

Title 1GENERAL PROVISIONS*Chapters:

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Chapter 1.04GENERAL PROVISIONSSections:

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1.04.010 Definitions. The following words and phrases, whenever used in the ordinances of the city of Chanute, Kansas, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

A. "City" and "town" each mean the city of Chanute, Kansas, or the area within the territorial limits of the city of Chanute, and such territory outside of the city over which the city has jurisdiction or control by virtue of any constitutional or statutory provision.

B. "Commission" or "governing body" means the board of commissioners of the city of Chanute. "All its members" or "all commissioners" means the total number of commissioners.

C. "County" means the county of Neosho.

D. "Law" denotes applicable federal law, the Constitution and statutes of the state of Kansas, the ordinances

* Editor's Note: Current boundary provisions are on file in the city clerk's office.

of the city of Chanute, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

E. "May" is permissive.

F. "Month" means a calendar month.

G. "Must" and "shall" are each mandatory.

H. "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

I. "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

J. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

K. "Personal property" includes money, goods, chattels, things in action and evidences of debt.

L. "Preceding" and "following" mean next before and next after, respectively.

M. "Property" includes real and personal property.

N. "Real property" includes lands, tenements and hereditaments.

O. "Sidewalk" means that portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

P. "State" means the state of Kansas.

Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this city which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

R. "Tenant" and "occupant," applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

S. "Written" includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

T. "Year" means a calendar year. (Added during 1977 codification).

1.04.020 Title of office. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the city. (Added during 1977 codification)

1.04.030 Interpretation of language. All words and phrases shall be construed according to the common and approved usage of the language, but technical words and

words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning. (Added during 1977 codification).

1.04.040 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the city unless it is apparent from the context that a different construction is intended:

A. Gender. Each gender includes the masculine, feminine and neuter genders.

B. Singular and Plural. The singular number includes the plural and the plural includes the singular.

C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Added during 1977 codification).

1.04.050 Acts by agents. When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed to include all such acts performed by an authorized agent. (Added during 1977 codification).

1.04.060 Prohibited acts include causing and permitting. Whenever in the ordinances of the city, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission. (Added during 1977 codification).

1.04.070 Computation of time. Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded. (Added during 1977 codification).

1.04.080 Construction. The provisions of the ordinances of the city, and all proceedings under them, are to be construed with a view to effect their objects and to promote justice. (Added during 1977 codification).

1.04.090 Repeal shall not revive any ordinances. The repeal of an ordinance shall not repeal the repealing clause of an ordinance nor revive any ordinance which has been repealed thereby. (Added during 1977 codification).

Chapter 1.08

GENERAL PENALTY

Sections:

1.08.010 Designated.

1.08.010 Designated. A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of any ordinance of the city, is guilty of a misdemeanor. Except in cases where a different punishment is prescribed by any ordinance of the city, any person convicted of a misdemeanor under the ordinances of the city shall be punished by a fine not to exceed \$500 or by imprisonment not to exceed 1 year, or by both such fine and imprisonment.

B. Each such person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued or permitted by any such person, and he is punishable accordingly. (Added during 1977 codification).

Chapter 1.12

WARDS AND VOTING PRECINCTS

Sections:

- 1.12.010 Established.
- 1.12.020 First ward.
- 1.12.030 Second ward.
- 1.12.040 Third ward.
- 1.12.050 Fourth ward.
- 1.12.060 First ward--Voting precinct.
- 1.12.070 Second ward--Voting precincts.
- 1.12.080 Third ward--Voting precincts.
- 1.12.090 Fourth ward--Voting precincts.
- 1.12.100 Elections--Voting places.

1.12.010 Established. The city is divided into wards and voting precincts as provided in this chapter. (Ord. 2278 §1, 1985).

1.12.020 First ward. The first ward of the city shall comprise all that part of the city bounded on the south by Main Street, on the north by the city limits, on the west by the centerline of the Atchison, Topeka and Santa Fe railway company's right-of-way, on the east by the city limits. (Ord. 2278 §2, 1985).

1.12.030 Second ward. The second ward of the city shall comprise all that part of the city bounded on the south by Main Street, on the north by the city limits, on the east by the centerline of the Atchison, Topeka and Santa Fe railway company's right-of-way, and on the west by the city limits. (Ord. 2278 §3, 1985).

1.12.040 Third ward. The third ward of the city shall comprise all that part of the city bounded on the north by Main Street, on the south by the city limits, on the east by the centerline of the Atchison, Topeka and Santa Fe railway company's right-of-way, and on the west by the city limits. (Ord. 2278 §4, 1985).

1.12.050 Fourth ward. The fourth ward of the city shall comprise all that part of said city bounded on the north by Main Street, on the south by the city limits, on the west by the centerline of the Atchison, Topeka and Santa Fe railway company's right-of-way and the city limits, and on the east by the city limits. (Ord. 2278 §5, 1985).

1.12.060 First ward--Voting precinct. The first ward of the city shall constitute and be designated as the only voting precinct in the first ward. (Ord. 2278 §6, 1985).

