

ORDINANCE NO. 545

AN ORDINANCE ENACTED APPROVING AND INCORPORATING BY REFERENCE CERTAIN ZONING REGULATIONS GOVERNING THE USE OF LAND AND THE LOCATION OF BUILDINGS WITHIN THE CITY OF WAVERLY, KANSAS, AND AN EXTRATERRITORIAL JURISDICTION IN COFFEY COUNTY, AS PREPARED AND PUBLISHED AS A MODEL CODE IN BOOK FORM BY THE WAVERLY CITY PLANNING COMMISSION PURSUANT TO K.S.A. 12-741 ET SEQ., AS AMENDED, 12-715b, 12-736, 12-3009 TO 12-3012 INCLUSIVE, 12-3301 AND 12-3302; ESTABLISHING ZONING DISTRICT BOUNDARIES AND THE CLASSIFICATIONS OF SUCH DISTRICTS; ADOPTING BY REFERENCE OFFICIAL MAPS OF ZONING DISTRICTS; DEFINING CERTAIN TERMS USED IN SAID REGULATIONS; REGULATING THE MAXIMUM DIMENSIONS OF BUILDINGS AND OTHER STRUCTURES THROUGH BULK REGULATIONS AND LOT AREAS; REGULATING THE LOCATION AND SIZE OF SIGNS; PROVIDING FOR AND REGULATING VEHICULAR PARKING SPACE; REESTABLISHING THE BOARD OF ZONING APPEALS AND PRESCRIBING ITS DUTIES; PROVIDING FOR THE APPOINTMENT OF A ZONING ADMINISTRATOR AND PRESCRIBING HIS OR HER DUTIES; PROVIDING FOR FEES TO BE CHARGED FOR AMENDMENTS, SPECIAL USES, APPEALS AND PERMITS; ESTABLISHING A MEANS FOR AMENDING SAID REGULATIONS, MAPS AND ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF ITS PROVISIONS AND A MEANS OF ENFORCEMENT; AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HERewith.

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

Section 1. Adoption: Zoning regulations are hereby approved and adopted by the Governing Body of the City of Waverly, Kansas, as prepared and published as a model code in book form by the Waverly City Planning Commission with technical assistance of the City Zoning Administrator, Foster & Associates, Planning Consultants of Wichita, Kansas, and the Mapping Division of the Coffey County Appraisers Office in the printing of the Official Zoning Maps under the date of December 14, 2016, and entitled "Zoning Regulations of the City of Waverly, Kansas" and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. Official Maps. There are further herein incorporated by reference and adopted Official Zoning Maps delineating the boundaries of zoning districts and the classification of such districts, which maps shall be marked "Official Copy of zoning district map reincorporated into zoning regulations by adoption of Ordinance No. 545 by the Governing Body of the City of Waverly on the 14th day of December 2016" and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 3. Public Hearing: The advertised public hearing required by Kansas statutes was duly held on December 14, 2016, by the City Planning Commission, and a discussion of said Zoning Regulations and maps was had at the hearing; and the Zoning Regulations and maps in model code form herein readopted are a true and correct copy of those regulations as adopted by the Planning Commission.

Section 4. Jurisdiction: From the effective date of this Ordinance, the Zoning Regulations and Official Zoning Maps herein incorporated by reference shall govern all use of the land and the location of buildings and other structures placed within the City of Waverly, Kansas and the extraterritorial jurisdiction in Coffey County described therein.

Section 5. Official Copies: Not less than three copies of the Zoning Regulations in book form marked "Official Copy as incorporated by Ordinance No. 545" and to which there shall be a published copy of this Ordinance attached, shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

Section 6. Invalidity of a Part: Any provisions of the Ordinance which shall be declared by a competent court to be unconstitutional or invalid shall not affect the validity and authority of any other sections of said Ordinance.

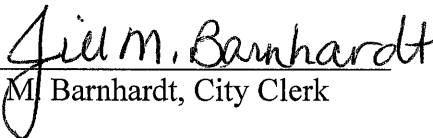
Section 7. Repeal: Ordinances Numbers 529 and 538 are hereby repealed and any other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 8. Effective Date: This Ordinance shall take effect from and after its passage, approval and publication one (1) time in the official city newspaper.

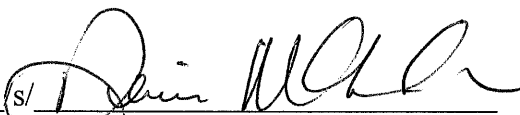
PASSED by the City Council and approved by the Mayor of the City of Waverly, Kansas, on this 14th day of December 2016.

/s/ 
Craig Meader, Mayor

ATTEST:

/s/ 
Jill M. Barnhardt, City Clerk

APPROVED AS TO FORM:

/s/ 
Denise McNabb, City Attorney