

First Published in the Horton Headlight the ____ day of _____, 2013.

ORDINANCE NO. 1127a

AN ORDINANCE AMENDING SECTION 12-306(b)(9) OF THE HORTON MUNICIPAL CODE REGULATING SWIMMING WITHIN MISSION LAKE.

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

Section 1. Section 12-306(b)(9) of the Horton Municipal Code is hereby amended to read as follows:

"12-306. (b) Mission Lake. All boats powered or motor powered are permitted, however every boat will obtain a boating permit before launching. Every boat whether manually powered or motor driven will meet state safety regulations as follows:

(9) Swimming is only permitted in the lake in accordance with posted regulations.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance be and are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY of the City of Horton, Kansas, this 18th day of March, 2013.

Tim Lentz
MAYOR

ATTEST:

Candice S. Schmitt
CITY CLERK

Swimming Regulations

Swimming and wading are permitted within a 50 foot radius of approved docks, or within a 25 foot radius of a boat in "no wake" zones. The following regulations shall apply to all activities in approved swimming areas.

6.10 NO LIFEGUARD ON DUTY

All persons shall use the swimming area entirely at their own risk. A life vest must be worn at all times. No lifeguard is on duty at the swimming areas at any time.

6.20 Age Restriction

No person shall permit any child fourteen (14) years of age or less to use the designated swimming areas unless such child is under the direct supervision of a parent, guardian, or responsible companion eighteen (18) years of age or older.

6.30 Closing of Swimming Areas

The swimming areas shall be closed between sunset and sunrise or at any other time the City Clerk or designee deems necessary or as established by posted notice.

6.40 Glass and Sharp Objects Prohibited

Bottles, jars, or containers made of glass; other glass objects; or knives and other sharp objects are not allowed in the swimming area on the _____ side of the lake, or in the parking lot of said swimming area.

6.50 Alcoholic Beverages Prohibited in Swimming Area

It is unlawful to possess and/or consume cereal malt and alcoholic beverages in the swimming area located on the _____ side of the lake, or any other place on or around Mission Lake.

6.60 Animals and Pets Prohibited

No animals or pets are allowed in the swimming area located on the _____ side of the lake except those assisting handicapped individuals.

6.70 Swimming Aids

Inner tubes, air mattress, or other swimming aids are allowed in the swimming area until the use of such aids interferes with other swimmers' use of the swimming areas.

6.80 Prohibited Behavior

Dunking, diving, towel fighting, sand throwing, hitting, wrestling, shoving or other conduct which may result in injury to self or others in the swimming area is unlawful.

First Published in the Horton Headlight the ___ day of _____, 2013.

ORDINANCE NO. 1128

AN ORDINANCE AMENDING CHAPTER XII, ARTICLE 2 OF THE HORTON MUNICIPAL CODE ESTABLISHING A RECREATION ADVISORY BOARD IN THE CITY OF HORTON, KANSAS

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

Section 1. Chapter XII, Article 2 of the Horton Municipal Code is hereby amended to read as follows:

"CHAPTER XII, ARTICLE 2. PARKS AND RECREATION SYSTEM

12-201. RECREATION ADVISORY BOARD ESTABLISHED. (a) There is hereby established a recreation advisory board that shall consist of six members to be appointed by the governing body of the City of Horton, Kansas to serve as follows: the first appointee to serve for four years, the second for three years, the third and fourth for two years, and the fifth and sixth for one year.

(b) Whenever a vacancy shall occur in the membership of the advisory board, a replacement shall be selected by the governing body of the City of Horton, Kansas to fill such vacancy for the unexpired term of the member he or she is succeeding.

12-202. RECREATION ADVISORY BOARD DUTIES. The recreation advisory board shall meet regularly and serve as an advisory board to the governing body of the City of Horton, Kansas on all matters concerning the parks and recreation system of the City of Horton, Kansas.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance be and are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED BY THE GOVERNING BODY of the City of Horton, Kansas, this 18 day of March, 2013.



MAYOR

ATTEST:



CITY CLERK

First Published in the Horton Headlight the ____ day of April, 2013

ORDINANCE NO. 1129

AN ORDINANCE RE-ESTABLISHING THE SEWER RATES FOR USERS OF THE HORTON MUNICIPAL WASTEWATER PLANT AND COLLECTION SYSTEM

Section 1. RATES FOR WASTEWATER SERVICE. Charges for sewer use from the Horton Municipal Sanitation Plant and Collection System to the user on a monthly rate shall be as follows:

- a. The minimum charge per month shall be \$13.75
- b. In addition, user charge shall be \$3.00 per thousand gallons based upon their applicable annual winter monthly average water consumption.

