

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 190586

Amending Chapter 27, Code of Ordinances, by repealing Sections 27-1, 27-3, and 27-4 and enacting in lieu thereof new sections of like number and subject matter for the purpose of clarifying the enforcement process and specifying definitions for yards.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 27, Code of Ordinances is hereby amended by repealing Sections 27-1, 27-3 and 27-4, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 27-1. Title of chapter; delegation of duties by director of the neighborhoods and housing services department.

(a) This chapter shall be known as the fence and wall code of the city, and may be cited as such.

(b) Responsibilities of the director of the neighborhoods and housing services department under this chapter may be performed by authorized representatives of the director.

Sec. 27-3. Enforcement of chapter.

(a) *Violations; penalty.* It shall be unlawful for any owner to construct, enlarge, repair, improve, use, occupy or maintain any fence or wall, partial or whole, in the city, or cause such work to be done, contrary to or in violation of any of the provisions of this chapter, or rules or regulations promulgated under this chapter. Upon conviction thereof, such person shall be punished by a fine of not more than \$500.00, imprisonment for not more than six months, or both such fine and imprisonment. Each day a fence or wall is maintained in violation of this chapter or any provision thereof shall constitute a separate offense.

(b) *Method of enforcement.* The administrative enforcement procedure provided in chapter 48 is the method for the city to gain compliance with provisions of this chapter;

- (1) the hearing and appeals process is detailed in Sections 48-76, 48-78 and 48-79;
- (2) any person served with an order to remove or abate shall have the right to appeal said order to the property maintenance appeals board as established by chapter 56.

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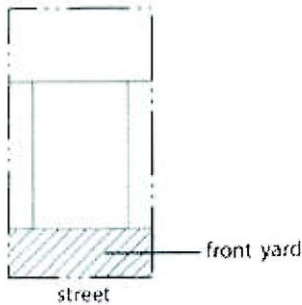
(c) *Right of entry.* Whenever the director of neighborhoods and housing services has reasonable cause to believe that there exists any condition which makes the fence or wall unsafe, dangerous or hazardous, the director of neighborhoods and housing services may enter the property pursuant to the requirements of chapter 56.

Sec. 27-4. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fence or wall means an enclosure, wall or partition constructed of chain link, split rail, wood, plastic or vinyl (fabricated primarily as fencing materials), masonry, brick, stone, cinder block, ornamental iron or other building material which encloses or divides a lot or parcel of land.

Front yard means the area that exists between a building and the front property line of the lot on which the building is located, extending along the full length of the front property line between the side property lines. See also "Front Setback."

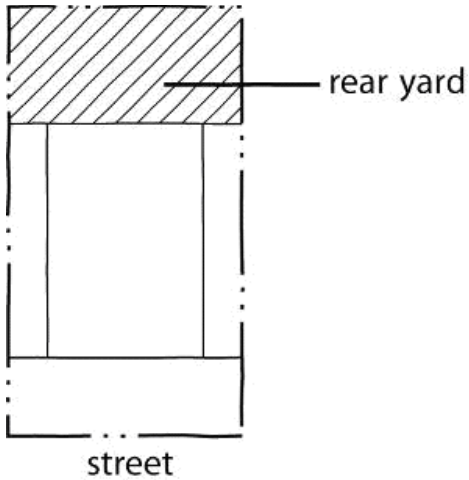


Owner means any person, employee, firm or corporation, partnership, association, organization or governmental agency properly regulated by the city who, alone or jointly or severally with others:

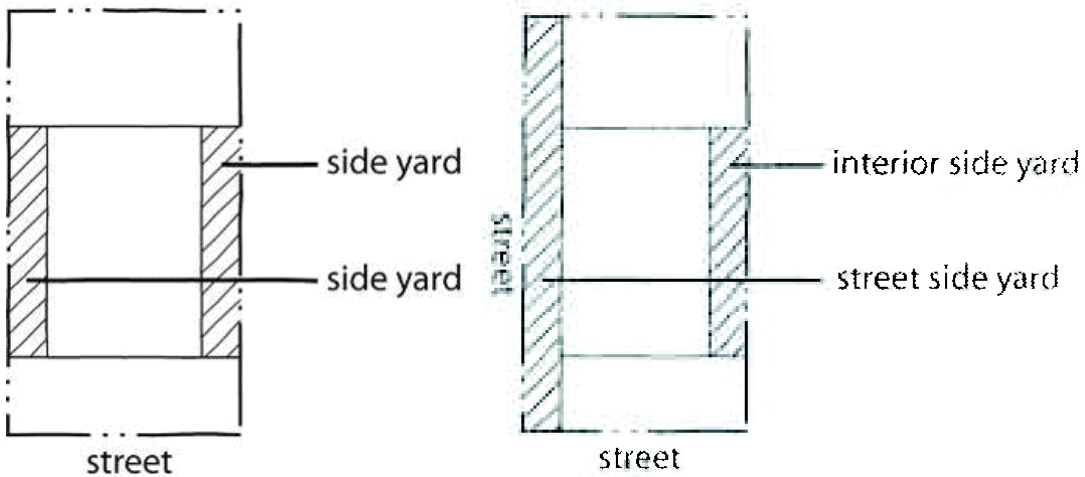
- 1) Shall have legal title to any structure with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any structure, or part thereof, as agent or personal representative of the person having legal title to the structure, or part thereof.

Rear yard means the area that exists between a building and the rear property line of the lot on which the building is located, extending along the full length of the rear property line between the side property lines.

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Side yard means the area that exists between a building and the side property line of the lot on which the building is located, extending along a side property line from the point of the minimum front setback to the point of the minimum rear setback and the area that exists between a building and the street side property line of the lot on which the building is located, extending along the street side property line the entire depth of the lot.



Approved as to form and legality:

Martha Means
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