



# Saline County Code of Ordinances

## General Provisions

### Sec. 1-1. - Designation and citation of Code.

The resolutions in this and the following chapters and sections shall constitute and be designated the "Code of Saline County, Kansas," and may be so cited.

### Sec. 1-2. - Definitions and rules of construction.

In the construction of this Code and of all resolutions and policies of the county, the following definitions and rules of construction shall be observed, unless it shall be otherwise expressly provided, or unless inconsistent with the manifest intent of the board of county commissioners, or unless the context clearly requires otherwise:

All general provisions, terms, phrases and expressions shall be liberally construed in order that the intent and meaning of the board of county commissioners may be fully carried out.

In the interpretation and application of any provision, the provision shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision imposes greater restrictions upon the subject matter than another more general provision, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

*Board of county commissioners.* The words "board of county commissioners" mean the board of county commissioners of Saline County, Kansas.

*Code.* The word "Code" means the Code of Saline County, Kansas, as designated in [section 1-1](#) and as amended.

*County.* The word "county" means Saline County, Kansas.

*County administrator; county manager.* The words "county administrator" and "county manager" are interchangeable.

*Day.* The word "day" means the period of time between 12:00 midnight and the 12:00 midnight following.

*Daytime; nighttime.* The word "daytime" means the period of time between sunrise and sunset. The word "nighttime" means the period of time between sunset and sunrise.

*Delegation of authority.* A provision requiring or authorizing a county officer or a county employee to do some act is to be construed to authorize the county officer or county employee to designate, delegate and authorize subordinates to perform the act.

*Gender.* Any word importing the masculine gender only shall also include the feminine and neuter.

*Health department.* The words "health department" mean the joint Saline County Health Department.



# Saline County Code of Ordinances

## General Provisions

*Joint authority.* All words giving a joint authority to three or more persons are to be construed as giving such authority to a majority of such persons.

*K.S.A.* The abbreviation "K.S.A." refers to the Kansas Statutes Annotated, as now or hereafter amended. The term includes all supplements thereto.

*Legal holiday.* The words "legal holiday" mean any day designated as a holiday by the board of county commissioners.

*May.* The word "may" is to be construed as being permissive.

*May not.* The words "may not" have a prohibitory effect.

*Month.* The word "month" means a calendar month.

*Must.* The word "must" is to be interpreted as being mandatory.

*Number.* Any word importing the singular number only includes the plural.

*Oath.* The word "oath" shall be construed to include an affirmation 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."

*Officers, departments, etc.* References to officers, departments, boards, commissions and employees are references to officers, departments, boards, commissions and employees of the county.

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

*Person.* The word "person" includes any individual, firm, copartnership, joint venture, corporation, society, club, association, joint stock company, estate or trust, receiver, trustee, assignee, lessee or any person acting in a fiduciary or representative capacity, where appointed by court or otherwise, or any group or combination acting as a unit, including the United States of America, the state and any political subdivision thereof.

*Personal property.* The words "personal property" include every species of property except real property.

*Preceding; following.* The words "preceding" and "following" mean next before and next after, respectively.

*Property.* The word "property" includes real and personal property.

*Public place.* The words "public place" mean any street or highway, sidewalk, park, cemetery, schoolyard or open space adjacent thereto and any lake or stream. The words "public place" include any private property accessible to the public such as a trail, bike path, alley, hiking path or shopping center parking lot.

*Real property.* The words "real property" include lands, tenements, hereditaments, improvements on land and also structures.

*Shall.* The word "shall" is to be construed as being mandatory.



# Saline County Code of Ordinances

## General Provisions

*Sidewalk.* The word "sidewalk" means that portion of the public right-of-way intended for the use of pedestrians.

*Signature or subscription.* A signature or subscription shall include a mark when the person cannot write.

*State.* The word "state" means the State of Kansas.

*Tenant.* The word "tenant" or the word "occupant," applied to a building or land, includes any person who occupies the whole or a part of such building or land, whether alone or with others.

*Tense.* Words used in the past or present tense include the future as well as the past and present.

*Unincorporated area.* The term "unincorporated area" means any land not within the corporate limits of any city.

*Written or in writing.* The term "written" or the term "in writing" is to be construed to include any representation of words, letters or figures, whether by printing or otherwise.

*Year.* The word "year" means a calendar year.

(Res. No. 14-2138, 10-7-14)

### Sec. 1-3. - Catchlines, history notes, etc.; references to Code.

- a. Catchlines, headings and titles of sections, divisions, subdivisions, articles and chapters of this Code or in changes made in the Code are inserted for the convenience of users of the Code and shall have no legal effect.
- b. The history or source notes appearing in parentheses after sections in this Code are not intended to have any legal effect but are merely intended to indicate the source of matter contained in the section. Cross references and state law references which appear after sections or subsections of this Code or which otherwise appear in footnote form are provided for the convenience of the user of this Code and have no legal effect.
- c. All references to chapters, articles or sections are to the chapters, articles and sections of this Code unless otherwise specified.

### Sec. 1-4. - Effect of repeal of resolution.

- a. The repeal of a resolution shall not revive any resolution in force before or at the time the resolution repealed took effect.
- b. The repeal of a resolution shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the resolution repealed.

### Sec. 1-5. - Amendments or additions to Code.

Any additions or amendments to this Code, when passed in such form as to indicate the intention of the board of county commissioners to make the addition or amendment a part hereof, shall be deemed to be incorporated in this Code, so that reference to this Code shall be understood as including them.



# Saline County Code of Ordinances

## General Provisions

### Sec. 1-6. - Supplementation of Code.

- a. Supplements to this Code shall be prepared and printed whenever authorized or directed by the board of county commissioners. A supplement to the Code shall include all substantive permanent and general parts of resolutions passed by the board of county commissioners during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages that have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the Code will be current through the date of the adoption of the latest resolution included in the supplement.
- b. In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.
- c. When preparing a supplement to this Code, the codifier, meaning the person authorized to prepare the supplement, may only make formal, nonsubstantive changes in resolutions and parts of resolutions included in the supplement, insofar as it is necessary to do so to embody them into a unified Code. For example, the codifier may:
  1. Organize the material into appropriate subdivisions.
  2. Provide appropriate catchlines, headings and titles for sections and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles.
  3. Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers.
  4. Change the words "this resolution" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be, or to "sections \_\_\_\_\_ through \_\_\_\_\_," inserting section numbers to indicate the sections of the Code which embody the substantive sections of the resolution incorporated into the Code.
  5. Make other nonsubstantive changes necessary to preserve the original meaning of sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of the material included in the supplement or already embodied in the Code.

### Sec. 1-7. - Territorial applicability.

- a. Except as stated otherwise, the provisions of this Code apply in the unincorporated areas of the county, including all areas within three miles of the corporate limits of cities.
- b. Notwithstanding the provisions of subsection (a) of this section, provisions of this Code shall apply within an incorporated municipality if:
  1. The board of county commissioners and the governing body of such municipality execute an agreement providing for such provisions to apply within such municipality; and
  2. The governing body of such municipality takes such action as is required by such agreement.

### Sec. 1-8. - Severability of parts of Code.

It is declared to be the intent of the board of county commissioners that if any portion of this Code is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining



# Saline County Code of Ordinances

## General Provisions

portions of this Code and it shall be construed to have been the legislative intent to pass this Code without such unconstitutional, invalid or inoperative part therein, and the remainder of this Code after the exclusion of such part shall be deemed and held to be valid as if such part had not been included herein. If this Code or any provision thereof shall be held inapplicable to any person, group of persons, property or kind of property, or circumstances or set of circumstances, such holding shall not affect the applicability hereof to any other person, property or circumstance.

### Sec. 1-9. - Provisions considered as continuations of existing resolutions.

The provisions appearing in this Code, so far as they are in substance the same as those of resolutions existing at the time of the adoption of this Code, shall be considered as continuations thereof and not as new enactments.

### Sec. 1-10. - Resolutions not affected by Code.

Nothing in this Code or the resolution adopting this Code affects any:

- a. Charter resolution.
- b. Resolution promising or guaranteeing the payment of money.
- c. Resolution authorizing the issuance of bonds or any evidence of indebtedness.
- d. Resolution authorizing, approving or constituting a contract or agreement not codified in this Code.
- e. Resolution granting a franchise.
- f. Resolution dedicating, naming, establishing, locating, relocating, opening, closing, paving or widening any street, road or public way.
- g. Resolution establishing or approving policies not codified in this Code.
- h. Resolution establishing or altering the grades of any road.
- i. Resolution approving a budget or providing for or making any appropriation.
- j. Resolution establishing salaries or benefits for county officers or county employees or otherwise relating to county personnel. In this subsection the term "county officers or county employees" includes any officers or employees of districts over which the board of county commissioners is the governing body.
- k. Resolution dealing with special assessments for specific property.
- l. Resolution establishing departments or agencies of county government that is not codified in this Code.
- m. Resolution providing for subdivision regulations or zoning regulations, accepting, approving or rejecting any plat or replat or zoning specific property.
- n. Resolution the purpose of which has been accomplished.
- o. Resolution which is special although permanent in effect.
- p. Resolution which is temporary although general in effect.



# Saline County Code of Ordinances

## General Provisions

### Sec. 1-11. - Code does not affect prior offenses, rights, etc.

- a. Nothing in this Code or the resolution adopting this Code shall affect any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Code.
- b. The adoption of this Code shall not be interpreted as authorizing or allowing any use or the continuance of any use of a structure or premises in violation of any resolution in effect on the date of adoption of this Code.



# Saline County Code of Ordinances

## Administration

### Sec. 2-1. - Service charge for worthless check.

The county shall, and does hereby, impose a service charge of \$30.00 for each worthless check given to the county, its agents, officers or employees, which service charge shall be paid by the person giving said worthless check together with the amount of the check within seven days following notice from the county.

(Res. No. 97-1512, 2-11-97; Res. No. 14-2139, 10-14-14)

### Sec. 2-2. - Crime victims reparation fund.

The county shall maintain a separate fund entitled the crime victims reparations fund funded through diversion fees and monies from offenders to be used solely for the purpose of aiding county residents who are the victims of crime for out-of-pocket expenses that were not covered by insurance or other reimbursements.

(Res. No. 1265, 8-13-91)

### Sec. 2-3. - Juror fees.

- a. A person summoned as a juror but dismissed without serving on a jury shall be paid at a rate of \$10.00. A person selected to serve as a juror shall be paid at a rate of \$30.00 the first day and each day of attendance thereafter.
- b. Mileage shall be paid at the rate authorized by law for necessary travel in going to and returning from court.
- c. Juror fees as prescribed in this resolution shall be paid to Saline County jurors by the 28th Judicial District Court and said fees shall become effective January 1, 2007.

(Res. No. 06-1910, 7-25-06)

### Sec. 2-26. - Privacy officer.

- a. *Appointment.* The human resource director is hereby appointed as the privacy officer for the county.
- b. *Duties.* The privacy officer shall oversee all ongoing activities related to the development, implementation, maintenance of, and adherence to county policies and procedures covering the privacy of, and access to, all employee protected health information in compliance with federal and state laws and county information-privacy practices.

(Res. No. 03-1791, §§ 1, 2, 4-22-03)

### Sec. 2-27. - Freedom of information officer.

- a. *Appointment.* The county clerk is hereby appointed as the local freedom of information officer and charged with all of the statutory duties prescribed by Sub. HB 2864 and set forth in subsection.
- b. *Duties.* The local freedom of information officer or the officer's designee shall:
  1. Prepare and provide educational materials and information concerning the Open Records Act;
  2. Be available to assist the county and members of the general public to resolve disputes relating to the Open Records Act;
  3. Respond to inquiries relating to the Open Records Act;
  4. Establish the requirements for the content, size, shape and other physical characteristics of a brochure, required to be displayed or distributed or otherwise make available to the public under the open records





# Saline County Code of Ordinances

## Administration

act. In establishing such requirements for the content of the brochure, the local freedom of information officer shall include plainly written basic information about the rights of a requestor, the responsibilities of a public agency, and the procedures for inspecting and obtaining a copy of public records under the Open Records Act.

(Res. No. 00-1658, §§ 1, 2, 6-28-00; Res. No. 01-1713, §§ 1, 2, 9-25-01)

### Sec. 2-76. - Defense of civil claims.

The county reimburses its officers and employees, and former officers and employees, for those damages and/or expenses and provide a defense for such civil claims, unless the same is covered or provided by the county's insurance carrier; provided, the officers, employees, former officers and employees comply with the provisions of K.S.A. 75-6116, as recorded in the minutes of the board of county commissioners.

(Res. No. 1250, 2-15-91)

### Sec. 2-101. - Office created.

There is hereby created the position of county administrator to provide administrative assistance to the board of county commissioners in the performance of its duties and responsibilities.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, 5-3-94)

### Sec. 2-102. - Qualifications.

The county administrator shall be chosen on the basis of administrative and executive ability, education, experience and knowledge of governmental operations, shall serve at the pleasure of the board of county commissioners and be appointed and removed only by a majority of the board. The administrator shall have administrative experience involving the management of resources and personnel; shall possess the ability to plan and execute work programs, including budgeting and the coordination of governmental functions; and shall possess a working knowledge of the functions and activities of local government.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, § 1, 5-3-94)

### Sec. 2-103. - Salary and benefits.

The salary of the county administrator shall be fixed annually by the board of county commissioners, and the administrator shall be entitled to all benefits conferred on other county employees.

(Res. No. 1077, 7-29-86; Res. No. 94-1392, § 2, 5-3-94)

### Sec. 2-104. - Duties.

The county administrator as the chief administrative officer of the county shall, subject to the direction and control of the board of county commissioners, be responsible for the effective administration of governmental affairs of the county, which are legally placed in his or her charge. Specific responsibilities shall include:

*Job description.*





# Saline County Code of Ordinances

## Administration

Serves as the administrative officer for the county.

Conducts research and collects information on operational and administrative problems and issues.

Analyzes findings and makes recommendations on solutions and develops improved county procedures, methods, and systems of operation and monitors their implementation at the direction of the county commissioners.

Presents proposed policies, programs, and plans for addressing county needs for review and approval by the county commission.

In conjunction with the board of county commissioners, prepares the meeting agenda of the board and attend said meetings.

Coordinates with county counselor plans, policies, manuals, contracts and other documents to be submitted to the board.

With assistance of county counselor prepares and reviews contracts and other papers or documents required by the county and furnished to the county.

Assumes administrative responsibility in areas designated by the county commission and performs a variety of related administrative tasks as required by the county commissioners.

Provides assistance to departments, offices, agencies, and boards as needed.

Direct control and responsibility of all county property under commission authority.

### *Budget administration.*

Prepares and presents to the commission an estimate of anticipated revenues for the next fiscal year.

Oversees annual budget preparation process. With input from department heads and elected officials, submits budget document, equipment improvement plan and technology improvement plan to the Commission for review, revision and adoption.

Reviews budget expenditures with the county commission. Makes recommendations to the commission on approval or disapproval of those expenditures.

Provides information for the annual audit.

The budget process is one of the primary job duties of the administrator. Recognizing that it is an annual ongoing process, the administrator shall annually prepare and present for approval a comprehensive budget for all units of the county including revenues and expenditures; shall prepare and publish the annual report; develop and maintain capital improvement program; develop criteria to evaluate and monitor capital improvement program; and develop and maintain equipment and technology improvement programs. The Administrator shall be responsible for monitoring budgeted expenditures for all departments and keeping the commission informed of compliance and projections.

