1) The residences of all named defendants sought to be served, if known, and the names of all defendants whose residences are unknown after reasonable effort to ascertain them and the specific efforts made to ascertain the residence;

(2) the affiant or declarant has made a reasonable but unsuccessful effort to ascertain the names and residence of any defendants sought to be served as unknown parties under subsection (a)(5) and the specific efforts made to ascertain the names and residences;

(3) the party seeking service by publication is unable to obtain service of summons on the defendants in this state; and

(4) the case is one of those mentioned in subsections (a)(1) through (a)(4).

The form of the affidavit or declaration is sufficient if in substantial compliance with the form set forth by the judicial council. When the affidavit or declaration is filed, service may proceed by publication.

(d) *Publication; contents and form of notice; actions involving property.* (1) *Where to publish notice.* The notice must be published once a week for three consecutive weeks in a newspaper published in the county where the petition is filed and that is authorized by law to publish legal notices. If there is no newspaper published in the county, the notice may be published in a newspaper having general circulation in the county.

(2) *Contents of notice.* The notice must name any defendant to be served and notify the defendant and all other persons who are or may be concerned that:

(A) The defendant has been sued in a named court;

EXHIBIT TO 3/12/2026 CITY COUNCIL MEETING MINUTES

(B) the defendant must answer the petition or other pleading or otherwise defend, on or before a specified date not less than 41 days after the date the notice is first published; and

(C) if the defendant does not answer or otherwise defend, the petition or other pleading will be taken as true, and judgment, the nature of which must be stated, will be rendered accordingly.

(3) *Form of notice.* The notice is sufficient if in substantial compliance with the form set forth by the judicial council.

(4) *Property description.* When the action affects property, the notice need not expressly describe the property unless the description is otherwise required by law, but the property may be identified by reference to the pleading.

(e) *Mailing copy of notice.* The party seeking service by publication must, within seven days after the first publication, mail a copy of the publication notice to each defendant whose address is stated in the affidavit or declaration for service by publication.

(f) *When service complete.* Service by publication is complete when it has been made in the manner and for the time prescribed in subsections (d) and (e). The service must be proved under subsection (c) of K.S.A. 60-312, and amendments thereto. No judgment by default may be entered on the service until proof of service is made, approved by the court and filed.

History: L. 1963, ch. 303, 60-307; L. 1965, ch. 355, § 1; L. 1970, ch. 232, § 2; L. 1982, ch. 152, § 22; L. 1990, ch. 202, § 8; L. 1994, ch. 68, § 3; L. 2005, ch. 101, § 11; L. 2010, ch. 135, § 152; July 1.

EXHIBIT TO 3/12/2026 CITY COUNCIL MEETING MINUTES

79-2929. Proposed budget; amendments; public hearing; notice, publication and contents. Prior to the filing of the adopted budget with the county clerk, the governing body of each taxing or political subdivision or municipality shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The governing body shall give at least 10 days' notice of the time and place of the meeting by publication in a weekly or daily newspaper of the county having a general circulation therein. Such notice shall include the proposed budget and shall set out all essential items in the budget except such groupings as designated by the director of accounts and reports on a special publication form prescribed by the director of accounts and reports and furnished with the regular budget form. Such form shall also include the revenue neutral rate as provided in K.S.A. 2025 Supp. **79-2988**, and amendments thereto. The notice of a governing body of any taxing subdivision or municipality having an annual expenditure of \$500 or less shall specify the time and place of the meeting required by this section but shall not be required to include the proposed budget of such taxing subdivision or municipality.

History: L. 1933, ch. 316, § 5; L. 1941, ch. 377, § 4; L. 1970, ch. 387, § 2; L. 1978, ch. 402, § 1; L. 1981, ch. 173, § 79; L. 2021, ch. 9, § 6; April 1.

EXHIBIT TO 3/12/2026 CITY COUNCIL MEETING MINUTES

5-1104 Short-Term Rental Requirements

Properties rented or leased, or offered for rental or lease, on a short-term rental basis, and the owners thereof, shall comply with the following requirements:

- (a) Any owner hosting short-term rentals must provide written courtesy notices to the owners of all properties sharing an adjacent border or corner with the property upon which the short-term rental is or will be located, and to the owners of property across the street (or streets, if located on a corner lot). Evidence of this notification must be provided to the city prior to approval of a license under article 1 of this chapter.
- (b) Any short-term rental operating within the city must include the city license number on marketing materials and online platforms the owner or its agents are using to advertise the short-term rental. No exterior evidence that the property is being used as a short-term rental shall be allowed, including signs.
- (c) Owners shall post prominently in the short-term rental dwelling the city's rules and regulations regarding noise limits and on-street parking, limitations on numbers of pets and animals, the days and times of trash service/pick-up for the short-term rental property, and such other applicable regulations as the city may require.
- (d) No more than two persons per each bedroom being rented, plus one additional person per dwelling, not to exceed six guests per dwelling, may occupy the dwelling.
- (e) The dwelling may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to nonresident guests. No food service (e.g., bed and breakfast) may be provided by the host.

