

(PUBLISHED IN THE *HORTON HEADLIGHT* ON JANUARY 16, 2014)

ORDINANCE NO. 1135

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF A SEWAGE DISPOSAL IMPROVEMENTS TO SERVE THE CITY OF HORTON, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY.

WHEREAS, K.S.A. 12-621, as altered by the substitute and additional provisions of Charter Ordinance No. 22 of the City of Horton, Kansas (the "City") (enacted pursuant to the provisions of Section 5(c) of Article 12 of the Constitution of the State of Kansas), and K.S.A. 12-101 *et seq.* (jointly the "Act"), authorize the governing body of the City to operate and maintain disposal works for the purification of the sewage of the City, or of any part thereof, including joint operation and maintenance of such facilities through interlocal cooperation with another city or cities, and authorizes the costs and expenses of building the same, in whole or in part, to be borne by the City as a whole, and paid out of the general revenue fund, or if the governing body determines, general obligation bonds of the City may be issued for such purpose; and

WHEREAS, the City is proceeding to renovate, repair and improve the sewer collection system in the City and improve the sewer treatment plant of the City, and make all appurtenances thereto (the "Project"); and

WHEREAS, the governing body of the City is authorized under the Act and other statutes of the State of Kansas to issue general obligation bonds of the City to pay the costs of the Project; and

WHEREAS, the Project costs are estimated to be \$4,979,000, and the governing body of the City hereby finds it necessary and advisable to authorize general obligation bonds of the City to pay such costs, all pursuant to the Act.

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

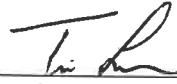
SECTION 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be constructed in accordance with the plans and specifications therefor, which plans and specifications are on file in the office of the City Clerk.

SECTION 2. Financing Authorization. The costs of the Project shall be chargeable to the City at large, and those costs are authorized under the Act to be paid by the issuance of general obligation bonds of the City (the "Bonds") in the amount of \$3,375,000, which may be combined with any other general obligation bonds to be issued by the City for other projects as may be determined by the governing body to be in the best interests of the City, with the balance of costs to be paid from a United States Department of Agriculture Rural Development Grant.

SECTION 3. Reimbursement. The Bonds authorized pursuant to this Ordinance are authorized to reimburse expenditures made on or after the date which is 60 days before the date of this Ordinance, pursuant to Treasury Regulation § 1.150-2.

SECTION 4. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City, approval by the Mayor and publication in the official City newspaper.

PASSED by the governing body of the City of Horton, Kansas on January 6, 2014 and **SIGNED** by the Mayor.



Mayor

(SEAL)

ATTEST:


Clerk

First Published in the Horton Headlight the 13th day of August, 2014

ORDINANCE NO. 1136

AN ORDINANCE 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 \$19.15
- b. In addition, user charge shall be \$3.60 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. 1129 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 4th day of August 2014



Mayor

ATTEST TO:



City Clerk

(First published in the Horton Headlight the 27th day of November, 2014. 1t)

ORDINANCE NO. 1137

AN ORDINANCE RELATING TO THE VACATING OF ONE BLOCK LOCATED ON 12TH STREET WEST OF 9TH AVENUE WEST AND AN ALLEY LOCATED BETWEEN 12TH AND 13TH STREET WEST OF 9TH AVENUE WEST IN THE CITY OF HORTON, BROWN COUNTY, KANSAS.

WHEREAS the City Commission of Horton, Kansas, has been requested to vacate a block and alley located as follows, to-wit:

ONE BLOCK LOCATED ON 12TH STREET WEST OF 9TH AVENUE WEST AND AN ALLEY LOCATED BETWEEN 12TH AND 13TH STREET WEST OF 9TH AVENUE WEST IN THE CITY OF HORTON, BROWN COUNTY, KANSAS;

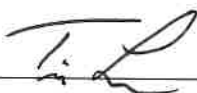
WHEREAS, said request to vacate appears to be a reasonable request.

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

SECTION 1: That the block and alley located as follows, to-wit: ONE BLOCK LOCATED ON 12TH STREET WEST OF 9TH AVENUE WEST AND AN ALLEY LOCATED BETWEEN 12TH AND 13TH STREET WEST OF 9TH AVENUE WEST IN THE CITY OF HORTON, BROWN COUNTY, KANSAS is hereby vacated pursuant to K.S.A. 14-423. The same shall revert to the owners of real estate adjacent thereto in proportion to the frontage of such real estate except as otherwise provided by K.S.A. 14-423. The City of Horton, Kansas hereby reserves to itself, the owners of lesser property rights and public utilities such rights-of-way and easements currently in existence on the above-described alley being vacated.

SECTION 2: This ordinance shall take effect 30 days after its publication unless one or more interested parties file a written protest before the expiration of such time. In the event such a protest is filed in the office of the city clerk, within such time the governing body shall set the same for hearing 10 days after the end of the 30 day period above mentioned. The hearing may be continued by the city, and at the conclusion thereof the governing body shall adopt a resolution confirming the vacation ordinance and the same shall then be filed with the county clerk and register of deeds as provided by K.S.A. 14-423, or in the event such resolution is not adopted, the vacation ordinance shall be void and of no effect.

PASSED, APPROVED AND ADOPTED by the City Commission of Horton, Kansas
this 17th day of November, 2014.



Mayor

Attested to:



City Clerk

(First Published in the Horton Headlight on 11/27, 2014)

ORDINANCE NO. 1138

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 2014.

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 2014, 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. 1138," 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 1133 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 17th day of November, 2014.



Tim Lentz, Mayor

Seal:

Attest:



Kimberly Clausen, City Clerk

(First Published in the Horton Headlight on 11/27, 2014)

ORDINANCE NO. 1139

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 2014 PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCE NUMBER 1132.

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 2014, 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. 1139," 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 or 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 1132 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 17th day of November, 2014.



Tim Lentz, Mayor

Seal:

Attest:



Kimberly Clausen, City Clerk

First Published in the Horton Headlight the 27th day of November, 2014.

ORDINANCE NO. 1140

AN ORDINANCE AMENDING SECTION 15-108(b) OF THE HORTON MUNICIPAL CODE REGARDING UTILITY SERVICE RECONNECTION CHARGES

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

Section 1. Section 15-108(b) of the Horton Municipal Code is hereby amended as follows:

“(b) Reconnection Charges. Prior to reconnecting a utility service disconnected following a delinquency, the customer shall pay to the city the entire balance due and owing to the city at the time of reconnection. The customer shall also pay a reconnection charge of \$35 for reconnection of electric service, \$35 for reconnection of sanitary sewer service, and \$35 for reconnection of water service.”

Section 2. 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 November, 2014.



Mayor

ATTEST:



City Clerk