### *Collaboration.*



# Saline County Code of Ordinances

## Administration

Ensures positive relationships with staff and the public.

Coordinates the administrative operations of the departments, consistent with policies and the directives of the county commissioners.

The administrator shall be responsible for coordination and enforcement of resolutions, policies, and rules and regulations adopted by the board of county commissioners.

Provides advice to department heads and elected officials regarding policy interpretations pertinent to county problems, activities, and services.

Confers with and provides technical assistance to department heads and elected officials in planning and executing special projects.

Guides department heads and elected officials in the development, implementation, and evaluation of new policies and procedures.

Participates on interview boards with county commission for filling department head positions.

Provides input to commissioners on evaluation of all appointed department heads and provides feedback for improvement and development of objectives for department and personal development.

Demonstrates a personality that can communicate the county's goals and needs to the employees.

### *Purchasing.*

Oversees the central purchasing program for the county.

Ensures all policies are followed, accepts bids, conducts bid openings, and makes bid recommendations to the commissioners.

Drafts policy revisions as needed for approval by the commissioners.

Prepares and administers contracts as approved by the county commission and as allowed by the laws of the state.

### *County representative.*

Serves as the county representative on boards and commissions, as required by commissioners.

Interacts with other public jurisdictions, legislative representatives, groups, and news media as official representative of the county as directed by the county commissioners.

Responds to citizen inquiries and concerns. After review of concerns with county commissioners, disposes of or refers cases in accordance with established policies and regulations.

### *Minimum qualifications.*



# Saline County Code of Ordinances

## Administration

Graduation from an accredited four-year college or university and a master's degree in business or public administration, planning, or related field; five or more years progressively responsible experience in local government administrative [administration] or any equivalent combination of training and experience which provides the knowledge, skills, and abilities as listed in the other qualifications.

Thorough knowledge of governmental budgeting and the principles of organization, management and supervision.

Thorough knowledge of the principles, practices, and techniques of public administration.

Thorough knowledge of the structure, functions, operations, policies and procedures of county government and intergovernmental relations.

Thorough knowledge of research methods and techniques as they apply to governmental operations.

Ability to provide effective leadership, emphasizing a team concept, and coordination in developing solutions, recommending new techniques, and supervising staff procedures.

Ability to plan and coordinate a diverse number of activities simultaneously.

Ability to communicate effectively, both orally and in writing.

Ability to prepare, present, and interpret complex reports, such as legal documents, bond issues, policy statements, budgets, and manuals.

Ability to establish and maintain effective working relationships with county commissioners, county department heads, county employees, city agents and employees, other public officials, and the general public.

Demonstrates skill in negotiation.

Knowledge of collective bargaining process.

Demonstrates proficiency in the use of personal computers for word processing, and spreadsheet analysis. Prefer experience in operation of IBM AS400.

Ability to interpret fiscal trends to develop and manage the budget.

Maintain professional standards of ethics and integrity.

### *Essential mental functions.*

Ability to analyze facts and to make sound judgments while administering county's general administrative services.

Ability to listen to information and instructions and apply them to new situations required when coordinating county commissioners assignments and requests.



# Saline County Code of Ordinances

## Administration

Ability to recall information, after having opportunity to study it, is essential when researching operational and administrative issues.

Ability to solve arithmetic problems involving operations with whole numbers, decimals, percents, and simple fractions for planning, preparing and monitoring budget.

Ability to read and understand legal documents and statutes.

### *Essential physical functions.*

Ability to communicate ideas by means of the spoken word, such as giving assignments or directions.

(Res. No. 1077, 7-29-86; Res. No. 93-1392, § 3, 5-3-94; Res. No. 01-1708, 8-28-01)

### Sec. 2-121. - Office established.

The office of county counselor for the county is hereby established to be effective commencing January 1, 1985.

(Res. No. 1002, 8-28-84)

### Sec. 2-131. - Cremation or burial of unclaimed bodies.

- a. The board of county commissioners hereby establishes the sum of \$750.00 as reasonable compensation for cremation or burial of unclaimed bodies, subject to the conditions:
  1. The deceased person must be a resident of Saline County, Kansas.
  2. The expenses of cremation or burial shall first be paid from the assets of the deceased person, including, but not limited to, any property found on the body.
- b. Notwithstanding the provisions of subsection (a) above-stated, the board of county commissioners of Saline County reserves the right to authorize the county counselor or contract attorney to commence estate proceedings in the name of the decedent, as the county would be a third party creditor under existing Kansas probate law.
- c. The Saline County Coroner will exercise due diligence in determining whether or not a corpse is an "unclaimed dead body," including, but not limited to, gathering the following information:
  1. Whether any spouse, child, next of kin, relative, friend, or insurance company has authorized the mortician or funeral home to take possession of the corpse; and/or
  2. Whether any obituary has been published in the local newspaper concerning this decedent and, if such exists, who provided information and/or paid for same; and/or
  3. Whether any non-law enforcement, non-medical personnel, non-coroner's personnel laid claim to or took possession of any money or property belonging to the decedent.

If any of the above factors has occurred, then there is a presumption that the corpse is not "an unclaimed dead body."

- d. In the event the coroner determines that he/she has an "unclaimed dead body" situation, then the coroner shall next determine the county of residence for the "unclaimed dead body." The "county of residence" will be determined by examining papers and documents belonging to the decedent and a Kansas driver's license should be considered determinative of "county of residence." In the event the "unclaimed dead body" is



# Saline County Code of Ordinances

## Administration

determined to be a resident of a county other than Saline, then such corpse shall be delivered by the Saline County Coroner to the coroner of the county of residence.

- e. This section shall not apply to deceased inmates in the custody of the Kansas Secretary of Corrections.

(Res. No. 11-2066, §§ 1—5, 12-6-11)

### Sec. 2-181. - Overpayment of fees to the register of deeds.

- a. No refund shall be required if the overpayment is determined to be equal to or less than \$10.00.
- b. A request for refund of an overpayment of fee paid to the register of deeds shall be in writing on a form provided by the register of deeds.
- c. The request shall be received by the register of deeds no later than 30 days following the date the document was submitted for filing or recording.

(Res. No. 14-2152, 12-30-14)

### Sec. 2-242. - Inspection or copying; requests, procedures, supervision by record custodians.

The following regulations and procedures shall govern the inspection and copying of open records in Saline County:

- a. All county record custodians, hereinafter appointed, shall provide full access to open public records of the county; and, shall provide assistance to those persons who request access to them; provided that all requests for access to inspect or copy open records be in writing; that the essential functions of the custodian's office are not disrupted by requests for record inspection and copying; and, provided further, that all inspections and copying of open public records be performed by, or under the supervision of, the record custodian responsible for such records.
- b. Hours for making requests for inspection or copying shall be all regular working hours for each day the office, to which the request has been submitted, maintains regular office hours.
- c. Removal of open public records from the office where they are maintained, for purposes of inspection and/or the making of copies, shall be permitted only with the written permission of the record custodian.
- d. Denial of any request for inspection or copying of an open record shall be in writing in the form prescribed by the Kansas Open Records Act.

(Res. No. 14-2145, 12-30-14)

### Sec. 2-243. - Official custodians.

The following county officers shall be, and are hereby, appointed as official custodians for purposes of the Kansas Open Records Act; and, are hereby charged with responsibility for compliance with that act with respect to the public records, hereinafter listed, to-wit:

- a. *County commissioners office coordinator*: All public records kept and maintained by the county commissioners office;



# Saline County Code of Ordinances

## Administration

- b. *County clerk*: All public records kept and maintained by the county clerk's office and all other public records not provided for elsewhere in this section;
- c. *County treasurer*: All public records kept and maintained by the county treasurer's office;
- d. *County sheriff*: All public records kept and maintained by the county sheriff's office;
- e. *County attorney*: All public records kept and maintained by the county attorney's office;
- f. *County register of deeds*: All public records kept and maintained by the county register of deeds office;
- g. *County appraiser*: All public records kept and maintained by the county appraiser's office;
- h. *County administrator*: All public records kept and maintained by the county administrator's office;
  
- i. *County engineer*: All public records kept and maintained by the county engineer's office;
- j. *County road and bridge director*: All public records kept and maintained by the county road and bridge office;
- k. *County human resource director*: All public records kept and maintained by the county personnel office;
- l. *County planning and zoning director*: All public records kept and maintained by the planning and zoning department;
- m. *County community corrections director*: All public records kept and maintained by the community corrections office;
- n. *County health department*: All public records kept and maintained by county health department;
- o. *County noxious weed director*: All public records kept and maintained by the county noxious weed office;
- p. *Expo Center director*: All public records kept and maintained by the Expo Center department office;
- q. *County commission on aging director*: All public records kept and maintained by the Commission on Aging Office;
- r. *County emergency management director*: All public records kept and maintained by the emergency management office.

Such record custodians shall have the duties and powers set forth in the Kansas Open Records Act; shall protect public records from damage and disorganization; shall prevent excessive disruption of the

essential functions of the county; shall provide assistance and information upon request; and, shall ensure efficient and timely action in response to all written requests for inspection of public records in compliance with the procedures, herein set forth, and those established by the Kansas Open Records Act.

(Res. No. 14-2145, 12-30-14)

### Sec. 2-244. - Fees, charges.

- a. Reasonable fees and charges for the provision of access to, or copies of, open records in possession of Saline County are hereby established as follows. The following fees shall be assessed for the inspection and copying of open public records, subject to the provisions, hereinafter set forth:
  - 1. *Custodian's research time*: \$12.00 for each hour or part, thereof, research time for each request;
  - 2. *Scan/copies*: \$1.00 per copy for the first page and \$0.25 for each additional page of a document copied to fulfill a request;
  - 3. *Fax or e-mail*: \$1.00 for each document copied to fulfill a request.
- b. The custodian may assess such additional charges as may be necessary to pay mailing and handling costs accrued in responding to requests through the mail service; and provided further, that the record custodian may exercise his or her discretion to reduce or waive any fees or waive the necessity of a written request when it is in the public interest to do so. All fees must be paid in advance.



# Saline County Code of Ordinances

## Administration

- c. Due to specific kinds of documents and reports and the methods used to process these documents and reports, record custodians in individual departments may at their discretion establish separate reasonable fees, in accordance with the Kansas Open Record's Act, for documents and reports unique to that department, provided the established fees are posted in full view of the public.
- d. Duplicate receipts for each fee collected shall be made for each fee collected so that said duplicates can be reviewed during any audit of the financial records of the county; and, provided that all fees collected shall be transmitted no less frequently than monthly to the county treasurer.





# Saline County Code of Ordinances

## Alcoholic Beverages

### Sec. 3-1. - Class B club license.

The county shall adopt the annual license fee for a class B club located within the county. Such a fee shall be \$250.00. Due when the state club license fee is due, application and payment for such license fee shall be made to the county clerk's office. All other licensing and regulations of clubs shall comply with state laws.

(Res. No. 778, 11-22-77)

**State Law reference—** Clubs, K.S.A. 41-2601 et seq.

### Sec. 3-2. - Minors at sales establishments.

- a. No person under the legal age for purchase, consumption or possession of cereal malt and/or alcoholic beverages shall enter into or loiter about any place of business selling cereal malt and/or alcoholic beverages in the unincorporated areas of the county unless the sale of food amounts to more than 30 percent of the gross revenue of said establishment; and no operator or licensee shall permit any person under said legal age to enter his or her premises or loiter thereupon; provided, that such restrictions shall not apply to the premises of a retailer who sells cereal malt and/or alcoholic beverages for consumption off his premises only, or to places where the income from the sale of food for consumption on the premises exceeds 30 percent of the gross revenue of said establishment.
- b. Any violation of this section shall be punished by a fine of not more than \$200.00 or by imprisonment not to exceed 30 days, or both such fine and imprisonment.

(Res. No. 1035, 7-16-85; Res. No. 1146, 3-8-88)

**State Law reference—** Cereal malt beverages, K.S.A. 41-2701 et seq.; local regulation of cereal malt beverages, K.S.A. 41-2704(a).

### Sec. 3-3. - Alcoholic beverages and cereal malt beverages on county property.

- a. In accordance with K.S.A. 19-101 et seq. and K.S.A. 41-719(e), alcoholic liquor and cereal malt beverages may be consumed on Expo Center grounds in accordance with the following terms:
  1. Expo Center grounds—CMB only; with curfew of 10:00 a.m. to 12:00 midnight;
  2. Kenwood Hall and 4-H building—CMB and alcoholic liquor as stated by this section;
  3. Livestock buildings—None;
  4. Stadium grandstand and ag hall—sale and consumption of CMB only;
  5. Pit area at stadium—None.
- b. The county shall hold a license to sell cereal malt beverages only. The consumption of alcoholic liquor shall be permitted in designated areas only.
- c. The board of county commissioners retains the right, pursuant to this section, to designate with signage specific areas where consumption of alcoholic liquor and cereal malt beverages will be allowed.
- d. Consumption of alcoholic liquor and cereal malt beverages shall be allowed only in the areas of the Expo Center specifically designated by the county during the hours of 10:00 a.m. and 12:00 midnight.
- e. Consumption of alcoholic liquor or cereal malt beverages at hours other than those designated in this section shall be allowed only with the express written permission of the county board of commissioners.
- f. Violation of this section shall constitute a class C misdemeanor and shall be punishable by a fine of up to \$200.00 and up to six months in jail.

(Res. No. 95-1439, 5-30-95)



# Saline County Code of Ordinances

## Alcoholic Beverages

### Sec. 3-4. - Liquor by the drink.

Alcoholic liquor by the individual drink shall be allowed in public places without the requirement that any portion of their receipts be from sales of food.

(Res. No. 94-1397, 6-14-94)



# Saline County Code of Ordinances

## Animals

### Sec. 4-1. - Livestock running at large.

It is ordered by the board of county commissioners that the following animals shall not be allowed to run at large within the bounds of the county, or any townships therein: any and all meat cattle, horses, mules, asses, stallion or jack, bull or bore, swine or sheep.

(Res. No. 128, 11-27-56)

**Cross reference**— Electric fences, [§ 12-1](#).

### Sec. 4-2. - Impoundment.

- a. In order to minimize the potential hazard from such animals, the board of county commissioners finds that it would be, and it is hereby deemed to be, an appropriate function of the county and its agents to impound or to authorize the impounding of animals located in unauthorized areas.
- b. The sheriff of the county, his deputies and the animal control officer and his agents, upon receipt of a complaint from a person in possession of land upon which any dog or cat has strayed without authority, are authorized and directed to impound the stray animal.
- c. The complainant is authorized to confine any stray animal found on his premises for a period not to exceed eight hours until the sheriff, a deputy or the animal control officer can retrieve the animal.

