SHAWNEE COUNTY RESOLUTION NO. 2001-205

CITY OF TOPEKA ORDINANCE NO. 17744

A JOINT SHAWNEE COUNTY RESOLUTION AND CITY OF TOPEKA ORDINANCE introduced by Mayor Felker relating to the Metro Board of Zoning Appeals, amending City of Topeka Code § 48-34.04, Powers and duties, generally and specifically repealing said original section.

BE IT RESOLVED by the Board of County Commissioners of the County of Shawnee, Kansas, on this 1st day of November, 2001.

BE IT ORDAINED by the Council of the City of Topeka, Kansas, on this 16th day of Oct., 2001:

Section 1. City of Topeka Code § 48-34.04, Powers and duties, generally, is hereby amended to read as follows:

Powers and duties, generally.

The metro board of zoning appeals shall administer the details of the application of this chapter, and regulations in accordance with the general rules set forth in this chapter, including the power to hear and determine appeals and from the refusal of building permits, home occupation permits pursuant to T.C.C. § 48-29.01 (a)(9) and to permit exceptions to, or variations from this chapter in the classes of cases or situations, in accordance with the purpose, conditions and procedures specified in this chapter. In addition, the board of zoning appeals shall have power to hear and determine appeals from any person whose application for a permit to hang, erect or locate a sign under adopted sign regulations relating to size, height, and illumination has been denied or an appeal by any person desiring to appeal from any decision of the code enforcement director in the enforcement of the city sign regulations or any person who has been denied a sign permit by the county.
Section 2. Original City of Topeka Code § 48-34.04 is hereby specifically repealed.

Section 3. If any section or provision or part thereof of this resolution/ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the resolution/ordinance as a whole or any section, provision or portion thereof not adjudged invalid or unconstitutional.

Section 4. This resolution/ordinance shall take effect and be in force from and after its passage, approval and publication in the official County and City newspaper.

PASSED and APPROVED by the Board of County Commissioners, Shawnee County, Kansas November 1, 2001.

BOARD OF COUNTY COMMISSIONERS
Shawnee County, Kansas

Vic Miller, Chairman

Maric Kane, Vice Chair

Ted Ensley, Member

PASSED and APPROVED by the City Council October 19, 2001

Harry Felker, Mayor

LMORD/AMEND48-34.04 03/23/01