(Ord. No. 1029, § 2(5-1104), 5-12-2022)

HISTORY

Adopted by Ord. 1050 on 8/14/2025



How can we help?

Westwood Rental Licenses

All homes or rooms, including short-term rentals, offered for rent in Westwood are subject to a yearly inspection and a \$50.00 fee.

Rental licenses are valid for one year and must be renewed annually. All licenses must be renewed annually using GovBuilt.

- To begin this process, click [here](#).

The ordinance pertaining to rental homes or rooms can be found in Chapter 5, Article 11 of the Westwood City Code.

Short-term rental regulations can be found below and in Chapter 5, Article 1104.

5-1104 Short-Term Rental Requirements

Properties rented or leased, or offered for rental or lease, on a short-term rental basis, and the owners thereof, shall comply with the following requirements:

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- 2. Any short-term rental operating within the city must include the city license number on marketing materials and online platforms the owner or its agents are using to advertise the short-term rental. No exterior evidence that the property is being used as a short-term rental shall be allowed, including signs.
- 3. Owners shall post prominently in the short-term rental dwelling the city's rules and regulations regarding noise limits and on-street parking, limitations on numbers of pets and animals, the days and times of trash service/pick-up for the short-term rental property, and such other applicable regulations as the city may require.
- 4. No more than two persons per each bedroom being rented, plus one additional person per dwelling, not to exceed six guests per dwelling, may occupy the dwelling.
- 5. The dwelling may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to nonresident guests. No food service (e.g., bed and breakfast) may be provided by the host.

Supporting Documents



Adjoining Owner Signatures for Short Term Rentals.

121.52 KB

BUSINESS

Building Official

Michael McCoy
 Codes Administrator
 (913) 942-2130

Email

[Redacted Email Address]

RENTAL LICENSES



CONTACT US

City Hall

City Hall 4700 Rainbow Boulevard
Westwood, KS 66205
(913) 362-1550
info@westwoodks.org
(913) 362-3737 (Municipal Court)

Police Department

4700 Rainbow Boulevard
(913) 362-3737 (Mon-Fri, 8 am-5 pm)
(913) 782-0720 (24-hour Police Dispatch and Animal Control)

Public Works

2545 W. 47th Street
(913) 432-1550

QUICK LINKS

- Budget
- Governing Body

- City Code
- License & Permit Portal
- FAQs
- Documents & Forms
- Pay Ticket
- Sign up For Notifications

STAY CONNECTED

Sign up for our newsletter



Staff Login
Government Websites by CivicPlus®

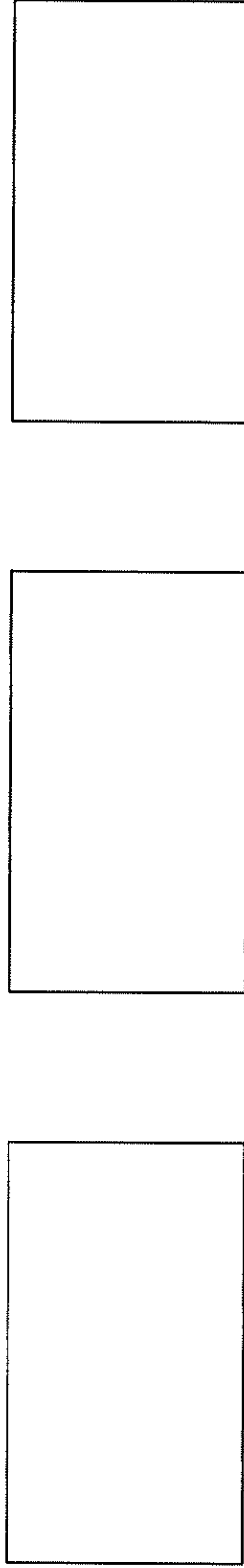
City of Westwood Short Term Rental Notification of Adjoining Property Owners

In accordance with Westwood Municipal Code § 5-11.04, applicants seeking a short-term rental license must provide written notice to the owners of the land surrounding the Subject Property.

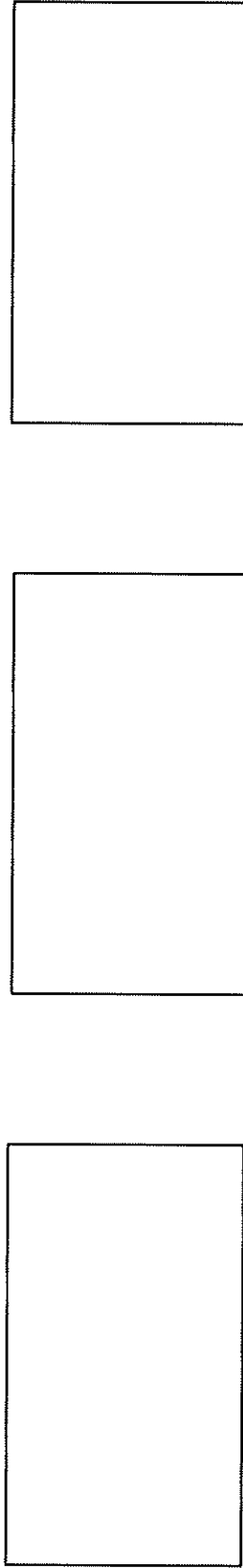
Applicants must obtain signatures from neighboring property owners confirming they have been notified that the Subject Property will be operated as a short-term rental. Each signature must be accompanied by the neighboring property owner's corresponding property address. If a neighboring property is tenant-occupied, the required signature must be provided by the property owner of record, not the tenant.