(Res. No. 928, 11-2-82)

**Cross reference**— Officers and employees generally, [§ 2-76](#).

**State Law reference**— Impoundment of animals that bite persons or another animal, K.S.A. 47-125.

### Sec. 4-3. - Cruelty to animals.

- a. No person in the county shall willfully and wantonly kill, beat, cruelly ill-treat, torment or otherwise abuse any animal, or cause, instigate or permit any dog fight, cock fight or other confrontation between animals or between animals and humans, nor shall any person attend such unlawful exhibition or be umpire or judge at such.
- b. The provisions of this section shall not apply to the following:
  1. Normal or accepted veterinary practices.
  2. Bona fide experiments and tests carried on by properly accredited laboratory facilities.
  3. Killing, attempting to kill, trapping, catching or taking of any animal in accordance with the provisions of K.S.A. ch. 32 (Wildlife, Parks and Recreation), Chapter 47 (Livestock and Domestic Animals) or ch. 65 (Public Health).
  4. Rodeo practices accepted by the Professional Rodeo Cowboys' Association.
  5. The humane killing of an animal which is diseased or disabled beyond recovery for any useful purpose, or the humane killing of animals for population control, by the owner thereof or the agent of such owner



# Saline County Code of Ordinances

## Animals

residing outside of a city or the owner thereof within a city if no animal shelter, pound or licensed veterinarian is within the city, or by a licensed veterinarian at the request of the owner thereof, or by any officer or agent of an incorporated humane society, the operator of an animal shelter or pound, local or state health officer or licensed veterinarian three business days following the receipt of any such animal at the society, shelter or pound.

6. With respect to farm animals, normal or accepted practices of animal husbandry.
  7. The killing of any animal by any person at any time which may be found outside of the owned or rented property of the owner or custodian of such animal and which is found injuring or posing a threat to any person, farm animal or property.
  8. An animal control officer trained by a licensed veterinarian in the use of a tranquilizer gun, using such gun with the appropriate dosage for the size of the animal, when such animal is vicious or could not be captured after reasonable attempts using other methods.
- c. The knowing and willful violation of this section shall constitute a class B misdemeanor, and any person convicted of such violation shall be punished as provided by law.

(Res. No. 1196, §§ 1—3, 6-20-89)

**State Law reference**— Cruelty to animals, K.S.A. 21-1310 et seq.

### Sec. 4-4. - Rabies inoculation of dogs, cats; wearing of tags; keeping certain species prohibited.

- a. All persons owning or keeping any cat or dog over 120 days of age in areas located outside of the incorporated cities in the county shall cause the animals to be currently immunized against rabies. The phrase "currently immunized against rabies" shall mean that such cats or dogs have been inoculated against rabies with an approved rabies vaccine by a licensed veterinarian within the past 36 months. Dogs and cats under one year of age which are inoculated must receive a second rabies inoculation within 12 months.
- b. Evidence of vaccination shall be exhibited at all times by identification tags or by a tattoo showing the date of vaccination, place of vaccination and an identification number. Any dog found at large not bearing evidence of vaccination may be taken into custody and impounded by the county animal control officer, or any duly authorized agent or employee of the county. Such dogs shall be released upon proof of ownership, vaccination and payment of the costs of taking and boarding the animal.
- c. No persons shall be permitted to own, breed or sell skunks, raccoons, foxes or bats in the county as such species are known carriers of rabies, which constitute a direct threat to the health and safety of the community.
- d. All persons who knowingly violate any of the provisions of this section shall be deemed guilty of a class C misdemeanor.

(Res. of 2-4-86)

**Cross reference**— Health generally, [ch. 11](#).



# Saline County Code of Ordinances

## Animals

### Sec. 4-5. - Impoundment, recovery and adoption of animals at animal shelter.

- a. *Notification of capture and impoundment.* Upon the taking and impoundment of any cat or dog wearing a current county or city registration or rabies vaccination tag or having a proper tattoo marking, the City of Salina animal shelter shall notify the owner of such animal of its impoundment and conditions under which the animal can be recovered. Such notice shall be given by telephone or in writing within 48 hours of the impoundment of such animal. Any owner so notified who fails to reclaim such animal within 24 hours of such notice shall be issued a summons for failure to reclaim.
- b. *Impoundment; notification of owner; holding period.*
  1. Animal control personnel shall make reasonable efforts to identify the owner of any impounded animal, and to notify the owner of its impoundment and the conditions under which the animal can be recovered.
  2. Any impounded animal not recovered by its owner within a holding period of three days shall become the property of the county and may be offered for adoption or humanely euthanized, subject to the following exceptions:
    - i. When any animal is voluntarily given to the county or the city by its owner to be offered for adoption or humanely euthanized;
    - ii. When any animal not having proper identification arrives at the shelter in such a condition that, in the judgment of the supervisor, compassion requires that such animal be promptly and humanely euthanized.
- c. The sheriff of the county, his deputies, and the animal control officer and agents, upon receipt of a complaint from a person in possession of land upon which any stray animal exists, are authorized but not mandated to impound the stray animal. The complainant is authorized to confine any stray animal found on his premises for a period not to exceed eight hours until the sheriff, a deputy, or the animal control officer can retrieve the animal. The disposition of stray animals shall be as set forth in subsection (b) herein.
- d. *Procedure and fees for recovery of animals.* Any owner of an impounded animal shall be entitled to recover such animal if, within the prescribed holding period, the owner appears to claim the animal and makes payment of required fees and any veterinary expenses as determined by the City of Salina.

(Res. No. 14-2130, 3-4-14)



# Saline County Code of Ordinances

## Buildings, Etc

### Sec. 5-1. - Legal authority and title.

This chapter is adopted under the authority granted to the board of county commissioners by K.S.A. 19-101, 19-101a and 19-212, as amended, and shall be designated as the County Code for building permits.

### Sec. 5-2. - Declaration of finding and policy.

The board of county commissioners find that provisions for adequate and reasonable control over buildings in unincorporated areas of the county is necessary and desirable; that adoption of a county building permit procedure to prevent the development of conditions that are hazardous to health and safety is in the public interest; and that the use of said building permit to promote the economical and orderly development of the county is in the public interest. For these reasons and objectives it will be the policy of the board of county commissioners to adopt this chapter and to amend it from time to time in order to regulate the practices and procedures affecting buildings and uses.

### Sec. 5-3. - Purpose and intent of chapter.

The purpose and intent of this chapter is to prescribe the substantive rules and the administrative procedures that shall be followed in carrying out the objectives of [section 5-2](#).

### Sec. 5-4. - Area of applicability and effective date.

This chapter shall be in effect for all unincorporated areas of the county and shall become effective upon adoption and publication, and any amendments shall become effective on the date of publication thereof.

### Sec. 5-5. - 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:

*Administrative agency* means the Saline County Planning and Zoning Department which shall be responsible for administering and enforcing this chapter.

*Alteration* means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. For the purposes of this chapter, the Uniform Building Code and amendments thereto, shall be used to make the final determination as to whether an alteration is proposed to non-agricultural or non-single family structures.

*Authorized representative* means any employee of the administrative agency who is designated to administer this chapter and any other building codes that may be adopted.

*Board of county commissioners* means the board of county commissioners, Saline County, Kansas.

*County*, for the purposes of these regulations, means all unincorporated areas of Saline County, Kansas.

*Structure* means a combination of materials constructed and erected permanently on or in the ground or attached to something having a permanent location on or in the ground, to include a manufactured home, above ground gas or liquid storage tank, swimming pools, billboards, advertising signs and wind chargers.



# Saline County Code of Ordinances

## Buildings, Etc

### Sec. 5-16. - Right of entry.

Representatives of the administrative agency shall have the right to enter, examine and/or survey at any reasonable time such premises, establishments and buildings as they shall deem necessary for the enforcement of this chapter and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

### Sec. 5-17. - Obstruction of administrative agency.

No person shall impede or obstruct representatives of the administrative agency in the discharge of their official duties under the provisions of this chapter.

### Sec. 5-18. - Notice of violations.

Whenever the administrative agency determines that there has been, or is likely to be, a violation of any provision of this chapter, they shall give notice of such alleged violation to the person responsible therefor. The notice shall: 1) be in writing; 2) include a statement of why the notice is being issued; 3) allow a reasonable period of time for performance of any work required by the notice; and 4) be served upon the owner or his agent by delivery of a copy thereof in person or by registered mail to the last known address of the owner or agent.

### Sec. 5-19. - Emergency abatement.

Whenever, in the judgment of the administrative agency, an emergency exists which requires immediate abatement to protect the environment and public health, safety or welfare, an order may be issued directing the owner, occupant, operator or agent to take appropriate action to immediately correct or to immediately cease the construction or use that is causing the emergency. If the owner, occupant, operator or agent does not take immediate action to correct or abate the emergency or is not immediately available, the administrative agency may act to correct or abate the emergency with any costs incurred to be assessed to the legal owner.

### Sec. 5-20. - Enforcement procedures.

The county attorney shall enforce the provisions of this chapter and is hereby authorized and directed to file appropriate actions for such enforcement, upon request of the administrative agency.

### Sec. 5-21. - Penalties for violation of chapter.

In addition to, and independently of, the enforcement procedures provided in [section 5-20](#), any violation of any provision of this chapter shall be punishable by a fine of not to exceed five hundred dollars (\$500.00) for each offense or imprisonment for not more than six months for each offense, or by both such fine and imprisonment and that each day's violation shall constitute a separate offense.

### Sec. 5-32. - Applications.

Every person required to obtain a permit under this article shall make an application for such permit to the administrative agency. Applications for permits shall be filed in the office of the administrative agency.

### Sec. 5-33. - Permits nontransferable.

No permit required by this chapter shall be transferable.





# Saline County Code of Ordinances

## Buildings, Etc

### Sec. 5-34. - Saline County building permit.

- a. *Purpose and intent.* The purpose of the building permit is to ensure a thorough and comprehensive review of proposed construction for compliance with applicable construction, floodplain, zoning, driveway entrance, subdivision, private sewerage, and groundwater regulations, policies and procedures; and to provide to the public information on other construction-related topics, including, but not limited to, road type, road maintenance and Saline County road improvement policy.
- b. *Permits required.* No building or structure, including signs, shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed or converted unless a separate permit for each building or structure has first been obtained from the administrative agency.
- c. *Exempted work; agricultural structures and single-family dwellings.* A building permit shall not be required for the following:
  1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet, and provided that zoning setback requirements shall be met.
  2. Exterior alterations that do not enlarge or expand an existing structure and interior alterations, except that any alterations in excess of 50 percent of the value of a structure located in the 100-year floodplain shall require a building permit.
  3. Residential fences not over six feet high. However, requirements for vision clearance at intersections and alleys shall still be met.
  4. *Walks and driveways.* New driveway entrances shall be approved by the public works department.
- d. *Uniform Building Code; nonagricultural and nonsingle-family structures.* Such structures shall meet the standards of the Uniform Building Code, and amendments thereto. The Uniform Building Code shall be used to determine whether said structures are exempted from the requirement for a building permit. Review and inspection of said structures shall be conducted by the city permits and inspection office, as per agreement between the City of Salina and Saline County.
- e. Exemptions from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws, policies or procedures of the county.
- f. *Application for permit.* To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the administrative agency for that purpose.
- g. *Fees.* There shall be no fee for the county building permit. However, fees may be assessed for a city building permit, health department permits and public works driveway entrance permits. Fees may also be charged for associated permits from the state and federal governments. Half of the city building permit fee may be refunded by the county for businesses that qualify.
- h. *Review.* Whenever a building permit is submitted, review shall include, but not be limited to, the county health, public works and planning and zoning departments. If deemed necessary by the administrative agency, the permit shall also be reviewed by cities, state agencies, federal agencies, school districts and utility companies that may be impacted by the proposed work. In most instances, other required permits must be obtained prior to issuance of a building permit.



# Saline County Code of Ordinances

## Buildings, Etc

- i. *Validity of permit.* The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or approval of, any violation of any of the provisions of this Code or of any other regulation of the county. Permits presuming to give authority to violate or cancel the provisions of this Code or other county regulations shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the administrative agency from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this Code or of any other county regulations.

- j. *Expiration.* Every permit issued by the administrative agency under the provisions of this Code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 120 days from the date of such permit, or if the building or work authorized by such permit is not completed within one year from the date of such permit.
- k. *Suspension or revocation.* The administrative agency may, in writing, suspend or revoke a permit issued under the provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any county resolution or regulation or any of the provisions of this Code.

### Sec. 5-35. - Other permits and approvals.

- a. *Responsibility of property owner.* It shall be the responsibility of the property owner, developer, builder or other authorized representative to obtain all required permits. The property owner is hereby advised that in instances where a building permit is not required, other permits may still be required. Conversely, depending on the circumstances, a building permit may be all that is required.
- b. *List of other permits and approvals.* Other permits and approval that may be required include, but are not limited to, the following:
  1. *Salina-Saline County Health Department permits:* Private sewerage; water well; day care; solid waste collector.
  2. *Saline County Public Works Department:* Driveway entrance permit; signposts in county right-of-way; roadway improvement petitions.
  3. *Saline County Clerk:* Moving permit when houses and wide/heavy loads will be transported on county roadways; alcohol beverage permit; cable TV franchise; roadway vacations.
  4. *Saline County Planning and Zoning Department:* Zoning certificate; floodplain development permit; zoning changes; subdivision approval; zoning variances.
  5. *Saline County Emergency Management Department:* Open burning permit; fireworks permit.
  6. *Saline County Parks Department:* Use of Kenwood Park facilities.
  7. *City of Salina:* Building permit for nonagricultural and nonsingle-family structures.
  8. *State of Kansas permits:* Floodplain development; landfill; commercial feedlot; etc.
  9. *United States of America permits:* Army Corps of Engineers approval for development within streambeds and within 1,000 feet of the flood-control levee; Environmental Protection Agency; etc.



# Saline County Code of Ordinances

## Buildings, Etc

### Sec. 5-36. - Application for permit to move building.

The application for a permit to move a building attached to Resolution No. 03-1810 and marked as Exhibit A is hereby approved.

(Res. No. 03-1810, 11-4-03)

### Sec. 5-37. - Reimbursement of permit fees.

Saline County will, upon issuance of a certificate of occupancy, reimburse 50 percent of the cost of building permit fees for all newly constructed buildings, building additions or renovations to existing buildings that are used exclusively for eligible business activities and located anywhere within the unincorporated areas of Saline County. Eligible businesses shall only include businesses engaged in the following activities:

- a. Manufacturing articles of commerce;
- b. Conducting research and development; or
- c. Storing goods or commodities sold or traded in interstate commerce.

(Res. No. 92-1315, 12-15-92)



# Saline County Code of Ordinance

## Community Antenna Television Service

### Sec. 6-1. - Franchise—Required; governing rules.

- a. No person shall install or operate a CATV system without a franchise from the county.
- b. All applications for a CATV franchise shall be made to the county clerk upon prescribed forms, which are hereby incorporated and approved by reference, and upon which the applicant shall provide the requested information necessary to evaluate and approve the application preliminary to any grant of a nonexclusive franchise hereunder.
- c. The award of any nonexclusive franchise or franchises shall upon acceptance by the grantee be governed by the rules and regulations in this chapter, which are hereby approved and adopted and shall govern the granting and implementation of any franchise hereunder.

(Res. No. 961, 8-23-83)

### Sec. 6-2. - Same—Application.

Any individual, partnership, association, corporation or legal entity of any kind, herein called the "person," may apply to the board of county commissioners to install a CATV, which shall mean a system composed of antenna, cables, wires, fiber optics, lines, wave guides or other conductors, equipment or facilities, designed, constructed or used for the purpose of receiving, amplifying and distributing by coaxial cable audio-visual, television, electronic, electrical or radio signals to persons in the unincorporated areas of the county for a fee for a franchise, which shall mean a nonexclusive authorization granted hereunder to use the roads, public ways and dedicated easements of the county to construct, operate, maintain or lease a CATV and to provide CATV service within the unincorporated areas of the county.

