

Appendix C

Ordinances Awaiting Codification

(FIRST PUBLISHED IN THE VINDICATOR APRIL 8TH, 2020)

ORDINANCE NO. 001

AN ORDINANCE APPROPRIATING THE AMOUNTS SET UP IN EACH FUND IN THE BUDGET FOR THE REMAINDER OF CALENDAR YEAR 2020, PROVIDING FOR THE PAYMENT OF ALL CLAIMS AND CHARGES AGAINST THE ACCOUNTS PROVIDED FOR THEREIN.

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

SECTION 1. That there is hereby appropriated the accounts set up in each fund in the budget for the remainder of the fiscal year 2020 for the payment of all claims and charges against each fund. Payments of all claims and charges against each fund shall be made by combination checks and warrants, drawn by the City Administrator and counter-signed by the Mayor, as provided by law; provided, however, that such officers shall at all times comply with the provisions of the Budget Law and Cash Basis Law of the State of Kansas.

SECTION 2. That the payment of all claims and charges against the respective accounts and funds provided in the budget for the year 2020 are hereby authorized, ratified and approved.

SECTION 3. This Ordinance shall take effect from and after its passage and publication once in the official City newspaper.

ADOPTED this 1ST day of APRIL, 2020



MAYOR



ATTEST: April Herbster, City

ORDINANCE NO.002

AN ORDINANCE ESTABLISHING REGULATIONS FOR CRIMINAL LITTERING AND PENALTIES FOR VIOLATION WITHIN THE CITY OF VALLEY FALLS KANSAS

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

CRIMINAL LITTERING:

a. No person shall throw, place or drop litter or allow litter to be thrown, placed or dropped upon or about:

(1) Any public street, highway, alley, road, right-of-way, park or other public place, except by direction of some public officer or employee authorized by law to direct or permit such acts; or

(2) The community clean-up site designated by the City of Valley Falls as such except in the city container and only by those citizens who pay water and sewer bills to the City of Valley Falls Kansas. Debris from the tear down of any structure or any part thereof is not allowed to be placed at the community clean up cite or any other area within the City of Valley Falls, Kansas

(3) Any private property unless contained within containers approved by the City of Valley Falls

b. Litter means rubbish, refuse, waste material, garbage, trash or debris of whatever kind or description and includes improperly discarded paper, metal, plastic, debris from the tear down of any structure or any part thereof, or glass.

c. Criminal littering is an unclassified misdemeanor punishable:

(1) Upon a first conviction by a fine of not less than \$250 nor more than \$1,000; and

(2) Upon a second conviction by a fine of not less than \$1000 nor more than \$2000, and

(3) Upon a third or subsequent conviction by a fine of not less than \$2000 nor more than \$4,000


d. In addition to the fines in subsection e., a person convicted of littering shall be required to pick up litter for a time prescribed by and at a place within the jurisdiction of the court.

PASSED AND APPROVED By the Governing Body of the City of Valley Falls Kansas on this 20th day of May 2020



Mayor

ATTEST:



City Clerk

ORDINANCE NO. 003

AN ORDINANCE AMENDING ARTICLE 2 LOCAL TRAFFIC REGULATIONS OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF VALLEY FALLS, KANSAS MODIFYING REGULATIONS FOR THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, ALL TERRIAN VEHICLES AND RECREATION OFF-HIGHWAY VEHICLES ALSO KNOWN AS UTILITY TERRAIN VEHICLES OR SIDE BY SIDE VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY FALLS, KANSAS ; NOT ALLOWING FOR THE OPERATION OF SAID VEHICLES BETWEEN SUNSET AND SUNRISE UNLESS PROPERLY EQUIPPED WITH LIGHTS, MIRRORS AND SEAT BELTS .

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS THAT CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF VALLEY FALLS, KANSAS SHALL BE AMENDED AS FOLLOWS:

14-101 Section 1. OPERATION OF WORK-SITE UTILITY VEHICLES (b) No work-site utility vehicle shall be operated on any public highway or street between sunset and sunrise unless such vehicle is equipped with proper head lights, tail lights, brake lights, turn signals, mirrors and seat belts.

Section 6. OPERATION OF MICRO UTILITY TRUCKS (b) No micro utility truck shall be operated on any public highway or street between sunset and sunrise unless such truck is equipped with proper head lights, tail lights, brake lights, turn signals, mirrors and seat belts.