The months of December-February will be used to figure the Annual Winter Monthly Average Water Consumption. (AWC).

- c. In the event a lot, parcel of land, premises or facility discharging wastewater, industrial process waste, water or other liquids, either directly or indirectly into the city's wastewater collection and treatment system or which eventually enters the system, is supplied with water from any source other than from the city's municipal water system, then the sewer user charge will be estimated at 100 gallons per capita per day for residential users. For all other users, the owner of land, premises or facility shall install, and maintain at his or her own expense, a water meter approved by the city's water department. This meter(s) shall serve as a control for the establishment of the sewer user charge and shall be accessible to the city's meter readers.
- d. Where more than one water meter is installed for service to one industry or commercial business located at a single site or adjoining sites, only one minimum monthly charge shall apply.
- e. Where it can be established that the user had a water leak during the billing cycle, the user charge may be adjusted by the city clerk by using the average of the previous three months water use.
- f. Any person who is allowed to hookup to City utilities services without being annexed into the City of Horton, Kansas will pay one and one-half the normal rate charged to the citizens and residents of the City of Horton, Kansas. This increased rate is applicable to the residence of the property, whether or not the resident and owner of the property is the same person.

Section 2. Repeal. Ordinance No. 1057 is hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED BY THE GOVERNING BODY of the City of Horton, Kansas, this 1st day of April 2013

Tim Lentz

Mayor

ATTEST TO:

Candice S. Schmitt

City Clerk

ORDINANCE NO. 1130

AN ORDINANCE AMENDING SECTION 3-104 and SECTION 12-303 OF THE HORTON MUNICIPAL CODE BY MAKING IT LAWFUL TO CONSUME ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGES ON CERTAIN DESIGNATED PROPERTY OWNED BY THE CITY OF HORTON, KANSAS.

BE IT ORDAINED by the governing body of the City of Horton, Kansas:

Section 1. Section 3.104 of the Horton Municipal Code is hereby amended as follows:

“3-104. CONSUMPTION ON PUBLIC PROPERTY. No person shall drink or consume any alcoholic liquor or cereal malt beverage on city owned public property. However, this prohibition shall not apply to the possession and/or consumption of alcoholic liquor or cereal malt beverage within: 1) the confines of the Horton Community Building commonly referred to as the “Blue Building” when said building is being utilized for private parties; 2) the confines of authorized campsites at Mission Lake; 3) the confines of city owned baseball/softball fields at such times that the same are utilized solely for competition between adult teams and 4) the confines of city airport at such times that the same are utilized solely for city approved adult activities.”

Section 2. Section 12.303 of the Horton Municipal Code is hereby amended as follows:

12-303. PUBLIC OFFENSES IN PARKS, LAKES AND ADJACENT AREAS, AND PUBLIC LANDS OWNED OR UNDER THE CONTROL OF THE CITY. The following acts shall be unlawful in parks, lakes, adjacent areas, and public lands owned or under the control of the city.

(a) Intentionally injuring, destroy, or disfiguring any fence, sign, gatepost, bench, table, boat dock, building, or other such property; including but not limited to the peeling of bark from trees, carving and chopping of trees, cutting branches, driving nails into trees, digging ground from the roots of trees and the removal of trees, shrubs and plants, the picking of flowers and other such acts injuring the public lands.

(b) Carrying or possessing any firearm thereon.

(c) Littering which for the purpose of the article shall be defined as follows: Intentionally dumping, throwing, placing, depositing or leaving or causing to be

dumped, thrown, deposited or left any refuse of any kind or any object or substance which tends to pollute, mar or deface, into, upon or about the above described Mission Lake, Park Lake and lands adjacent thereto.

(d) Intentionally damaging any seats, tables or other park equipment located within the Mission Lake, Park Lake and all land adjacent thereto as described above.

(e) Discarding any waste in the vicinity of a well or spring, urinating or defecating at any location other than toilets provided for the same.

(f) The riding of horses or the driving of automobiles or other motor vehicles on any children's playgrounds, bathing beaches or areas posted against such traffic use.

(g) Disorderly Conduct: With knowledge or probable cause to believe that such acts will alarm, anger or disturb others or provoke an assault or other breach of the peace:

(1) Engage in brawling or fighting;

(2) Disturbing an assembly, meeting or procession, not unlawful in this character; or

(3) Using offensive, obscene, or abusive language or engaging in noisy conduct tending reasonably to arouse alarm, anger or resentment in others.