(Res. No. 961, 8-23-83)

### Sec. 6-3. - Same—Award.

Following application containing the information requested by the board of county commissioners, the board may award such franchises as will provide the CATV service to the public contemplated by this chapter.

(Res. No. 961, 8-23-83)

### Sec. 6-4. - Rights conferred by franchise.

The nonexclusive franchises granted under this chapter shall extend for 20 years from their effective dates, or until terminated, and shall permit the person to whom the franchise is granted, herein called the grantee, to install in, on, over, under, upon, across and along any road, public way or dedicated easement any part of the CATV systems, which may be necessary for its operation.

(Res. No. 961, 8-23-83)

**Cross reference**— Roads and bridges generally, [ch. 15](#).

### Sec. 6-5. - Installation.

- a. Installation of a CATV system under any franchise under this chapter shall be completed and full service available to the residents within the designated service area within 18 months from the date the franchise is granted.



# Saline County Code of Ordinance

## Community Antenna Television Service

- b. Installation shall be performed in a workmanlike manner, and the CATV system shall be located so as to cause a minimum of interference with use of roads and property adjoining the roads, and shall not interfere with any gas, electric or telephone fixtures, water line hydrants or mains. The grantee shall restore any road or utility it disturbs to its condition before the disturbance, and if the grantee fails to do so, the county may do so, and the grantee shall pay the cost of such restoration or maintenance.

(Res. No. 961, 8-23-83)

### Sec. 6-6. - Underground utilities.

If any public utilities are underground, the CATV system installed in that area shall be installed underground to the maximum extent that existing technology reasonably permits the grantee to do so.

(Res. No. 961, 8-23-83)

### Sec. 6-7. - Easements, rights-of-way.

The CATV system shall only be installed on property of the grantee, on existing pole facilities covered by utility approval, on property of a subscriber, or on dedicated easements, rights-of-way, or roads of the county. Installation of new poles along the road is forbidden without the prior written consent of the county. The grantee may use such dedicated easements, rights-of-way or roads of the county.

(Res. No. 961, 8-23-83)

### Sec. 6-8. - Compliance with electrical code.

The installation of the CATV system shall be in accordance with the current National Electrical Code published by the National Fire Protection Association and all applicable laws, rules, and regulations of the state.

(Res. No. 961, 8-23-83)

### Sec. 6-9. - Trimming of trees.

The grantee may trim trees which infringe upon easements, rights-of-way, or roads of the county to prevent trees from coming in contact with the CATV system. If the grantee does not, at the request of the county, trim trees which come in contact with the CATV system, the county, at its option, may do such trimming at the expense of the grantee.

(Res. No. 961, 8-23-83)

### Sec. 6-10. - Construction, use, maintenance of facilities.

Construction, use and maintenance of county or utility property shall be subject to the prior rights of the county or utility owners so that the grantee shall at its own expense relocate, remove or modify its property when other public needs require modification in the existing facilities.

(Res. No. 961, 8-23-83)

### Sec. 6-11. - Service to subscribers.

The grantee shall provide adequate service during all business hours, and shall have a locally listed telephone to permit receipt of messages, complaints and requests for repairs or adjustments at any time.



# Saline County Code of Ordinance

## Community Antenna Television Service

(Res. No. 961, 8-23-83)

### Sec. 6-12. - Liability and indemnification.

The grantee shall indemnify the county against any and all loss or liability arising from the grantee's actions under the CATV franchise, and shall pay any damages which the county may be required to pay as a result of granting a franchise under this chapter, or the installation or operation of the CATV system.

(Res. No. 961, 8-23-83)

### Sec. 6-13. - Insurance, surety bond.

- a. The grantee at its own expense shall maintain in effect during the term of the CATV franchise a comprehensive general and automobile liability insurance policy naming the county, its agents and employees, and the grantee as insureds, with liability coverage for the grantee's premises, operations, automobiles, products, completed operations, elevators, independent contractors, broad form contractual liability and personal injury in the minimum amounts of \$500,000.00 for personal injury or death or any person, \$500,000.00 for personal injury or death in any one occurrence and \$100,000.00 property damage from any one occurrence.
- b. The grantee shall further maintain in effect during the term of the franchise a corporate surety bond in a form approved by the county and in an amount to be determined by the county conditioned upon the faithful performance of the grantee under this chapter and the franchise.
- c. The grantee shall maintain statutory workers' compensation insurance, including \$100,000.00 coverage for employer's liability coverage in a form and issued by an insurance company approved by the board of county commissioners, which insurance policies and bond, along with written evidence of payment of premiums, shall be filed with the county clerk.

(Res. No. 961, 8-23-83)

### Sec. 6-14. - Fees and charges.

The grantee shall file a schedule of the fees and charges it will make upon subscribers with the county clerk upon issuance of the CATV franchise. Any proposed change shall be subject to approval of the board of county commissioners after hearing thereon.

(Res. No. 961, 8-23-83)

### Sec. 6-15. - Franchise fee payments to county.

The grantee shall pay to the county on or before January 15 and June 15 during each year a franchise fee based on gross annual subscriber revenues received for cable television operations in the county for the preceding six months. The term "gross annual subscriber revenues" shall mean payments actually received by the grantee for sales of all services franchised hereunder, but not including installation and similar charges. The franchise fee shall be three percent of the gross annual subscriber revenues for the period covered by the agreement.

(Res. No. 961, 8-23-83)



# Saline County Code of Ordinance

## Community Antenna Television Service

### Sec. 6-16. - Inspection of records.

The county shall have the unqualified right at any time to inspect the grantee's records, from which payments to the county are computed and the right of audit and recomputation of any and all amounts paid hereunder.

(Res. No. 961, 8-23-83)

### Sec. 6-17. - Prohibited activities.

- a. No franchise granted under this chapter may be transferred, sold, leased, assigned or disposed of, in whole or in part, directly or indirectly, without the prior consent of the board of county commissioners, which consent will not be unreasonably withheld.
- b. Any transfer or assignment proposed shall be by an instrument in writing, a duly executed copy of which shall be filed in the office of the county clerk together with the information, which must accompany an initial application.
- c. No person may make any unauthorized connection with any part of a franchised CATV system without authorization or payment to the grantee.

(Res. No. 961, 8-23-83)

### Sec. 6-18. - Termination of franchise.

- a. Any CATV franchise may be terminated prior to its expiration if the board of county commissioners finds after 30 days' notice to the grantee and a public hearing regarding the proposed termination that the grantee has failed to comply with the provisions and conditions of its franchise or this chapter. Upon termination or expiration of a franchise, the grantee shall remove all of its CATV system from the roads within a reasonable time, and in default of such action, the county may do so.
- b. Upon termination hereunder the county may recover any actual damages which it has sustained and may assess liquidated damages in a sum to be established at the time of such termination.

(Res. No. 961, 8-23-83)





# Saline County Code of Ordinances

## Community Development

### Sec. 7-26. - Application fee.

The county will charge a fee to applicants requesting to submit an economic development grant application. The fee shall be \$750.00 and shall be paid, for deposit in the general fund, prior to submittal of the preapplication. The fee shall be refundable if the application is successful.

(Res. No. 1228, § 1, 6-5-90)

### Sec. 7-27. - Administrative budget grant.

Unless determined otherwise, an administrative budget of \$10,000.00 will be included in the economic development grant application to offset staff time and costs, including auditing costs, expended in the administration of the grant. Unless determined otherwise in the grant application, the administration fee shall be provided as pure grant and not charged to the loan to the business entity. Should the loan commitments not be fulfilled, the county may continue to charge expenses for the administration of the grant in order to meet the obligations to the state department of commerce.

(Res. No. 1228, § 2, 6-5-90)

### Sec. 7-28. - Referral, review and comments.

The county will refer any economic development grant application under this program to the Salina area executive committee for industrial development, Salina Chamber of Commerce for review and comment.

(Res. No. 1228, § 3, 6-5-90)

### Sec. 7-46. - Purpose.

The purpose of this statement is to establish the official policy and procedures of the County of Saline for the granting of property tax exemptions and tax incentives for real and personal property used for qualified economic development purposes, in accordance with the provisions of [Section 13](#) of [Article 11](#) of the Constitution of the state.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-3, 6-22-99)

### Sec. 7-47. - Authority and jurisdiction; notice and hearing.

- a. *Authority.* The authority to grant tax exemptions within the unincorporated area of Saline County is solely vested in the board of county commissioners who reserve the right to exempt any project from the criteria set out herein if the economic development project, due to its unusual nature of magnitude, offers extraordinary benefits to the community. It shall be the policy of the county to consider applications for tax exemptions only for property located outside of incorporated cities. Further, the county shall notify all taxing units affected if an application relates to a business located or to be located within their taxing jurisdictions.
- b. *Notice and hearing.* Prior to granting a tax exemption, a public hearing shall be held by the board of county commissioners. Notice of the public hearing shall be published at least seven days prior to the hearing and shall indicate the purpose, time and place thereof. Notice of the public hearing shall be provided in writing to any affected taxing jurisdictions.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-3, 6-22-99)



# Saline County Code of Ordinances

## Community Development

### Sec. 7-48. - Criteria for granting.

Each application for granting of said tax exemption shall be evaluated and graded in accordance with the following criteria:

- a. *Demonstration of benefit.* The board of county commissioners may consider granting said tax exemption only upon a clear and factual showing of direct economic benefit to the county including the creation of additional permanent jobs and the stimulation of additional private capital investment.
- b. *Measure of economic growth benefits.* The primary purpose of tax exemptions is to further stimulate economic growth. The project shall be one that increases the number of jobs in the community and invests additional capital in a new or expanding facility.
- c. *Elimination of competition.* The granting of tax exemptions for business activities which would directly compete with established businesses in Saline County will not be encouraged unless there is a clear and definitive demonstration of substantial overriding benefit to the county as a whole.
- d. *Preservation of tax base.* It is the intent of this policy to promote expansion of the tax base and assure that the taxing units having authority to levy taxes on the property involved will receive, in the future, not less than the amount paid by the property prior to the granting of the exemption.
- e. *Types of industry (eligible businesses).* In accordance with Article 11 of the Kansas Constitution, said tax exemptions will be considered only for businesses that:
  1. Manufacture articles of commerce.
  2. Conduct research and development relative to the manufacturing of the product.
  3. Store goods and commodities which are sold or traded in interstate commerce.
- f. *Nature of improvements.* The board of county commissioners may exempt from taxation all or part of the appraised valuation of:
  1. All newly constructed buildings or additions to existing buildings used exclusively for eligible business activities which are necessary to facilitate the formation of a new business or expansion of an existing business if, as a result of such formation or expansion, new employment is created.
  2. All newly acquired or existing tangible personal property used exclusively for eligible business activities, except that no existing tangible personal property located in the state may be granted an exemption unless said exemption is required, based upon a factual determination, to retain jobs in the state.

No exemption will be granted for the land upon which qualified buildings or building additions are located, existing buildings already built, or any property rented or leased to outside interests by other than a not-for-profit local economic development corporation. No exemption will be granted for buildings or building additions for which a building permit has been applied for or construction commenced before the date said exemption is granted. No exemption will be granted for any existing tangible personal property located in Saline County nor any newly acquired tangible personal property ordered or purchased prior to the date said exemption is granted.

In the event that a not-for-profit local economic development corporation constructs a new building for an unidentified occupant, the minimum job requirement may be waived. No tax exemption shall be effective until occupancy by an eligible business activity and project completion.



# Saline County Code of Ordinances

## Community Development

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-49. - Term and amount of exemption.

- a. *Base exemption.* Said exemption may be granted for 25 percent of the property taxes due on projects with at least \$50,000.00 of new capital investment and that create a minimum of three new jobs (full-time equivalent [FTE]). All newly created jobs shall be noncontractual jobs with benefits that are currently available to existing full time employees.
- b. *Incentive exemption.* The county will consider increasing the amount of tax exemption up to 100 percent by giving special consideration to the amount of capital investment and number of new employees based on the following scale:
  - 1. An additional tax exemption will be given for each additional new job (FTE) above the minimum as follows: 1.5 percent for jobs four through ten; 0.5 percent for each job above ten.
  - 2. An additional tax exemption will be given for each additional \$15,000.00 of investment above the minimum as follows: \$100,000.00 to \$1,000,000.00—0.3 percent; above \$1,000,000.00—0.1 percent.
- c. *Descending exemption scale.* The calculated tax exemption will be applied according to the following scale:

Years 1 thru <u>5</u>	100% of the calculated tax exemption
Years <u>6</u> thru 10	50% of the calculated tax exemption

- d. *Term of exemption.* No tax exemption shall be in effect for more than ten years after the calendar year in which the business commences operations or completes an expansion. Any tax exemption granted shall not affect the liability of any special assessments levied or to be levied against such property.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-50. - Preliminary review.

Prior to submittal of a formal application, a business may inquire as to eligibility for tax exemption and the anticipated amount of tax exemption based upon preliminary employment and capital investment figures. The business shall complete the regular application form, stating at the top of the form that this is a preliminary application, and submit the preapplication to the county administrator (or planning and zoning department). County staff will review the information submitted and respond to the business regarding apparent eligibility and potential amount of eligible tax exemption. The response from the county staff shall in no way represent definitive findings or be seen as an expression of intent or obligation of the board of county commissioners to favorably consider or approve a formal request for tax exemption. The pre-application form, information, and the staff response shall be considered proprietary business information and shall be kept confidential.

(Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)



# Saline County Code of Ordinances

## Community Development

### Sec. 7-51. - Administration.

Applications for the granting of a tax exemption pursuant to this policy shall be accompanied by a nonrefundable filing fee for both formal applications and completion review to be deposited in the general fund. In addition, any business which has been granted a tax exemption shall pay an annual monitoring fee. These fees shall be used to defray expenses incurred by the county in processing the application and other documents relative to the proposed exemption.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-52. - Formal application.

The county will not consider the granting of any tax exemption unless the business submits a full and complete application and provides such additional information as may be requested.

- a. *Fees.* The filing fee for applications shall be \$250.00.
- b. *Application contents.*
  1. Name and address of applicant, contact person and telephone number.
  2. Names and addresses of the principal officers and directors of the applicant business.
  3. Name and address of the owner of the land and buildings occupied or to be occupied by the business.
  4. A general description of the nature of the business of the applicant, applicant's history/experience and a list of principal competition in the local market.
  5. A general description of the proposed project or improvements, including estimated costs, plus the percentage of tax exemption being requested. Also, a general description and the estimated value of existing tangible personal property that will be replaced, and, therefore, removed from the tax rolls, as a result of the proposed project or improvements.
  6. A site plan of the proposed project or improvements.
  7. If an existing business, average monthly employment figures for the past 12 months.
  8. Number of new jobs to be created by job title and projected wages for each position.
  9. A statement explaining why the requested tax exemption is a critical factor in determining whether the proposed project is to be completed.
  10. The applicant must designate the completion date not to exceed 36 months from the resolution of intent. In the event the completion date exceeds 36 months, the applicant may apply to the county commission to extend the completion date beyond 36 months. The planning and zoning director shall have authority to approve extensions of the completion date prior to the expiration of 36 months.
- c. *Application procedures.* Each application made for granting of said tax exemption shall generally follow the procedures outlined below:
  1. Completed application and filing fee will be submitted to the planning and zoning department.
  2. A notice of the filing will be sent to the applicant and board of county commissioners.



