

(Summary Published in the Times-Sentinel
on the ____ day of _____, 2018.)

THE CITY OF CHENEY, KANSAS

ORDINANCE NO. 905

AN ORDINANCE AUTHORIZING THE INSTALLATION OF A LANDSCAPE BUFFER ZONE FOR RESIDENCES ABUTTING CHERRY OAKS GOLF COURSE BY AMENDING SECTION 8-402 OF AND ADDING NEW SECTION 8-408 TO THE CHENEY CITY CODE, AND REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF CHENEY, KANSAS.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHENEY, KANSAS:

Section 1. AMENDING SECTION 8-402 OF THE CHENEY CITY CODE.

Section 8-402 of the Cheney City Code is hereby amended to read as follows:

“8-402 DEFINITIONS. Weeds - as used herein, means any of the following:
(a) Brush and woody vines shall be classified as weeds;
(b) Weeds and grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property;
(c) Weeds which bear or may bear seeds of a downy or wingy nature.
(d) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare;
(e) Weeds and grasses on or about residential property which, because of its height, has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed twelve (12) inches in height, EXCEPT that tall grasses and other native vegetation that is properly installed and maintained within a Landscape Buffer Zone adjacent to Cherry Oaks Golf Course pursuant to Section 8-408 of this Code shall not be considered to be weeds that are required to be removed under this Article, PROVIDED such grasses and/or other native vegetation do not exceed twenty-four (24) inches in height and do not otherwise constitute “Weeds” as defined under Section 8-402 (a) through (d) of this Code.”

Section 2. ADDING NEW SECTION 8-408 TO THE CHENEY CITY CODE.

Section 8-408 is hereby added to the Cheney City Code to read as follows:

“8-408 LANDSCAPE BUFFER ZONE AUTHORIZED. Each owner of property whose rear yard directly abuts Cherry Oaks Golf Course is hereby authorized to erect and install a Landscape Buffer Zone within their property’s rear yard directly abutting the Cherry Oaks Golf Course. Landscape Buffer Zones cannot cover more than twenty percent (20%) of an abutting property’s rear yard. To exist in compliance with this Article, each Landscape Buffer Zone must contain grasses and/or other native vegetation that are indigenous to this locale. Such grasses and/or other native vegetation may not exceed twenty-four (24) inches in height and may not otherwise constitute “Weeds” as defined under Section 8-402 (a) through (d) of this Code. All Landscape Buffer Zones are subject to all public and private easements and rights of way, and it is the property owner’s responsibility to maintain and/or restore such Landscape Buffer Zones when affected by access to and/or work within said public and private easements and rights of way.”

Section 3. Repeal


All ordinances or parts of ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 4. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Council this 9th day of February, 2018.

Approved by the Mayor this 9th day of February, 2018.


MAYOR, LINDA BALL

SEAL

ATTEST:




CITY CLERK, DANIELLE YOUNG