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ORDINANCE NO. 17182

AN ORDINANCE introduced by Mayor Harry Felker and Councilmember Gary Price amending the way the monetary penalty is administered, amending City of Topeka Code § 118-12 and repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. City of Topeka Code § 118-12, Fines and cost of sign removal, is hereby amended to read as follows:

Fines and cost of sign removal.

(a) (1) It shall be unlawful to violate subsection (a) of section 118-11 of this chapter. Further any each violation of subsection (a) of section 118-11 of this chapter shall be a municipal offense and shall be subject to a minimum fine of $50.00 subject to an administrative monetary penalty in the amount of fifty dollars ($50.00) levied by the public works director, planning director or their designee. Every day of violation shall be a separate and distinct offense.

(2) The fine may be collected from the property owner, sign owner, or permittee. If the property owner or permittee fails to pay the fine, such fine shall be certified to the city clerk, who shall assess the costs as a special assessment against the lot or parcel of land upon which the sign was located in the manner provided by law.

(3) Notwithstanding the foregoing, the public works director, planning director or their designees may, in addition to imposing an administrative monetary penalty, cause an individual violation of subsection (a) of section 118-11 of this chapter to be prosecuted in municipal court.

(b) Any sign removed by the public works director, planning director or their
designees may be disposed of in any reasonable manner deemed appropriate by the city.

The following fee schedule for removal and storage of unauthorized or hazardous signs is hereby established:

1. Routine removal, each .... $30.00
2. Removal requiring special equipment or extra labor; Actual cost of removal.

The fee may be collected from the property owner, sign owner, or sign permittee. If the property owner, sign owner, or permittee fails to pay the authorized fee, such fee shall be certified to the city clerk, who shall assess the costs as a special assessment against the lot or parcel of land upon which the sign was located in the manner provided by law.

Section 2. That original of the City of Topeka Code § 118-12 is hereby specifically repealed.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 and APPROVED by the City Council March 25, 2003.

Harry Felker, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 3/1/03 BY ISBL
TO BE CODIFIED X
NOT TO BE CODIFIED

VYORD/COSTOFSIGNREMOVAL
2/20/03