# Saline County Code of Ordinances

## Community Development

3. A review committee comprised of the county administrator, county appraiser and planning and zoning director will determine eligibility requirements, estimate the percent and amount of tax exemption, and analyze the cost and benefits of such exemption.
  4. The review committee's analysis will be forwarded to the board of county commissioners.
  5. If the board desires to consider the application, they will schedule a public hearing and publish due notice in the official county newspaper at least seven days prior to the hearing. Each taxing unit affected by the proposed exemption will be notified individually.
  6. Official action on the application by the board will take place at a public meeting and hearing. The board of county commissioners will review the analysis of the costs and benefits and receive the comments from the applicant, affected taxing districts, and the general public. At the conclusion of the hearing, the board will take formal action on the application. Approval of the request will be in the form of a county resolution.
  7. In granting a tax exemption, the board of county commissioners may impose any terms or conditions as deemed necessary to fulfill the purpose and intent of this policy.
  8. The complete application process from filing to official action shall generally be completed within 60 days.
- d. *Confidentiality.* All applications and records pertaining to a formal tax exemption request will be available for public inspection under the Kansas Open Records Act as provided by K.S.A. 45-221.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

**Cross reference**— Officers and employees generally, [§ 2-76](#) et seq.; county administrator generally, [§ 2-101](#) et seq.

### Sec. 7-53. - Completion review.

Each tax exemption granted shall be subject to a review of project completion. This review shall be for the purpose of determining if the economic benefits stated in the application are achieved, if the estimated percent and term of the exemption remain valid, and if the business is in compliance with any established terms or conditions. In the event that a capital investment project has not been completed, the review status shall be considered "in progress" and no tax exemption shall be granted. If the capital investment project is complete but the employment goal has not been reached and hiring remains active, the applicant business may request to be considered "in progress" and receive no tax exemption, or be considered partially complete as long as the minimum employment and investment threshold is met and receive a prorated tax exemption for the subject year. A prorated exemption shall count against the tax exemption term. In any case a project shall be considered complete if more than 36 months have elapsed since initial approval of the tax exemption resolution, unless otherwise requested by the applicant and approved by the county commission.

- a. *Filing date and fee.* The application for completion review shall be filed within three months after the completion date as set forth in the application, unless extended as set forth herein. The filing fee shall be \$125.00 and is nonrefundable. There shall be no filing fee for an in-progress review.
- b. *Business information.* The recipient business shall provide information pertaining to the number of full-time permanent jobs created as a result of the project, the actual amount of capital invested in the project, the ongoing nature of business activities, an "as-built" site plan of the completed project, and any other data that may reasonably be requested.



# Saline County Code of Ordinances

## Community Development

- c. *Review process.* The county review committee will review the application and submit a report to the board within 60 days. The board will consider the application and staff report at a public hearing, advance notice of which shall be as provided for the hearing on the original application. Approval of the certification of compliance shall be in the form of a certificate of compliance resolution determining compliance with the tax exemption policy.
- d. *Certification.* If certification of compliance for the tax exemption is granted, a state exemption claim form shall be filed with the county appraiser within 30 days of the certificate of compliance resolution. A copy of the resolution that originally approved the exemption and a copy of the certificate of compliance resolution shall be submitted with said claim form.
- e. *Revocation.* The board of county commissioners reserve the right to revoke a granted exemption due to a fraudulent submittal of an application, failure to submit the completion review application and supporting information, failure to meet qualifying criteria, or failure to comply with established terms or conditions. Failure to produce the stated economic benefits will result in a reduction or loss of tax exemption.

(Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-54. - Monitoring review.

Following receipt of certification of compliance, each tax exemption granted shall be subject to an annual monitoring review of business status. This review shall be for the purpose of determining if the business continues to meet eligibility criteria and remains in compliance with any established terms or conditions.

- a. *Filing date and fee.* The application for monitoring review shall be filed on an annual basis no later than January 15 of each year for the term of the exemption. The filing fee shall be \$50.00 and is nonrefundable.
- b. *Business information.* The recipient business shall provide information pertaining to the ongoing nature of business activities, average total monthly employment, any change in majority ownership of the business and any other data as may reasonably be requested.
- c. *Review process.* The county review committee will review the application and, unless ineligibility or noncompliance is evident, the county clerk shall issue a certificate of compliance. In the alternative, the review committee shall submit a report to the board for their determination of compliance.
- d. *Certification.* If compliance is deemed to exist, a written statement, signed by the county clerk, that the property continues to meet all terms and conditions established as a condition of granting an exemption, shall be attached to the exemption claim form filed with the county appraiser.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-55. - Revocation.

The board of county commissioners reserve the right to revoke and/or modify a granted exemption due to a fraudulent submittal of an application, failure to submit the monitoring review application and supporting information, failure to meet qualifying criteria, or failure to comply with established terms or conditions.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-3, 6-22-99)





# Saline County Code of Ordinances

## Community Development

### Sec. 7-56. - Policy review.

The board of county commissioners reserves the right to amend, revoke, change, or otherwise modify this policy from time to time to promote the best interests of Saline County, and reserve the right to apply this policy to pending applications to insure compliance with this policy.

(Res. No. 1147, 3-15-88; Amend. No. 1147-1, 5-24-92; Amend. No. 1147-2, 2-25-97; Amend. No. 1147-3, 6-22-99)

### Sec. 7-71. - Replacement of demolished or converted dwelling units.

The board of county commissioners will replace all occupied and vacant occupied low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.496(d).

(Res. No. 1191, 4-11-89)

### Sec. 7-72. - Information submitted to state.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the board of county commissioners will make public and submit to the state department of commerce the following information in writing:

- a. A description of the proposed assisted activity.
- b. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity.
- c. A time schedule for the commencement and completion of the demolition or conversion.
- d. The general location on a map and appropriate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units.
- e. The source of funding and a time schedule for the provision of replacement dwelling units.
- f. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least ten years from the date of initial occupancy.

(Res. No. 1191, 4-11-89)

### Sec. 7-73. - Provision of relocation assistance.

The board of county commissioners will provide relocation assistance, as described in 24 CFR 570.496(a) to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

(Res. No. 1191, 4-11-89)





# Saline County Code of Ordinances

## Community Development

### Sec. 7-74. - Steps to minimize displacement.

Consistent with the goals and objectives of activities assisted under this article, the board of county commissioners will take the following steps to minimize the displacement of persons from their homes:

- a. Make a concerted effort to propose project activities that will not directly cause the displacement or relocation of any persons, families or households from their living unit.
- b. In order for a structure to be proposed for demolition and removal, it must have been unoccupied for at least one year. Utility records will be reviewed thus proving that no utility service has been furnished to that address for the same one-year period.
- c. Sufficient notice will be given any property owner of a deteriorated structure thus offering an opportunity to present reasons against the structure being dismantled and the property cleared of it, or to illustrate how the structure can and will be renovated to tolerable standards.

(Res. No. 1191, 4-11-89)

### Sec. 7-90. - Central Kansas Extension District, Number 3, Ottawa and Saline Counties.

- a. *District objectives.*
  1. To plan, develop, and deliver an efficient and effective educational program.
  2. To develop and maintain a highly trained specialized professional and support staff through efficient and effective training programs and competitive pay scale.
  3. To strengthen the grassroots impact of programs, personnel, and budget through the election of the district governing body and appointment of district program development committee members.
  4. To provide for adequate financial resources and efficient use of those resources to support the extension district program.
- b. *State objectives.* To organize and structure the area and state specialists and administrators within the scope of available resources so as to give support to the district, cooperating with the district to conduct extension educational programs.
- c. *Funding the district.*
  1. *State and federal funds for the district.*
    - i. The district will receive an allocation from K-State Research and Extension of \$107,432.00 (FY 04), equivalent to two agent positions for Ottawa County and six agent positions for Saline County.
    - ii. Upon the retirement or resignation of one or more district extension agents, reducing the number of agents to seven or fewer, the district will receive a district base of \$97,162.00 (FY 04) of state appropriations to be divided equally among the agent positions.
    - iii. Future legislative appropriations to K-State Research and Extension will be contributed to each agent's salary within the district according to K-State research and extension district funding policy and funding formulas for county and district extension agent positions. Allocations from K-State research and extension will continue according to current policy unless state or federal funding mandates or budget limitations require a reallocation of resources.



# Saline County Code of Ordinances

## Community Development

### 2. *Local funding for the district.*

- i. The governing body of the extension district, in the same manner as provided by law applying to other taxing subdivisions, may make an annual tax levy upon all the taxable tangible property of the extension district, to be levied and collected as other taxes, at a rate fixed in accordance with the approved budget.
- ii. The law provides for a tax levy not to exceed the greater of (1) a maximum of 2.5 mills or (2) \$75,000.00 multiplied by the number of counties in the district (\$150,000.00 for the Central Kansas Extension District), to be used for funding the extension educational program in a district. A budget will be developed within these limits.
- iii. County appropriations for the FY 2004 extension council budgets, as determined by the FY 2004 extension council budget agreement in each county (\$101,340.00 in Ottawa County and \$419,232.00 in Saline County), will be disbursed to the respective extension councils before July 1, 2004, or to the Central Kansas Extension District if any balances remain unpaid after July 1, 2004.

### 3. *District budget.*

- i. The district governing body and the authorized representative of the director of extension, acting as a body, shall meet to prepare and adopt the annual budget for the extension district, in accordance with and subject to the provisions of the extension district law.
- ii. The district governing body and the authorized representative of the director of extension shall provide a public hearing for the budget.
- iii. The district governing body and the authorized representative of the director of extension shall file the budget with the county clerk of each county for the purpose of establishing the annual tax levy.

### d. *Mail allocation.*

1. K-State research and extension will make an allocation for mail to the district based on the combined allocation of the two counties. The current annual allocation is \$6,519.00 (Ottawa, \$1,814.00; Saline, \$4,705.00).
2. Allocations from K-State research and extension will continue unless state or federal funding mandates or budget limitations require a reallocation of resources. Future allocations will be distributed according to K-State research and extension mail allocation funding policy.

### e. *Publication allocation.*

1. K-State research and extension will make a publication allocation to the district based on the combined allocation of the two counties. The current annual allocation is \$4,975.00 (Ottawa, \$1,146.00; Saline, \$3,829.00).
2. Allocations from K-State research and extension will continue unless state or federal funding mandates or budget limitations require a reallocation of resources. Future allocations will be distributed according to K-State research and extension publication allocation funding policy.

### f. *Organization of governing body.*



# Saline County Code of Ordinances

## Community Development

1. *[Membership.]* The board of county commissioners of each county shall appoint four qualified electors of the county to membership on the District governing body.
  2. *[Original terms.]* Two of the appointed members shall serve for terms ending upon the election of successors at the election held the first Tuesday of April of the first odd-numbered year following their appointment. The other two members' terms end upon the election held on the first Tuesday in April of the second odd-numbered year following their appointment.
  3. *[Succeeding terms.]* At the conclusion of the terms of the members first appointed to membership on the governing body of the district, the four members representing each county shall be elected for a term of four years in a countywide election, held on the first Tuesday in April in each odd-numbered year, by the qualified electors of the county and shall serve until such member's successor is elected and qualified.
  4. *[Officers.]* The governing body of the district shall organize annually in July by electing from among its members a chairperson, vice-chairperson, secretary and treasurer.
  5. *[Meetings.]* The district governing body will meet monthly to conduct the business of the extension district.
  6. *Term of office.* The elected term of office on the district governing body will be four years. There is no limitation on successive terms.
- g. *Organization of program development committees.*
1. The district governing body will appoint as many program development committees (PDC's) as desired, each consisting of six or more members from each county, to develop educational program plans.
  2. PDC's shall be appointed to develop educational programs in agricultural pursuits, in family and consumer science (home economics) work, in 4-H club and youth development work, and in economic development initiatives.
  3. Each program development committee shall be chaired by a member of the district governing body and shall meet as needed.
  4. All program plans shall be subject to final approval of the governing body of the extension district.
- h. *Organizational structure.*
1. The office structure for the district will be determined by the district governing body and the authorized representative of the director of extension. An office will be maintained in each county at the discretion of the District governing body and the authorized representative of the director of extension. The host office for coordinating the district extension program and personnel will be located in Saline County.
  2. One or more extension agents will be housed in each county in the district at the discretion of the district governing body and the authorized representative of the director of extension. Current agents and office professionals will be housed in the counties where they are presently located.
  3. One agent will be designated with the title and responsibilities of District extension director.
  4. The district governing body and the authorized representative of the director of extension shall attempt in good faith to contract with the county commissioners to provide continued use of present office space.



# Saline County Code of Ordinances

## Community Development

5. The district will combine and make uniform all programs conducted in Ottawa and Saline Counties by January 1, 2006 (excluding county fairs).
6. The extension district will adopt uniform policies and procedures for the district.

i. *District staffing.*

1. The district governing body and the authorized representative of the director of extension will agree upon a staffing plan that meets the comprehensive educational programming needs as outlined in federal and state extension authorizing legislation.
  - i. All current personnel in the counties forming the district will be accepted into the district agent, agent assistant and office professional staff.
  - ii. Any reduction of personnel in the district from current combined county staff levels will be accomplished through attrition, or through an agreement of the district governing body and the authorized representative of the director of extension.
  - iii. Any increase in staff will be agreed upon by the district governing body and the authorized representative of the director of extension.
2. All open positions in the district will be filled according to K-State research and extension personnel policies.

j. *Training and professional development.*

1. K-State research and extension will provide in-depth training to district governing body members to include new member orientation, officer orientation, and training in budget development, personnel management and other areas as agreed to by the District governing body and K-State research and extension.
2. Training will be provided for all personnel becoming a part of the extension district.
3. All agents, agent assistants and office professionals will participate in appropriate professional development conducted by K-State research and extension and professional organizations, as well as other professional development approved by the district governing body and the authorized representative of the director of extension to enhance their ability to perform their responsibilities.

k. *District agent assistants.*

1. District agent assistants may be employed, with approval of the district governing body and the authorized representative of the director of extension.
2. All district agent assistants must work with a specific program assignment and be under the supervision and direction of a district extension agent.

l. *Inventory of district property.*

1. Each county extension council will provide an inventory of all property more than \$100.00 in value.
2. The financial resources available to each council at the time of entry into the district will be added together with the inventory of property of each council, to determine the percentage of resources each county extension council brought into the district.



# Saline County Code of Ordinances

## Community Development

3. If a county withdraws from the district, the property, financial resources and obligations shall be transferred to and assumed by the county extension council in accordance with the percentage of resources each county brought into the district.

(Res. No. 03-1812, 12-2-03)

### Sec. 7-91. - Conflict with state law.

The parties agree that no provision of this agreement is intended to conflict with or supersede the Kansas Extension District Law, K.S.A. 2-608 through 2-628. The group agrees to complete the process of forming a district under K.S.A. 2-623 through 2-628 upon the execution of the operational agreement. The operational agreement shall only be effective when approved by the attorney general, the two boards of county commissioners, the Ottawa and Saline County extension councils, and the authorized representative of the director of extension, Kansas State University.