1.12.070 Second ward--Voting precincts. The second ward of the city shall be divided into 2 voting precincts and said precincts shall be bounded as follows:

First Precinct: That part of said ward commencing at the intersection of Main Street and the center line of the Atchison, Topeka and Santa Fe Railroad right-of-way; thence north and northeasterly along the center line of said railroad right of way to the city limits; thence west along the center line of Ash Grove Road to the center of Santa Fe Avenue; thence south along the center of Santa Fe Avenue to the center of West Hickory Street; thence west along the center of West Hickory Street to the center line of North Washington Avenue; thence south along the center of North Washington Avenue to the center line

of West Chestnut Street; thence west along the center line of West Chestnut Street to the center line of North Washington Street; thence south along the center line of North Washington Street to the center line of Main Street; thence east along the center line of Main Street to the point of beginning.

Second Precinct: That part of said ward commencing at the intersection of the center line of West Main Street and North Washington Avenue; thence north along the center line of North Washington Avenue to the center line of West Chestnut Street; thence east along the center of West Chestnut Street to the center line of North Washington Avenue; thence north along the center line of North Washington Avenue to the center line of West Hickory Street; thence west along the center line of West Hickory Street to the center line of North Kansas Avenue; thence north along the center line of North Kansas Avenue to the center line of Ash Grove Road; thence east along the center line of Ash Grove Road to the Southeast Quarter of Section 17, Township 27, South, Range 18 East of the Sixth P.M., Neosho County, Kansas; thence north along said quarter section line 1800 feet; thence west 2,640 feet to a point on the east boundary of the West Half of the Northwest Quarter of said Section 17; thence south on said line 1800 feet to the Southeast Corner of the Southwest Quarter of the Northwest Quarter of said Section 17; thence west along the center line of Ash Grove Road to the center line of North Plummer Avenue; thence southerly along the western boundaries of the city limits to the center line of West Main Street; thence easterly along the center line of West Main Street to the point of beginning.

(Ord. 2309 §1, 1987: Ord. 2278 §7, 1985).

1.12.080 Third ward--Voting precincts. The third ward of the city shall be divided into 3 voting precincts and said precincts shall be bounded as follows:

First Precinct: Commencing at the intersection of the center line of West Main Street and the center line of the Atchison, Topeka and Santa Fe Railway Company; thence southerly along the center line of the right-of-way of the Atchison, Topeka and Santa Fe Railroad right of way to the city limits; thence north along the city limits line to the center line of the west branch of the Atchison, Topeka and Santa Fe Railway Company right-of-way; thence southwesterly along the center line of said right-of-way to the center line of South Allen Avenue; thence north

the center line of West Tenth Street to the center line of South Western Avenue; thence north along the center line of South Allen Avenue to the center line of West Tenth Street; thence east along the center line of West Tenth Street to the center line of South Western Avenue to the center line of West Main Street; thence east along the center line of West Main Street to the point of beginning.

Second Precinct: That part of said ward commencing at the intersection of the center line of West Main Street and the center line of South Western Avenue; thence west along the center line of West Main Street to the center line of South Larson Avenue; thence south along the center line of South Larson Avenue to the center line of West Twelfth Street thence east along the center line of West Twelfth Street to the center line of South Allen Avenue; thence north along the center line of South Allen Avenue to the center line of West Tenth Street; thence east along the center line of West Tenth Street to the center line of South Western Avenue; thence north along the center line of South Western Avenue to the point of beginning.

Third Precinct: All that part of said ward bounded on the north by the West Main Street, on the west by the city limits, on the south by the city limits and on the east by the western boundary of the second precinct of the third ward and the western boundary of the first precinct of the third ward south of Twelfth Street.

(Ord. 2309 §2, 1987; Ord. 2278 §8, 1985).

1.12.090 Fourth ward--Voting precincts. The fourth ward of the city shall be divided into 3 voting precincts and said precincts shall be bounded as follows:

First Precinct: Commencing at the intersection of the center line of East Main Street and the center line of the Atchison, Topeka and Santa Fe Railway Company right-of-way; thence southerly along the center line of said right-of-way to the center line of Fourteenth Street; thence east along the center line of Fourteenth Street to the center line of South Evergreen Avenue; thence north along the center line of South Evergreen Avenue to the center line of East Fifth Street; thence west along the center line of East Fifth Street to the center line of South Highland Avenue; thence north along the center line of South Highland Avenue to the center line of

center line of East Fourth Street to the center line of South Evergreen Avenue; thence north along the center line of South Evergreen Avenue to the center line of East Main Street; thence west on the center line of Main Street to the point of beginning.

Second Precinct: commencing at the intersection of the center line of East Main Street and the center line of Evergreen Avenue; thence east along the center line of East Main Street to the city limits; thence southerly along the east boundary of the city limits to the center line of East Fourteenth street; thence west along the center line of East Fourteenth Street to the center line of South Evergreen Avenue; thence north along the center line of South Evergreen Avenue to the center line of East Fifth Street; thence west along the center line of East Fifth Street to the center line of South Highland Avenue; thence north along the center line of South Highland Avenue to the center line of East Fourth Street; thence east along the center line of East Fourth Street to the center line of South Evergreen Avenue; thence north along the center line of South Evergreen Avenue to the place of beginning.

Third Precinct: All that part of said ward bounded on the north by the center line of Fourteenth Street, on the east by the city limits, on the south by the city limits and on the west by the center line of the Atchison, Topeka and Santa Fe Railroad right-of-way.

(Ord. 2309 §3, 1987: Ord. 2278 §9, 1985).

1.12.100 Elections--Voting places. For each primary and general election, as defined by statute, there shall be one voting place in each precinct. For each city primary, city election and city special election there shall not be less than one voting place for each ward. (Ord. 2285 §1, 1985; Ord. 2278 §10, 1985).