

ORDINANCE NO. 3296

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 5 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, BY AMENDING SECTIONS 4-509 AND 4-510 CONCERNING INOPERABLE AND ABANDONED VEHICLES, AND REPEALING THE EXISTING SECTIONS 4-509 THROUGH 4-512

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

SECTION ONE. Section 4-509 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

4-509. NUISANCE AND ABATEMENT. Any inoperable vehicle parked, stored or deposited in a manner other than that permitted under this Article is hereby declared a nuisance and may be abated from property other than public property or property open to use by the public under the same authority and procedure as set forth in Article 3 of this Chapter, as it now exists or may be amended. Disposition of any vehicle abated pursuant to this Article shall be in compliance with the procedures for impoundment, notice and public auction provided by K.S.A. 8-1102(a)(2), as amended.

SECTION TWO. Section 4-510 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

4-510. FAILURE TO COMPLY; PENALTY.

- A. In addition to or as an alternative to the remedy of abatement as provided under this Article, any person in violation of this article may be prosecuted in municipal court and subject to:
1. a fine of not less than \$50 nor more than \$500;
 2. a sentence of not more than six (6) months in jail;
 3. such other orders as the court deems just and consistent with the purpose and intent of this Article; or
 4. any combination thereof.
- B. Prosecution of any offender under this Article does not limit the City's right to pursue assessment or collection of costs as stated in this Article, or by other laws.
- C. Each day that any violation shall continue shall constitute a separate offense.
- D. Any fines assessed under this Article shall be collected by the municipal court administration and paid over to the general fund, except for assessments of court costs.

SECTION THREE. Repealer. Existing Sections 4-509, 4-510, 4-511 and 4-512 of the City Code of the City of Abilene, Kansas are hereby repealed.

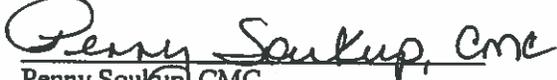
SECTION FOUR. Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption and publication by summary in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 25th day of April, 2016.

CITY OF ABILENE, KANSAS

By: 
S. Dee Marshall, Mayor

ATTEST:


Penny Soukup CMC
City Clerk

APPROVED AS TO FORM:


Aaron O. Martin, City Attorney