"Subject Property" means the property for which the short-term rental license application is being submitted.

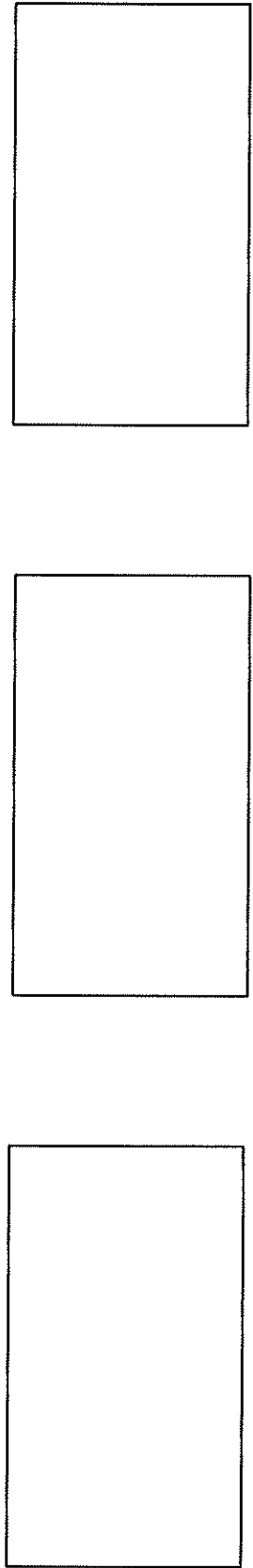
"The land surrounding the Subject Property" means the three (3) lots, tracts or parcels located nearest to the rear property line of the Subject Property; the three (3) lots, tracts or parcels located nearest to the front property line of the Subject Property; and the lots, tracts or parcels adjoining the side property lines of the Subject Property.



(House to rear of Applicant's lot)



(House across street from Applicant's lot)



City of Westwood Short Term Rental Notification of

In accordance with Westwood Municipal Code § 5-1104, applicants seeking a short-term rental license must obtain signatures from neighboring property owners confirming they have been occupied, the required signature must be provided by the property owner of record, not the tenant.

"Subject Property" means the property for which the short-term rental license application is being submitted. The land surrounding the Subject Property means the three (3) lots, tracts or parcels adjoining the side property lines of the Subject Property.

(House to rear of Applicant's lot)

(House across street from Applicant's lot)

(House across street from Applicant's lot)

Add a comment @

Page 6 1



Beth O'Bryan
Feb 13

@leslie.herring@westwoodks.org Short Term Rental Notification Sheet. Please let me know if you would like any changes.



Leslie Herring
Feb 13

The first sentence is pretty wordy. Could we shorten it or break it into two sentences? Also, let's change "building permit" to "rental license" on the second line. If you can find room, let's also add a sentence indicating that this form is to be submitted with the rental license application and must be completed and received prior to license issuance.

Reply or use @ to invite others @

Samuel and Corinne Peterson

2408 W. 47th Ter.
Westwood, KS 66205
(913) 378-6301

February 27, 2026

Hi, Neighbor!

This letter shall serve as courtesy notice to you that Samuel and Corinne Peterson are hosting a short-term rental for several weeks during June and July 2026 in the dwelling located at 2408 W. 47th Ter. Westwood, KS 66205.

Notice of short-term rental property required Westwood Ordinance 1029, Westwood City Code, Chapter 5, Article 1, § 5-1104(a).

Sincerely,

Samuel and Corinne Peterson



License - ↻

Submitted On Hold Approved Expired Denied Approved Pending Payment Duplicate

[Go to License List](#)

Comments

License

Attached Items

Comments **1**

Attached Docs

Payments **3**

Inspections **1**

BOBRYANWW 3/11/2026 1:48

PM

Please indicate in the squares, on the attached form, that you have provided notice to each adjoining owner.

Attachments:

- ↓ Adjoining Owner Signatures for Short Term Rentals.pdf

Attach a file with comment

B **i** **U** **A:** **≡** **≡** **≡** **¶:**



Words : 0 Characters : 0

These comments will be displayed to the submitter and are not private.

Save and Send

Government Websites by GoFundMe

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Staff Portal

Privacy Policy

Terms of Use