# Saline County Code of Ordinances

## Discrimination

### Sec. 8-26. - Definitions.

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

*Discriminatory housing practice* means an act that is unlawful under [section 8-27](#).

*Family* includes a single individual.

*Person* includes one or more individuals, corporation, partnership, legal representative, trust, unincorporated organization, trustees, receivers and fiduciaries.

(Res. No. 1076, § I, 7-22-86)

**Cross reference**— Definitions and rules of construction generally, [§ 1-2](#).

### Sec. 8-27. - Unlawful discriminatory housing practices.

It shall be an unlawful housing practice:

- a. For any person, owner, real estate broker, real estate salesman, or employee or agent thereof to:
  1. Refuse to sell, rent, lease or sublease, or offer for sale, rental, lease or sublease any housing accommodations or real property to any person based on discriminatory reasons.
  2. Discriminate against any person in the terms or privileges of the sale, rental, lease or sublease of any housing accommodation or real property.
  3. Cause or to personally print, publish, circulate, display, or mail any statement, advertisement, publication or sign which expresses, directly or indirectly, discriminatory housing practice.
  4. Attempt or actually induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, religion, age, color, national origin, ancestry, physical handicap or marital status.
  5. Commit acts of any nature, the purpose of which is to harass, or to cause physical harm or economic loss to any person attempting to exercise the rights protected by this article.
- b. For any person or financial institution to:
  1. Discriminate against any person in the granting of or in the provisions of financial assistance.
  2. Use any form of application for financial assistance which expresses directly or indirectly any discrimination or any interest to make such discrimination.

(Res. No. 1076, § II, 7-22-86)

**State Law reference**— Provisions on similar subject matter, K.S.A. 44-1016, 44-1017.

### Sec. 8-28. - Administration.

- a. The county planning and zoning director is the authority responsible for administering and enforcing this article.



# Saline County Code of Ordinances

## Discrimination

- b. The county planning and zoning director may delegate any of these duties and powers to employees of the county.
- c. All county departments and agencies shall administer their programs related to housing in a manner that furthers the purpose of this article.

(Res. No. 1076, § III, 7-22-86; Res. No. 02-1763, 9-24-02)

### Sec. 8-29. - Enforcement.

- a. Any person who claims to have been injured by a discriminatory housing practice may file a written complaint with the county administrator. The county administrator will provide a copy of the complaint to the persons who allegedly committed or are about to commit the discriminatory practice. Within 30 days, the county administrator shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the county administrator decides to resolve the complaints, he shall proceed to try to eliminate the alleged discriminatory housing practice by informal methods. Nothing said or done during such informal endeavors may be made public.
- b. If the county administrator has been unable to obtain voluntary compliance within 30 days of the complaint, the person aggrieved may, within 30 days thereafter, file a complaint with the Secretary of the Department of Housing and Urban Development.
- c. If the county administrator has been unable to obtain voluntary compliance within 30 days of the complaint, the person aggrieved may, within 30 days thereafter, commence a civil action in any appropriate court, against the respondent named in the complaint, to enforce the rights protected by this article.





# Saline County Code of Ordinances

## Emergency Management

### Sec. 9-1. - Disaster assistance.

- a. In the event of a disaster when there is a request for assistance, if the county or the political subdivision therein can provide assistance without unduly jeopardizing the protection of its own community, that this section hereby authorizes the chair, board of county commissioners or his or her designee, to provide such assistance as may be required under authority granted in chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities provided therein.
- b. Any request for assistance hereunder shall include the name of the official initiating the request, a statement of the amount and type of equipment and number of personnel requested, and shall specify the location to which the equipment and personnel are to be dispatched, but the amount and type of equipment and number of personnel to be furnished shall be determined by the official in charge of the responding agency.
- c. The responding agency shall report to the official in charge of the requesting agency at the location to which the equipment is dispatched and shall be subject to the orders of that official, unless otherwise directed by the official or person in charge of the responding agency. The responding equipment remains the property of the responding agency and the responding personnel remain the employees of the responding agency and shall not be considered the equipment or employee personnel of the requesting agency. The supervision and control of the responding agency shall always be with the official or person in charge of the responding agency.
- d. Each party waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this section.
- e. No party shall be reimbursed by the other party for any costs incurred pursuant to this section.
- f. This section shall commence and be effective on the aforementioned date and shall remain in full force and effect unless repealed by the board of county commissioners.
- g. All parties in Resolution No. 96-1460 shall retain the right to return said party's personnel or equipment to their respective agency if said personnel or equipment is needed for protection of the responding agency or recalled by the official of such agency.
- h. Nothing in this section is intended to conflict or circumvent any existing interlocal agreement, any automatic aid, intergovernmental or mutual aid agreement, or any authority to enter into those in the future.
- i. It is the intent of this section to provide assistance in any form of service including, but not limited to, law enforcement, fire, EMS, public works, administrative and clerical during times of disaster as defined in chapter 75 of the 1994 Session Laws of Kansas, with all the privileges and immunities described therein.

(Res. No. 96-1460, §§ 1—9, 1-9-96)

### Sec. 9-2. - Salina-Saline County 911 Committee.

- a. *Mission statement.* The 911 advisory committee will review projected use and expenditure of 911 funds, review the operation of the emergency communication system for Salina and Saline County, and make recommendations to maximize efficiency and effectiveness in meeting the needs of emergency telephone services.
- b. *Members.* [The 911 advisory committee shall consist of the following members:]
  1. Sheriff of Saline County;
  2. Police chief of the City of Salina;



# Saline County Code of Ordinances

## Emergency Management

3. Fire chief of the City of Salina;
4. Director of emergency management;
5. Representative of rural fire districts;
6. Director of computer technology department, City of Salina;
7. County administrator, ex officio member
8. City manager representative.

c. *Goals.*

1. Review the current and future needs of the communications center and make appropriate recommendations.
2. Working with the police department and communications staff, determine the status of current frequencies and repeaters to handle daily traffic and traffic in multiple emergencies.
3. Study newest technology for equipment, which would minimize staffing positions and daily workload on communications center personnel.
4. Study possible sources of funding for new equipment, manpower and facilities. Make recommendation on how additional funding might be secured.
5. Submit a 911 budget and a five-year equipment improvement fund annually, based on prioritization of needs and timely replacement of existing equipment consistent with city/county budget schedules.
6. Submit [submit], on a 911 request for action form, all recommendations/reports for review by city manager and county administrator before scheduling any formal action before the county commission.
7. Meet as often as necessary but no less than twice a year as scheduled by county administrator upon request.
8. Purchases will be made pursuant to K.S.A. 12-5304

(Res. No. 02-1743, Exh. A, 5-2-02)

### Sec. 9-66. - Definitions.

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

*Emergency action* means all of the concerted activities conducted in order to prevent or mitigate injury to human health or the environment from a release or threatened release of any material into or upon the environment.

*Governmental entities* shall include the City of Salina, the county, the county emergency preparedness department, the Salina Airport Authority, rural fire districts, and any entity responding under a mutual aid agreement with the City of Salina.

*Person* shall include any individual, corporation, association, partnership, firm, trustee or legal representative.



# Saline County Code of Ordinances

## Emergency Management

*Recoverable expenses*, in general, means those expenses that are reasonable, necessary and allocable to the emergency action. Recoverable expenses shall not include normal expenditures that are incurred in the course of providing what are traditionally local services and responsibilities, such as routine firefighting. Expenses allowable for recovery may include, but are not limited to:

1. Disposable materials and supplies acquired, consumed and expended specifically for the purpose of the emergency action.
2. Compensation of employees for the time and efforts devoted specifically to the emergency action that are not otherwise provided for in the governmental entity's operating budget.
3. Rental or leasing of equipment used specifically for the emergency action (e.g., protective equipment or clothing, scientific and technical equipment).
4. Replacement costs for equipment owned by the governmental entity that is contaminated beyond refuse or repair, if the governmental entity can demonstrate that the equipment was a total loss and that the loss occurred during the emergency action (e.g., self-contained breathing apparatus irretrievably contaminated during the response).
5. Decontamination of equipment contaminated during the response.
6. Special technical services specifically required for the response (e.g., costs associated with the time and efforts of technical experts/specialists not otherwise provided for by the governmental entity).
7. Other special services specifically required for the emergency action.
8. Laboratory costs for purposes of analyzing samples taken during the emergency action.
9. Any costs of cleanup, storage or disposal of the released material.
10. Costs associated with the services, supplies and equipment procured for a specific evacuation.
11. Medical expenses incurred as a result of response activities.
12. Legal expenses that may be incurred as a result of the emergency action, including efforts to recover expenses pursuant to this article.

*Release* means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into or upon the environment.

(Res. No. 1195, § 1, 5-16-89)

### Sec. 9-67. - Purpose.

The board of county commissioners is hereby authorized to establish a means for the governmental entities to recover through civil suit the recoverable expenses they incur in taking an emergency action. In order to facilitate the recovery of the damages, the provisions in this article shall be in effect.

(Res. No. 1195, 5-16-89)

### Sec. 9-68. - Liability.

Any and all persons responsible for a release or threatened release which results in an emergency action shall be liable to the governmental entities for the recoverable expenses resulting from the emergency action.



# Saline County Code of Ordinances

## Emergency Management

(Res. No. 1195, § 2, 5-16-89)

### Sec. 9-69. - Record of expenses, certification; submission of itemized claim.

The staffs of the governmental entities involved in the emergency action shall keep a detailed record of its recoverable expenses resulting from the emergency action. Promptly after completion of the emergency action, the staffs shall certify those expenses to the appropriate legal counsel and shall request that legal counsel bring a civil action for recovery of the recoverable expenses against any and all persons responsible for the emergency action. If legal counsel should elect to file suit, then not less than 30 days before filing the civil suit, legal counsel shall submit a written, itemized claim for the total certified expenses incurred by the governmental entities for the emergency action to the responsible party and a written notice that, unless the amounts are paid in full to the respective governmental entities within 30 days after the date of mailing of the claim and notice, legal counsel will file a civil action for the stated amount. Moneys recovered under this article shall be credited to the appropriate funds of the governmental entity from which moneys were expended in performing the emergency action.

(Res. No. 1195, § 3, 5-16-89)

### Sec. 9-70. - Additional remedies.

The remedy in this article shall be in addition to any other remedies the governmental entities have at law.

(Res. No. 1195, § 4, 5-16-89)

### Sec. 9-81. - Establishment.

There is hereby established in the county an emergency management agency for the purpose of assuming as the designated disaster agency, responsibility for coordinating the mitigation of, preparedness for, response to and recovery from disasters.

(Res. No. 96-1477, § 1, 5-7-96)

### Sec. 9-82. - Responsibilities and powers of county officials.

- a. The board of county commissioners having a disaster agency, shall notify the state division of emergency management of the manner in which the county is providing or securing disaster planning and emergency management. Any changes to this resolution shall be provided within ten working days to the state division of emergency management.
- b. The board of county commissioners shall appoint an emergency management director to take charge of the emergency management agency and shall notify the state division of emergency management within ten working days of any change of said appointment.
- c. The board of county commissioners shall provide for the establishment, staffing, operation and support of the emergency management agency. In addition to employing the emergency management director, such support shall, at a minimum, consist of the following:
  1. County-provided office space and clerical support sufficient to perform the required emergency management functions.
  2. County-provided transportation or reimbursement for private transportation used for official duties.
  3. County-provided portable radio, pager, cellular telephone or other communications arrangements for 24-hour-a-day notification of the emergency management agency.



# Saline County Code of Ordinances

## Emergency Management

4. The designation of one or more persons to act as an alternate emergency management agency head when the director is not available.

d. The chair of the board of county commissioners shall be responsible for the issuance of proclamations of local emergency as provided in K.S.A. 48-932.

(Res. No. 96-1477, § 2, 5-7-96)

### Sec. 9-83. - Appointment of emergency management director.

a. There is hereby created the position of emergency management director for the county.

b. The emergency management director shall be appointed by the board of county commissioners to head the emergency management agency and to serve as the advisor to the board of county commissioners on all emergency management matters.

c. The emergency management director is hereby delegated sufficient authority to effect coordination and accomplish all actions required incident to the functions and duties described herein.

(Res. No. 96-1477, § 3, 5-7-96)

### Sec. 9-84. - Responsibilities and functions.

a. Coordination of response and recovery activities during and following a disaster emergency.

b. Development and maintenance of a county hazard analysis.

c. Development of a local emergency planning program and maintenance of an all-hazard emergency operations plan for the county.

d. Implementation of a local technological hazards program which includes participation on the local emergency planning committee as provided for in K.S.A. 65-5703 and the development and coordination of a radiological protection system for the county.

e. Development and maintenance of an active public education program, both through direct public presentations and contacts with the local news media.

f. Development and coordination of a county emergency exercise program to test the capability of the county to implement the emergency operations plan.

g. Development and coordination of a county emergency management training program.

h. Development and coordination of county hazard warning and notification systems.

i. Coordination of all requests by the county for assistance from other jurisdictions and the state and federal governments during a disaster emergency.

j. Identification of mitigation actions necessary within the county to prevent hazards or to lessen their impact.

(Res. No. 96-1477, § 4, 5-7-96)

### Sec. 9-85. - Authority to accept services, gifts, grants and loans.

Whenever the federal government or any agency or officer thereof or person, firm or corporation shall offer through the state or directly to the county, services, equipment, supplies, materials or funds by way of gift, grant or loan, for



# Saline County Code of Ordinances

## Emergency Management

purposes of emergency management, the county, acting through its chair of board of county commissioners or the board of county commissioners, may authorize any officer of the county, in coordination with the emergency management director, to receive such services, equipment, supplies, materials or funds on behalf of the county subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.

(Res. No. 96-1477, § 5, 5-7-96)

### Sec. 9.5-1. - Legal authority and title.

This chapter is adopted under the authority granted to the board of county commissioners by K.S.A. 19-3701 through 19-3708 and K.S.A. 12-3301 et seq., as amended and shall be designated as the Saline County Code for Environmental Control.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-2. - Declaration of finding and policy.

The board of county commissioners find that the provision of adequate and reasonable control over the environmental conditions in unincorporated areas and suburban areas of the county is necessary and desirable; and the adoption of regulations to eliminate and prevent the development of environmental conditions that are hazardous to health and safety, and promote the economical and orderly development of the land and water resources of the county is in the best public interest. For these reasons and objectives it will be the policy of the board of county commissioners to adopt this chapter and to amend it from time to time in order to regulate the practices and procedures affecting environmental sanitation and safety.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-3. - Purpose and intent of chapter.

The purpose and intent of this chapter is to prescribe the substantive rules and the administrative procedures that shall be followed in carrying out the objectives of [section 9.5-2](#).

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-4. - Area of applicability and effective date.

This chapter shall be in effect for all areas of 2,500 acres or less in the county with the exception of incorporated cities and shall become effective on and after March 1, 1975, and any amendments or revisions shall become effective on the date of adoption thereof.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-5. - 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:

*Accessory wastewater treatment system* means a sewage system that is designed for a nonresidential building with limited wastewater flow of under 50 gallons per day.

*Administrative agency* means the Saline County department, named by resolution, which shall be responsible for administering and enforcing this chapter.





# Saline County Code of Ordinances

## Emergency Management

*Administrative procedures* as used in this chapter shall mean those rules and regulations contained in the provisions of article II, which prescribe the general procedures for the administration of this chapter.

