

ORDINANCE NO. 452a

AN ORDINANCE AMENDING MINIMUM RESIDENTIAL
STANDARDS CODE FOR THE CITY OF ROZEL;
REPEALING EXISTING SECTIONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROZEL, KANSAS:

SECTION 1: Section 4 of Ordinance 452 is hereby amended to read as follows:

Section 4. The following definitions shall apply to the enforcement of this ordinance: (a) **Dwelling**-shall mean any building which is wholly or partly used or intended to be used for living or sleeping by human occupants: provided, that temporary housing hereinafter defined shall not be regarded as a dwelling

b) **dwelling unit**-shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used, or intended to be used for living, sleeping, cooking and eating.

c) **Habitable Dwelling**-shall mean any structure or part thereof that shall be used as a home or place of abode by one or more persons. **Multiple Dwelling**- shall mean any dwelling containing more than two dwelling units.

d) **Occupant**- shall mean any person, over one year of age. living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit or rooming unit.

e) **Operator** - shall mean any person who has charge, care. owns, or has control of a premise or of a building or structure or part thereof, in which dwelling units or rooming units are let.

f) **Owner**- shall mean any person, firm, or corporation, who jointly or severally along with others shall be in actual possession of, or have charge, care and control of any structure or dwelling unit or premises within the city as owner, employee, or agent of the owner, or as trustee or guardian of the estate or person of the title holder, and such person shall be deemed and taken to be the owner or owner of such property within the true intent and meaning of this code and shall be bound to comply with the provisions of this article to the

same extent as the record owner and notice to any such person shall be deemed and taken to be a good and sufficient notice as if such person or persons were actually the record owner or owner of such property.

g) **Person** - shall mean and include any individual, firm, corporation, association or partnership

h) **Premise** - shall mean any lot or land area, residential or non-residential, not covered by a structure and which is subject to city tax in part or in whole.

i) **Public Officer** - shall mean the ordinance officer/building inspector

j) **Refuse** - -for the purpose of this article refuse shall include garbage, and trash.

1) **Garbage** - shall mean any accumulation of animal, fruit or vegetable waste matter that attends the preparation of, use of, cooking of, delivering of, or storage of meats, fish, fowl, fruit or vegetable.

2) **Trash (combustible)**- for the purpose of this article combustible trash shall mean waste consisting of papers, cartons, boxes, barrels, wood and excelsior, tree branches, yard trimmings, wood furniture, bedding and leaves, or any other combustible materials.

3) **Trash (non-combustible)**. - For the purpose of this article non-combustible trash shall mean waste consisting of metals, tin cans, glass, crockery, other mineral refuse and ashes and street rubbish and sweepings, dirt, sand, concrete scrap, or any other non-combustible material.

k) **Structure** - shall mean anything constructed or erected on the ground or attached to something having a location on the ground. The term includes any fence intended to be permanent.

1) **Temporary Housing** - shall mean any tent, trailer, or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, house or building or another structure, or to any utilities system o the same premises for more than 30 consecutive days, except when located in a mobile home court duly licensed under laws of the city.

m) **Words-meanings-** Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises," are used in this ordinance, they shall be construed as though they were followed by the words "or any part thereof."

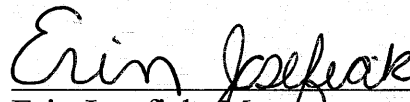
n) **Abandoned Motor Vehicle** - any motor vehicle or boat or trailer which are not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149, or which is parked in whole or in part in a street or is blocking ingress and egress in an alley, inclusive as amended; or parked in violation of the ordinance; or incapable of moving under its own power; or is in a junked or wrecked condition. "Moving under its own power" does not include functional trailers.

SECTION 4: Section 4 of Ordinance No. 452 is hereby repealed.

SECTION 5: This Ordinance shall take effect and be in force from and after its passage and publication in the Larned Tiller & Toiler, the official City newspaper.

PASSED, APPROVED AND ADOPTED by the City Council of Rozel, Kansas, on

March 8, 2021.



Erin Josefiak, Mayor

ATTEST:



Helen Thorne, City Clerk

(Published in compliance with K.S.A. 12-3007(b) on _____, 2017

SUMMARY OF ORDINANCE NO. 452a

This ordinance is published pursuant to KSA 12-3007(b), and amends Section 4 of Ordinance 452 which sets forth definitions of certain types of property in the city limits that is subject to the Ordinance 452. Ordinance 452 establishes minimum residential standards for the city. Specifically, included in the amendments are boats and trailers that are parked on city streets and deemed abandoned or incapable of being towed.

A copy of the ordinance is available free of charge for viewing at the city offices by contacting the city clerk at any time during office hours. The number is (620) 527-4399.

The city's officially designated website URL is:
http://www.rozelcity.com/ordinances_resolutions A reproduction of this entire ordinance is available at that site for at least one week following summary publication in the official county newspaper.

Pursuant to KSA 53-601, as amended, as city attorney, I declare and certify the foregoing is true and correct and legally accurate and sufficient.

Ronald D. Smith
City Attorney, Rozel