Section 20. DEFINITION RECREATION OFF-HIGHWAY VEHICLE also known as SIDE BY SIDE AND UTILITY TERRAIN VEHICLES. Any motorized non-highway vehicle more than 50 but not greater than 64 inches in width, having a dry weight of 2,000 pounds or less and traveling on four or more non-highway tires.

Section 21. OPERATION OF RECREATION OFF-HIGHWAY VEHICLE also known as SIDE BY SIDE AND UTILITY TERRAIN VEHICLE. (a) Said vehicles may be operated upon the public highways, streets, roads and alleys with the corporate limits of the city.

(b) No such vehicle may be operated on any public highway or street between sunset and sunrise unless such vehicle is equipped with proper head lights, tail lights, brake lights, turn signals, mirrors and seat belts.

The remaining provisions of Chapter 14 of said Code shall remain unchanged.

This ordinance shall be effective upon its passage, approval and publication in the official City Newspaper.

PASSED AND APPROVED THIS 16TH day of September 2020

LUCILLE THOMAS, MAYOR

ATTEST;

April Herbster, City Clerk

ORDINANCE NO. 006

ORDINANCE REPEALING CHAPTER 2, ARTICLE 3, TITLED PITT BULLS IN THE CODE OF
ORDINANCES OF THE CITY OF VALLEY FALLS, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS,
THAT CHAPTER 2, ARTICLE 3 TITLED PITT BULL DOGS OF THE CODE OF ORDINANCES OF THE
CITY OF VALLEY FALLS, KANSAS IS REPEALED.

This Ordinance shall be in effect on its passage and publication in the
Vindicator.

PASSED AND APPROVED THIS 20th day of January 2021.

LUCY THOMAS, MAYOR

ATTEST:

APRIL HERBSTER, CITY CLERK

repeal ordinance- repeal

AN ORDINANCE AMENDING ARTICLE 2 LOCAL TRAFFIC REGULATIONS OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF VALLEY FALLS, KANSAS ESTABLISHING A SPEED LIMIT EAST OF OAK STREET ON 15TH STREET

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS THAT CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF VALLEY FALLS, KANSAS SHALL BE AMENDED AS FOLLOWS:

14-208 The Speed limit on 15th Street East of Oak Street shall be 20 mph.

That the remaining provisions of Chapter 14 of said Code shall remain unchanged.

This ordinance shall be effective upon its passage, approval and publication in the official City Newspaper.

PASSED AND APPROVED THIS 16TH day of September 2020



LUCILLE THOMAS, MAYOR

ATTEST;



April Herbster, City Clerk

ORDINANCE NO. 2022-2

AN ORDINANCE ESTABLISHING A CITY LAND BANK PURSUANT TO K.S.A. 12-5901, et seq.

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

Section 1. The City of Valley Falls, Kansas (herein after "City"), by the power vested in it by K.S.A. 12-5901, et seq., hereby establishes a city land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within the City of Valley Falls, Kansas. The land bank will be guided in its affairs by a board of trustees.

Section 2. The land bank board of trustees shall consist of a six (6) member board comprised of the Mayor and the City Council of the City of Valley Falls, Kansas.

Section 3. The land bank staff shall consist of the administrative staff of the City of Valley Falls, Kansas.

Section 4. CASH BASIS. The bank shall be subject to the provisions of the cash-basis law, K.S.A. et seq., and amendments thereto, as provided in K.S.A. 12-5903 (a).

Section 5. BUDGET. The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the Governing Body of the City of Valley Falls.

Section 6. For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board's best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the banks activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Section 7. Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the county of Labette pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 12-5901, et seq. (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of the City of Valley Falls, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

Section 8. The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property.

Section 9(a). The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

Section 9(b). Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

Section 10. The governing body of the City of Valley Falls, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank.

Section 11. The land bank is required to make an annual report to the governing body of the City of Valley Falls, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 12. Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 13. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 14. STATUTORY AUTHORITY. The provisions of this ordinance shall at all times be consistent with K.S.A. 12-5901 et seq and amendments thereto.

Section 15. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Valley Falls, Kansas.

Passed and approved by the Governing Body of the City of Valley Falls, Kansas this 16 day of February 2022.


Jeanette Shipley
Mayor

ATTEST:


Christine Weishaar
City Clerk

ORDINANCE NO. 2022-03

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN THE CITY OF VALLEY FALLS, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND FOR THE PURPOSE OF FINANCING A WASTEWATER TREATMENT PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.

