

ORDINANCE NO. 615

AN ORDINANCE DECLARING CERTAIN MATTERS AS MOTOR VEHICLE NUISANCES WITHIN THE CITY OF ARMA, KANSAS; PROVIDING FOR THE REMOVAL OR ABATEMENT OF MOTOR VEHICLE NUISANCES; AUTHORIZING THE ASSESSMENT OF COSTS AND PROVIDING FOR PENALTIES; AND REPEALING THE PARTS OF ORDINANCE NO. 468 AND 204 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES THAT ARE IN CONFLICT WITH THIS ORDINANCE.

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

Ordinance No. 468 as previously adopted by the City of Arma, Kansas, is hereby amended in the following sections:

Section 8: SAME; CONTENTS. The notice shall state the condition(s) which is (are) in violation of Section 3. The notice shall also inform the person that:

- (a) He, she or they shall have 30 days from the date of serving the entice to abate the condition(s) in violation of Section 3; or
- (b) He, she or they have 30 days from the date of serving the notice to request a hearing before a governing body of the matter as provided by Section 12; and
- (c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by Section 9 and/or abatement of the condition(s) by the city as provided by Section 10. (Amended June 4, 2018)

Section 12: HEARING. If a hearing is requested within the 30 day period as provided in Section 8, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer before the governing body. The hearing shall be held by the governing body as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the governing body shall record its determination of the matter by means of adopting a resolution and serving the resolution upon the person in the matter provided in Section 10. (Amended June 4, 2018)

This ordinance shall be in full force and effect as amended, from and after its adoption and publication in the official city newspaper.

Adopted and approved by the Council, this 6<sup>th</sup> day of June, 2018.

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Rock Anderson, Mayor

ATTEST:

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Bette Lessen, City Clerk