*Alternative wastewater treatment system* means a private wastewater treatment system, approved by the administrative agency, which mechanically pretreats the wastewater to reduce levels of specific pollutants before discharge to an approved distribution system.

*Authorized representative* means any employee of the administrative agency who is designated to administer this chapter and any other sanitary codes that may be adopted.

*Board of county commissioners* means the board of county commissioners, Saline County, Kansas.

*Board of health* means the joint Saline County Health Department.

*Bulky waste* means items whose large size or shape precludes or complicates the handling by normal collection, processing or disposal methods.

*City* means each incorporated municipality in Saline County, Kansas.

*Composting* means a controlled process of degrading organic matter by microorganisms into a stable, nuisance-free, humus-like product.

*Containerized unit* means a solid waste storage container of one cubic yard capacity or larger that is fly-proof, watertight, and rodent-proof and is emptied into the collection vehicle by mechanical means or is attached to or loaded into the collection vehicle for transportation to the disposal site.

*County* for the purpose of these regulations means all unincorporated areas of Saline County, Kansas.

*County engineer* means the county engineer of Saline County, Kansas, or his authorized representative.

*Construction and demolition waste* means waste building materials and rubble resulting from construction, remodeling, repair, or demolition operations on houses, commercial buildings, other structures, and pavements.

*Daycare* means a licensed daycare home or registered family daycare home pursuant to K.S.A. 65-501 et seq.

*Demolition site* means any site for demolition and construction waste that is approved and/or permitted by KDHE.

*KDHE* means the Kansas Department of Health and Environment.

*Distances* means horizontal distances unless otherwise designated. Measurements referred to as "not less than," "minimum," "at least" and other similar designations shall mean horizontal distances unless specifically indicated otherwise.

*Domestic water supply* means the use of water by any person or family unit or household for household purposes, or for the watering of livestock, poultry, farm and domestic animals used in operating a farm, or for the irrigation of lands not exceeding a total of two acres in area for the growing of gardens, orchards and lawns pursuant to K.S.A. 82a-701c and K.A.R. 28-30-2h.





# Saline County Code of Ordinances

## Emergency Management

*Domestic sewage* means sewage originating primarily from kitchen, bathroom and laundry sources, including waste from food preparation, dishwashing, garbage grinding, toilets, baths, showers and sinks pursuant to K.A.R. 28-16-56c(b).

*Dump* means a collection or consolidation of solid waste from one or more sources at a central disposal site which does not meet standards for proper disposal and which does not have a valid permit from KDHE.

*Duplex* means a building having accommodations for occupancy by two families.

*Dwelling* means any room or group of rooms located within a structure and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

*Family* means either:

1. An individual or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit; or
2. A group of not more than four persons who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit; plus in either case, usual domestic servants. A family may include any number of gratuitous guests or minor children not related by blood, marriage, or adoption.

*Garbage* means putrescible waste resulting from the handling, processing, storage, packaging, preparation, sale, cooking and serving of meat, produce and other foods, including unclean containers.

*Hearing officer* means any person designated by the board of health to hear appeals of decisions relating to the administration and enforcement of this chapter.

*Human excreta* means the normal body wastes from humans (feces and urine).

*Incineration* means the controlled process of burning solid, liquid and gaseous combustible wastes for the purpose of volume and weight reduction in facilities designed for such use.

*Incinerator* means any device or structure used for the destruction or volume reduction of garbage, rubbish, or other liquid or solid waste materials by combustion pursuant to disposal or salvaging operations.

*Industrial and commercial wastes* means any and all solid, liquid or waterborne wastes, other than sewage, produced in connection with any industrial or commercial process or operation.

*Inoperable* means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned, or unable to perform the functions or purposes for which it was originally constructed or for which it may have been subsequently modified.

*Littering* means the dumping, throwing, placing, depositing or leaving or causing to be dumped, thrown, deposited or left any refuse of any kind or any object or substance which tends to pollute, mar or deface, into, upon or about any:

1. Public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by the direction of some public officer or employee authorized by law to direct or permit such acts; or
2. Private property without the consent of the owner or occupant of such property.



# Saline County Code of Ordinances

## Emergency Management

*Lot* means a parcel of land that includes any of the following:

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, or complete lots of record and portions of lots of record;
4. A parcel of land described by metes and bounds; provided that in case of division or combination there shall have been approval given to said division or combination by the administrative agency.
5. The area of any lot shall be determined exclusive of public streets, highway, alley, road or other right-of-way.

*Maximum contaminant level* means the maximum permissible level of a contaminant in water which is delivered to any user of a public water supply system as set by the Environmental Protection Agency.

*Mobile home park* means a parcel or tract of land occupied or intended to be occupied by two or more mobile homes.

*Multifamily dwelling* means a structure containing three or more dwelling units.

*Nuisance* means conditions or activities which have, or threaten to have, a detrimental effect on the environment or health of the public.

*Occupant* means any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or any other improved real property, either as owner, guest, or as a tenant, either with or without the consent of the owner thereof.

*Open dumping* means the disposal of solid waste at any solid waste disposal area or facility which is not permitted by the secretary of KDHE under the authority of K.S.A. 65-3407 and amendments thereto, or the disposal of solid waste contrary to rules and regulations adopted pursuant to K.S.A. 65-3407, and amendments thereto.

*Owner* means any person who, alone or jointly or severally with others, has legal title to, or sufficient proprietary interest in, or has charge, care or control of any dwelling unit or any other improved real property, as a title holder, as employee or agent of the title holder, or as landlord or manager or as trustee or guardian of the estate or person of the title holder.

*Person* means any institution, corporation, partnership, association, or individual.

*Premises* means any lot or tract of land and all buildings, structures or facilities located thereon.

*Private sewage system* means any system, which does not hold a state water pollution control permit. This includes wastewater disposal systems, which function by soil absorption, evaporation, transpiration, holding tanks, alternative treatment, or any combination of the above.

*Private water supply* means a water supply for domestic uses, which is provided and used by not more than one family in a single structure, which is designed or intended for occupancy, by one family only.

*Public sewage system* means any sewage system, which holds a state water pollution control permit.



# Saline County Code of Ordinances

## Emergency Management

*Public water supply* means a system that has at least ten service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year (K.S.A. 65-162a).

*Recycle* means conditions under which waste materials are transformed into new products in such a manner that the original product may lose its identity.

*Recycling center* means a designated site or location approved by the administrative agency for the collection and storage of recyclable material.

*Rural area* means that area in the county, outside of incorporated cities.

*Saline County Code for Environmental Control* means the codification of rules and regulations adopted by the county designed to minimize or control those environments and environmental conditions that may adversely affect the health and well being of the public. Such environments and environmental conditions may include, but are not restricted to those relating to sewage disposal; water supply; general nuisances; and solid waste.

*Salvage* means the controlled removal of reusable materials from solid waste.

*Sanitary landfill* means a site where solid waste is disposed of using sanitary landfilling techniques, without creating nuisances or hazards to the public health or safety or the environment at a permitted solid waste disposal area, which meets the standards prescribed in K.A.R. 28-29-23. These techniques are an engineering method that protects the environment by spreading the waste in thin layers, confining it to the smallest practical area, compacting it to the smallest possible volume by employing power equipment and covering it with a layer of compacted soil by the end of each working day.

*Sanitary privy* means a facility with a water-tight receptacle made of concrete or other material acceptable to the code administrator designed to receive, store and provide for periodic removal of nonwater-carried wastes from the human body.

*Sanitary service* means the pumping out or removal of wastewater, sludge, or human excreta from privies, septic tanks, or private sewage systems and the transportation of such material to a point of final disposal.

*Scavenge* means uncontrolled and unauthorized removal of discarded materials.

*Semipublic water supply* means a water supply system that has from three to nine service connections or serves an average of ten to 24 individuals daily at least 60 days out of the year.

*Sewage* means any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals, or chemical or other wastes from domestic, manufacturing or other forms of industry, as defined by K.S.A. 65-161.

*Sewer district* means a special district authorized and empowered by state statutes to plan, construct, and operate a public sewage system.

*Single-family dwelling* means a structure containing one dwelling unit, to include one mobile home.

*Solid waste* means garbage, refuse and other discarded materials including, but not limited to solids, semisolids, sludges, liquid and contained gas waste materials resulting from industrial, commercial, agricultural and domestic activities, and hazardous wastes.



# Saline County Code of Ordinances

## Emergency Management

*Solid waste collector* means any person licensed or designated by the county to collect, transport, and dispose of solid waste, subject to the conditions of this chapter.

*Solid waste collection vehicle* means a vehicle designed and intended for the collection and transportation of solid waste. Such vehicle shall be constructed with watertight bodies and shall be fully enclosed or capable of being covered.

*Special solid waste* means solid waste other than that normally relating to or produced by domestic, agricultural, commercial or industrial activities. Such waste may include, but is not limited to, large trees, bulky items such as furniture, appliances, shipping crates; demolition and construction material; inoperable vehicles; and hazardous materials which may be dangerous, offensive, or create nuisance conditions.

*Trash* means all nonputrescible materials such as paper, tin cans, bottles, glass, crockery, rags, ashes, lawn and tree trimmings, tree branches, limbs, tree trunks and stumps, boxes and barrels, wood and excelsior, street sweepings and mineral refuse. This term does not include earth and lumber waste from building operations.

*Vehicle* means any automobile, truck, tractor, aircraft or motorcycle, which as originally built contained an engine or was designed to contain an engine, regardless of whether it contains an engine at any other time.

*Waste stabilization pond* means a shallow manmade basin utilizing natural processes under partially controlled conditions for the reduction of organic matter and the destruction of pathogenic organisms in wastewater.

*Wastewater treatment system* means the pipes and all appurtenances related to the collection and treatment of domestic, industrial, or commercial sewage.

*Water district* means any special district authorized and empowered by state statute to plan, construct or operate a public water supply system.

*Waters of the state* means all streams, and springs, and all bodies of surface and subsurface water within the boundaries of the state pursuant to K.S.A. 65-161.

*Wetlands* means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas.

(Res. No. 09-2003, 7-21-09; Res. No. 14-2138, 10-7-14; Res. No. 16-2212, 12-13-16)

### Sec. 9.5-26. - Right of entry.

Representatives of the administrative agency shall have the right to enter, examine, and/or survey at any reasonable time such premises, establishments, and buildings as they shall deem necessary for the enforcement of this chapter and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-27. - Obstruction of administrative agency.

No person shall impede or obstruct representatives of the administrative agency in the discharge of their official duties under the provisions of this chapter.



# Saline County Code of Ordinances

## Emergency Management

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-28. - Notice of violations.

Whenever the administrative agency determines that there has been, or is likely to be, a violation of any provision of this chapter, they shall give notice of such alleged violation to the person responsible therefore. The notice shall:

- a. Be in writing;
- b. Include a statement of why the notice is being issued;
- c. Allow a reasonable period of time for performance of any work required by the notice;
- d. Be served upon the owner or his agent by delivery of a copy thereof in person or by registered mail to the last known address of the owner or agent.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-29. - Appeal for hearing.

Any person aggrieved by any notice or order issued by the administrative agency under the provisions of this chapter may request, and shall be granted, a hearing on the matter before the hearing officer. Such person shall file a written appeal requesting a hearing and setting forth the grounds upon which the request is made with the administrative agency within ten days after the date of issuance of the notice or order. The filing of the request for a hearing shall operate as a stay of the notice or order. Upon receipt of such petition, the administrative agency shall confer with the hearing officer and set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to show cause why such notice or order should be modified or withdrawn. The hearing shall be commenced not longer than ten days after the date on which the petition was filed, provided, that upon request of the petitioner, the administrative agency may postpone the day of the hearing for a reasonable time beyond such ten-day period, when in their judgment the petitioner has submitted good and sufficient reasons for such postponement.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-30. - Report of hearing.

Within ten days after such hearing, exclusive of Saturdays, Sundays and holidays, the hearing officer shall submit a written report of his finding to the board of health with a copy of the report to the administrative agency with a recommendation that the board of health issue an order sustaining, modifying or withdrawing the notice or order of the administrative agency and shall notify the appellant in the same manner as is provided for in [section 9.5-55](#).

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-31. - Proceeding of hearings.

A transcript of the proceedings of all hearings, including findings and decisions of the hearing officer, together with a copy of every notice and order related thereto shall be filed with the administrative agency. Transcripts of the proceedings of hearings need not be transcribed unless a judicial review of the decision is sought.

(Res. No. 09-2003, 7-21-09)



# Saline County Code of Ordinances

## Emergency Management

### Sec. 9.5-32. - Emergency abatement.

Whenever, in the judgment of the administrative agency, an emergency exists which requires immediate abatement of a nuisance to protect the environment and public health, safety or welfare, an order may be issued directing the owner, occupant, operator, or agent to take appropriate action to immediately correct or abate the nuisance causing the emergency. If the owner, occupant, operator, or agent does not take immediate action to correct or abate the emergency or is not immediately available, the administrative agency may act to correct or abate the emergency with any costs incurred to be assessed to the legal owner.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-33. - Enforcement procedures.

The county attorney and/or county counselor shall enforce the provisions of this chapter and is hereby authorized and directed to file appropriate actions for such enforcement, upon request of the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-34. - Penalties for violation of chapter.

In addition to, and independently of, the enforcement procedures provided in [section 9.5-33](#), any violation of any provision of this chapter shall be punishable by a fine of not less than \$100.00 nor more than \$500.00 for each offense and further shall be a class C misdemeanor punishable as prescribed by law. Each day's violation shall constitute a separate offense.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-35. - Waiver of requirements.

In existing and unusual cases where compliance with the requirements of any section of this chapter is not feasible, the administrative agency shall have the authority to waive in writing the requirement, provided they are furnished with reliable data to show that such waiver does not and will not endanger or compromise the environment or public health.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-36. - Disclaimer of liability.

This chapter shall not be construed or interpreted as imposing upon the county, and/or the administrative agency, its officials, or employees any liability or responsibility for damages to any property while in discharge of their official duty, or any warranty that any system, installation or portion thereof that is constructed or repaired under permits and inspections required by this chapter will function properly.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-37. - Severability.

If any chapter, section, subsection, paragraph, sentence, clause or phrase of this chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion, which shall remain in full effect; and to this end the provisions of this chapter are hereby declared to be severable and shall be presumed to have been adopted knowing that the part of the section declared invalid would be so declared.

(Res. No. 09-2003, 7-21-09)





# Saline County Code of Ordinances

## Emergency Management

### Sec. 9.5-49. - Applications.

Every person required to obtain a permit and license under this article shall make application for such permit and license to the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-50. - Filing applications.

Applications for permits and licenses, required by this chapter, shall be filed in the office of the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-51. - Issuance.

Within five days, Saturdays, Sundays, and holidays excepted, after receipt of an application for a permit and license required by this chapter, the administrative agency shall begin such investigations and inspections as they shall deem necessary to determine whether the permit and license should be issued or denied, and shall issue or deny the permit or license within 30 days. If the permit and license is denied, the administrative agency shall send the applicant a written notice and state their reasons for rejection.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-52. - Official actions.

A written record shall be kept of all official actions taken on applications for permits and licenses required by this chapter. Such records shall be filed with the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-53. - Permits nontransferable.

No permit or license required by this chapter shall be transferable, and fees paid under this article are not refundable without administrative approval.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-54. - Issuance of building permits.