(h) Operate a motor vehicle on a park road at a speed in excess of 20 m.p.h. except where otherwise posted.

(i) Bathing, swimming or wading except in accordance with posted regulations.

(j) Fishing in the lakes without a Kansas State fishing license unless exempted by the fish and game laws of the State of Kansas.

(k) Possession or consumption of alcoholic liquor or cereal malt beverages except within the confines of the Horton Community Building commonly referred to as the "Blue Building" when said building is being utilized for private parties; the confines of authorized campsites at Mission Lake; the confines of city owned baseball/softball fields at such times that the same are utilized solely for competition between adult teams and the confines of city airport at such times that the same are utilized solely for city approved adult activities..

(l) Violating any posted signs or regulations. Setting or possessing animal traps within the boundaries of city-owned and -operated land adjacent to Mission Lake and Park Lake is prohibited except by those contracted by the city or other governmental agency for the purpose of controlling animals that present a nuisance or hazard upon city property.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper.

PASSED by the governing body of the City of Horton, Kansas, this 17th day of June, 2013.



Mayor

ATTEST:



City Clerk

ORDINANCE NUMBER 1131

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2014 FOR THE CITY OF HORTON.

WHEREAS CITY OF HORTON must continue to provide services to protect the health, safety, and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continues to increase.

NOW THEREFORE, be it ordained by the Governing Body of the CITY OF HORTON:

Section One. In accordance with state law, the CITY OF HORTON has scheduled a public hearing and has prepared the proposed budget necessary to fund city services from January 1, 2014 until December 31, 2014.

Section Two. After careful public deliberations, the governing body has determined that in order to maintain the public services that are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount exceeding the levy in the 2013 budget.

Section Three. This ordinance shall take effect after publication once in the official city newspaper.

Passed and approved by the Governing Body on this 5th day of August, 2013.

/s/ T. R.
Mayor

ATTEST: /s/ H. Claus
City Clerk

(SEAL)

(First Published in the Horton Headlight on 8/28, 2013)

ORDINANCE NO. 1132

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2013 PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER 1126.

BE IT ORDAINED by the Governing Body of the City of Horton, Kansas;

Section 1. **INCORPORATING STANDARD TRAFFIC ORDINANCE.** There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Horton, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1132," and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2. **TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.**

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. Supp. 8-2118.

(b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions as defined in subsection (a) of this section, shall be considered traffic offenses.

Section 3. **PENALTY FOR SCHEDULED FINES.** The fine for violation of an ordinance traffic infraction or any other traffic offense for which the municipal judge establishes a fine in a fine schedule shall not be less than \$10 nor more than \$500, except for speeding which shall not be less than \$10 nor more than \$100. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

Section 4. **REPEAL.** Ordinance number 1126 is repealed.

Section 5. **EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.


Passed by the Commission the 19th day of August, 2013.



Tim Lentz, Mayor

Seal:

Attest:



Kimberly Clausen, City Clerk

(First Published in the Horton Headlight on 8/28/13, 2013)

ORDINANCE NO. 1133

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF HORTON, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES," EDITION OF 2013.

BE IT ORDAINED by the Governing Body of the City of Horton, Kansas;

Section 1. **INCORPORATING UNIFORM PUBLIC OFFENSE CODE.** There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Horton, Kansas, that certain standard code known as the "Uniform Public Offense Code," Edition of 2013, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than three copies of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1133," and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

Section 2. **REPEAL.** Ordinance number 1125 is repealed.

Section 3. **EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Commission the 19th day of August, 2013.



Tim Lentz, Mayor

Seal:

Attest:



Kimberly Clausen, City Clerk

(PUBLISHED IN THE HORTON HEADLIGHT ON SEPTEMBER 12, 2013)

SUMMARY OF ORDINANCE NO. 1134

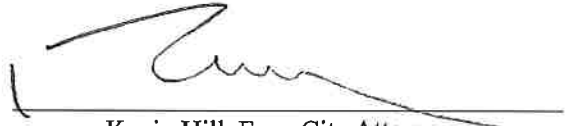
On September 3, 2013, the governing body of the City of Horton, Kansas passed an ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,955,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2013, OF THE CITY OF HORTON, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

The Series 2013 Bonds approved by the Ordinance are being issued in the principal amount of \$2,955,000, to finance certain internal improvements in the City, and constitute general obligations of the City payable as to both principal and interest, to the extent necessary, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 205 East 8th Street, Horton, Kansas. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.hortonkansas.net.

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

DATED: September 3, 2013.


Kevin Hill, Esq., City Attorney