WHEREAS, the Federal Water Quality Act of 1987 (the "Federal Act") established revolving fund program for public wastewater treatment systems to assist in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

WHEREAS, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

WHEREAS, by passage of the Kansas Water Pollution Control Revolving Fund Act, K.S.A. 65-3321 through 65-3329, inclusive (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Water Pollution Control Revolving Fund (the "Revolving Fund") for purposes of the Federal Act; and

WHEREAS, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

WHEREAS, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Master Financing Indenture (the "Master Indenture") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public wastewater treatment projects (the "Projects") and to pledge the Loan Repayments (as defined in the Master Indenture) received pursuant to such Loan Agreements to the Authority; and

WHEREAS, the Authority is authorized under K.S.A. 74-8905 (a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing fund to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the Payment of Project Costs (as said terms are defined in the Loan Act); and

WHEREAS, the City of Valley Falls, Kansas (the "Municipality") is a municipality as said term is defined in the Loan Act which operates a wastewater collection and treatment system (the "System"); and

WHEREAS, the System is a public Wastewater Treatment Work, as said term is defined in the Loan Act; and

WHEREAS, the Municipality has, pursuant to the Loan Act, submitted an Application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

Construction of a project to rehabilitate portions of the City's wastewater collection system (the "Project"); and

WHEREAS, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provision of K.A.R. 28-16-110 to 28-16-138 (the "Regulations") applicable there to necessary to qualify for the loan; and

WHEREAS, KDHE has informed the Municipality that it has been approved for a loan in amount of not to exceed \$1,008,888.00 (the "Loan") in order to finance the Project;

WHEREAS, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the Loan and to enter into a loan agreement and certain other documents relating thereto, and to take certain actions required in order to implement the Loan Agreement.

THEREFOR, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS:

Section 1. Authorization of Loan Agreement. The Municipality is here by authorized to accept the Loan and to enter into a certain Loan Agreement, with an effective date of February 8, 2022, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "Loan Agreement") to finance the Project Cost (as defined in the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the City Attorney, the Mayor's execution of the Loan Agreement being conclusive evidence of such approval.

Section 2. Establishment of Dedicated Source of Revenue for Repayment of Loan. Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fee and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues or levy ad valorem taxes without limitation as to rate or amount upon all taxable tangible property, real or personal, within the territorial limits of the Municipality to produce amounts which are sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, and (c) pay all other amounts due at any time under the Loan Agreement; provided however, no lien or other security interest is granted by the Municipality to KDHE on the System Revenues under this Agreement. In the event the System Revenues are insufficient to meet the obligation under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement.

In accordance with the Loan Act, the obligations under the Loan and the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

Section 3. Further Authority. The Mayor, Clerk, and other City officials are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other document herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 4. Governing Law. The Ordinance and the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

Section 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper.

PASSED by the governing body of the City on April 6, 2022 and signed and **APPROVED** by the Mayor.

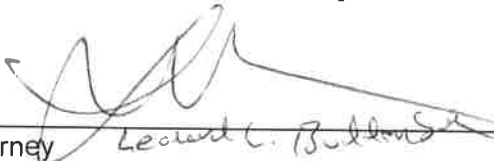
(SEAL)



ATTEST:



[APPROVED AS TO FORM ONLY.]



City Attorney Leonard C. Bullman

ORDINANCE NO. 2022-04

AN ORDINANCE ESTABLISHING COLLECTIONS WITHIN THE CITY OF VALLEY FALLS

BE IT ORDAINED BY THE CITY OF VALLEY FALLS, KANSAS.

Section 1. Citizen/debtor shall pay any and all charges related to the reasonable costs of collection of any fine/fee/costs of services, as well as any costs/assessments for clean-up of the property for a municipal violation that is the issue herein. This specifically applies to, but is not limited to, charges for water, trash, electricity, property code violation fines, parking tickets, municipal court fines, fees, court costs, interest accrued thereon, and any other debt due and owing to the municipality. The costs of collection include, but are not limited to, court costs, surcharges, attorney fees, and collection agency fee, except that such costs of collection may not include both attorney fees and collection agency fees.

Section 2. Effective Date: This ordinance shall be in full force and effective on and after its passage and publication in the official city newspaper.

PASSED AND APPROVED this 20th day of April, 2022.


Jeanette Shipley, Mayor

ATTEST:


Christine Weishaar, City Clerk