A wastewater treatment system permit shall be secured from the administrative agency before issuance of a building permit from the secretary of the county planning and zoning board.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-55. - Standard fees.

For the purpose of defraying the cost of the administration of this chapter, a schedule of fees as adopted by the administrative agency is established. Such fees shall be paid to the administrative agency before a permit or license shall be accepted for processing.

Services Provided	Fee
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# Saline County Code of Ordinances

## Emergency Management

Septic permit fee/inspection	\$300.00
Lagoon permit fee/inspection	300.00
Well permit fee/inspection	300.00
Soil profile only	100.00
Subdivision plat review and report	300.00
Subdivision soil profile for each lot	75.00
Water well pump installer and maintenance app. and exam	250.00
Annual water well pump installer and maintenance license— Business owner	100.00
Annual water well pump installer and maintenance license— Employee	10.00
Wastewater system installer and maintenance app. and exam	250.00
Annual wastewater system installer and maintenance license— Business owner	100.00
Annual wastewater system installer and maintenance license— Employee	10.00
Advanced alternative wastewater system app. and exam	250.00
Alternative wastewater system installer and maintenance license—Business owner	100.00
Alternative wastewater system installer and maintenance license—Employee	10.00
Septage license	150.00



# Saline County Code of Ordinances

## Emergency Management

Septage vehicle license (per vehicle)	50.00
Real estate transaction for septic	250.00
Real estate transaction for septic and water well	300.00
Water screening—Complete analysis (13 tests)	250.00
Bacteria screening	40.00
Lead screening	40.00
Chloride screening	20.00
Fluoride screening	20.00
Iron screening	20.00
Manganese screening	20.00
Nitrate screening	20.00
pH screening	20.00
Specific conductance	20.00
Sulfate screening	20.00
Total dissolved solids screening	20.00
Total hardness screening	20.00
Hardness as CaCO <sub>3</sub> screening	20.00
Child care/foster care facility septic inspection	50.00
Child care/foster care facility water well inspection	85.00



# Saline County Code of Ordinances

## Emergency Management

(Res. No. 09-2003, 7-21-09; Res. No. 14-2137, 8-19-14)

### Sec. 9.5-66. - Purpose and intent of article.

The provisions of this article have been adopted to ensure safe disposal of all human and domestic wastes, to protect the health of the individual, family, or community, and to prevent the occurrences of nuisances.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-67. - Use of nonapproved private systems.

No person shall use, or cause to be used, any private wastewater treatment system constructed after March 1, 1975, until it has been initially inspected and approved by the administrative agency, or any system that has been temporarily or permanently enjoined as a public health nuisance by a court of competent jurisdiction, or any system that fails to comply with this chapter and written notice thereof has been given to the owner or responsible person, by the administrative agency, or any system that discharges wastewater onto the surface of the ground, into watercourses, or into any water impoundment, into any wetland, or into groundwater so as to contaminate the water, cause fly breeding, produce offensive odors or any other condition that is prejudicial to health.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-68. - Use of dwellings or commercial structures not served by water-carried wastewater treatment system.

No person shall occupy a dwelling or commercial structure that does not have an approved water-carried wastewater treatment system.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-69. - Location of wastewater treatment systems below full flood pool.

No portion of a public or private wastewater treatment system shall be located below the full flood pool elevation of any federal reservoir or full pool elevations of any pond, lake, stream, or water supply reservoir unless written approval for location below full flood pool is obtained from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-70. - Connection to public wastewater treatment system.

No premises shall be permitted to connect to any public wastewater treatment system that does not hold a valid permit as required in subsection [9.5-71\(b\)](#).

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-71. - Requirements for public wastewater treatment systems.

- a. *Approval of plans.* Plans and specifications for all public wastewater treatment systems shall be submitted to and approved by KDHE prior to starting any construction of such systems.



# Saline County Code of Ordinances

## Emergency Management

- b. *Permit for use.* The owner of every public wastewater treatment system shall obtain a permit for operation of the system from KDHE, and no public wastewater treatment system shall be operated or put in operation until the owner has obtained the required permit.
- c. *Responsibility for operation.* Responsibility for the operation of all public wastewater treatment systems shall be determined by KDHE as stipulated within the valid permits.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-72. - Location of private wastewater treatment systems.

- a. *Within 400 feet of public sewer.* No private wastewater treatment system shall be constructed within 400 feet of an existing public sewer unless the administrative agency finds that connection to such a sewer is not feasible and that a private wastewater treatment system, meeting the requirements of this chapter, can be constructed on the property.
- b. *Within 100 feet of a well.* No portion of a private wastewater treatment system shall in any instance be located less than 100 feet from a public or private water well. When sewer lines are constructed of cast iron, plastic, or other equally tight materials, the separation distance shall be 25 feet or more as determined by the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-73. - Requirements for private wastewater treatment systems.

- a. *Permit for use.* No person shall initially use, permit to be used, or construct after March 1, 1975, any new private wastewater treatment system until they have applied for and received a permit to use such system from the administrative agency.
- b. *Approval of plans for all new, rebuilt or modified systems.* No private wastewater treatment system shall be constructed, reconstructed or modified after the effective date of the resolution from which this chapter is derived until the plans and specifications have been approved by the administrative agency. All on-site wastewater systems shall be designed, constructed and operated in accordance with standards set forth in KDHE Bulletin [4-2](#) "Minimum Standards for Design and Construction of Onsite Wastewater Systems" published March, 1997, as amended, by KDHE and Kansas State University Agricultural Experiment Station and Cooperative Extension Service. KDHE Bulletin [4-2](#) is hereby adopted by reference and is included herein as an appendix to this code. References utilizing currently approved technology may also be used as a guide by the administrative agency in reviewing and approving plans for private wastewater treatment systems.
- c. *Inspection and approval of construction.* No private wastewater treatment system constructed or reconstructed after the effective date of the resolution from which this chapter is derived shall be covered or otherwise made inaccessible until the administrative agency has inspected and approved the construction for conformity with approved plans.
- d. *Proper operation.* All private wastewater treatment systems shall be maintained in good working condition and shall not discharge onto the surface of the ground or drain into any stream, roadside ditch, watercourses, wetlands, groundwater, or any water impoundment; produce offensive odors; or become a breeding place for vectors. Whenever the administrative agency shall find any private wastewater treatment system malfunctioning and causing any of the above prohibited conditions they shall order the owner or user to correct the condition.
- e. *Inspection requirements for existing private sewage systems.* Whenever any property connected to, or served by, a septic system, lagoon, or alternative system is offered for or subject to a contract of sale, the administrative agency shall inspect the condition of the system, at a fee to be paid to the administrative agency.



# Saline County Code of Ordinances

## Emergency Management

If any system is found to be inadequate, failing or in need of repairs, it must be corrected prior to closing or appropriate arrangements must be made with the administrative agency. When this process is completed and approved, the administrative agency will issue the proper permit. Upon discovery by the administrative agency that the seller or seller's agent has failed to request a system inspection under this code, the administrative agency shall require the seller or seller's agent to arrange an inspection within 14 days of notice of violation. The seller shall be responsible for bringing any violation discovered during the inspection up to code, at his or her expense. Any inspection provided under this section shall not constitute nor be deemed a warranty and neither the administrative agency nor any official of the board of health shall be liable for any future failures of the system or for other claims arising out of the inspection. Inspection shall not relieve any person of compliance with the requirements of this Code.

- f. *Inspection for daycare facility.* Where a private wastewater treatment system serves a daycare, inspection of the system is required no less than every five years.
- g. *Additional maintenance requirements for alternative private wastewater treatment systems.*
  1. An annual operating permit shall be required of the owner of any alternative wastewater treatment system.
  2. Before an initial operating permit is issued, every owner of an alternative wastewater treatment system shall:
    - i. File a restrictive covenant that provides maintenance for the life of the system. Such covenant shall be filed with the register of deeds and a copy provided to the administrative agency, and
    - ii. Be initially inspected and approved by the administrative agency.
  3. The owner shall be responsible for the operation and maintenance of the alternative wastewater treatment system. The land owner must contract with a licensed alternative wastewater system provider to perform this maintenance. Said maintenance agreement shall cover each and every component of the system, including but not limited to the treatment system and the entire dispersal or soil absorption area.
  4. All owners of alternative wastewater treatment systems must obtain an annual operating permit from the administrative agency which must be renewed January 1 of each year. All annual operating permits expire on December 31 regardless of when the initial operating permit was issued.
  5. Before an annual operating permit will be renewed, the owner must provide a copy of a signed maintenance agreement with a licensed alternative wastewater treatment system maintenance provider for the coming year, as well as any documentation relating to inspections and maintenance performed throughout the prior year.
  6. If the permit is not renewed within 30 days of the renewal date, the owner will be subject to penalties pursuant to [section 9.5-33](#) of the Saline County Sanitary Code for Environmental Protection.
- h. *Lot size.* No private wastewater treatment system shall be constructed hereafter on a lot that contains less than three acres of land exclusive of roads, streets, or other public rights-of-way. Private wastewater treatment systems shall be subject to the following:
  1. Only one private wastewater treatment system shall be constructed on each lot except that an accessory private wastewater treatment system can be installed with the approval of the administrative agency.
  2. Each residence shall have its own private wastewater treatment system.



# Saline County Code of Ordinances

## Emergency Management

3. The number of residences allowed on a lot is determined by the Saline County Zoning Code, Appendix A "Zoning and Master Plan Resolution". Requests for accessory residences shall be reviewed on a case-by-case basis.
4. The administrative agency will determine the suitability of soil for installation of a private wastewater treatment system.

i. *Nonconforming lots.*

1. *Structure alteration.* In no case shall a structure served by a private wastewater treatment system and located on a lot that does not meet size and separation requirements of this code be altered, replaced, reconstructed, or enlarged in such a manner that would enable an increase in the number of persons residing in said structure or otherwise produce an increase in the volume of wastewater.
2. *Reconstruction limited.* Repairs, maintenance, or reconstruction of said structure shall be limited to those items necessary to keep the structure in sound condition.
3. *Change of usage.* Use of said structure shall not be changed in any manner which increases the volume of wastewater used.
4. *Case-by-case basis.* Each occurrence of repair, reconstruction, or alteration done to structures on nonconforming lots shall be reviewed on a case-by-case basis.

- j. *Separation of private wastewater treatment system from water wells and property lines.* No portion of the soil absorption system shall be located less than 100 feet from any private water well or less than 50 feet from the property line of the premises it serves.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-74. - Requirements for waste stabilization ponds.

- a. *Site.* Waste stabilization ponds shall be separated from other areas by distances equal to or greater than those shown in the following table:

Area	Minimum Separation (Feet)
House it serves .....	100
Other residential structures .....	250
Applicant's private water supply well .....	50
Property lines, including rights-of-way .....	100
Public water supply well .....	100
Public water transmission lines .....	25



# Saline County Code of Ordinances

## Emergency Management

Water table .....	4
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- b. *Operation.* All waste stabilization ponds must be nondischarging, and free from cattails, floating vegetation, tall vegetation, and trees.
- c. *Maintenance.* All waste stabilization ponds, regardless of when installed, must be fenced. Minimum height of required fence is four feet. The fence itself can have no openings in wire larger than two inches by four inches and no space greater than two inches at the bottom. A gate must be present and have no opening larger than two inches by four inches, with no space larger than two inches along the bottom and sides. The gate must have a means to keep it closed.
- d. *Livestock.* If livestock have access to the waste stabilization pond, the fence needs to be installed on the outside base of the berm. In addition, barbed wire or electric fence shall be used to prevent livestock from damaging the lagoon fence.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-75. - Requirements for sanitary privies.

- a. *Review of plans for sanitary privies .* No person shall construct, erect, alter or modify any sanitary privy until the plans and specifications for the proposed construction or modification have been approved by the administrative agency.
- b. *Location.*
  - 1. No sanitary privy shall be installed less than 100 feet from an existing well.
  - 2. A sanitary privy shall not be constructed or reconstructed on any premises served by a public water supply, or on which water is delivered to any building under pressure, unless special permission for use of a sanitary privy is obtained from the administrative agency.
  - 3. A sanitary privy shall not be constructed or reconstructed after adoption of this chapter unless it has a watertight vault.
- c. *Approval of construction.* A person shall not use, or make available for use, any newly constructed or modified sanitary privy until the construction has been inspected by the administrative agency.
- d. *Proper maintenance.* A person shall not use, or offer for use, any sanitary privy that is not maintained in a clean and sanitary condition or that drains into any stream, ditch, ground surface, or groundwater.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-76. - Approval of plats.

Before a county or joint planning or zoning board authorized to review and recommend approval of plats or subdivisions of land can recommend approval of a preliminary plat proposing to utilize private wastewater treatment systems, the suitability of the soil for each private wastewater treatment system shall be determined by the administrative agency based on the results of soil profiles or other approved methods.

(Res. No. 09-2003, 7-21-09)





# Saline County Code of Ordinances

## Emergency Management

### Sec. 9.5-77. - Sanitary services.

- a. *License required.* No person shall remove, haul or transport or offer to move, haul or transport any domestic sewage, industrial or commercial waste, or human excreta from any private wastewater treatment system or privy, or offer to remove or transport such wastes unless they hold a valid license from the administrative agency. This license shall be renewed annually and be carried within the vehicle licensed.
- b. *Application and inspection fee.* Every person wishing to obtain a sanitary service license shall make application for a license on forms provided by the administrative agency for this purpose and shall pay an annual fee per vehicle to the administrative agency. A receipt showing such payment shall be attached to the application form. In case the license is denied, no portion of the inspection fee will be refunded.
- c. *License fee.* An initial assessed fee shall be paid to the administrative agency following approval of the application or renewal by the administrative agency.
- d. *Minimum standards for sanitary service equipment.* All equipment used in rendering a sanitary service shall be of watertight construction, maintained in good working condition and provided with hoses, couplings, valves, pumps and other necessary equipment to ensure that all materials removed from private wastewater treatment systems and privies will be transported to the designated point of disposal without spillage of the waste onto the road or street. All equipment shall be in good workable condition and the operator shall demonstrate that the equipment is in good operating condition and will perform its function without leakage or spillage.
- e. *Revocation of license.* A license issued under the provisions of this chapter may be revoked for violation of any of the terms of this code. No license shall be revoked until the license holder has been given notice in writing of the violation and reasonable opportunity to comply with the provisions of this code.
- f. *Disposal of septage.* Disposition of hauled septage is to be on property approved by the administrative agency for that purpose.
- g. *Contracting with unlicensed persons prohibited.* No person responsible for operating a private wastewater treatment system or privy shall contract, or offer to contract, with any person for sanitary services unless that person holds a valid permit or license to provide such service from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-78. - Wastewater system installer and maintenance licensure.

- a. *License required.* No person shall repair or install a private wastewater treatment system unless they hold a valid wastewater system installer and maintenance license from the administrative agency. Property owners are exempt from the license requirements, but not exempt from code requirements.
- b. *Application, class, and examination.* Every person wishing to obtain a wastewater system installer and maintenance license shall make application for a license at the administrative agency. The applicant will be notified of the next class and exam date. A fee shall be paid to the administrative agency for the wastewater system installer and maintenance exam. A license shall be issued upon completion of the exam with a score of 70 percent or higher.
- c. *License fee.* An annual fee may be paid to the administrative agency by January 1 of each year, following the initial issuance of the wastewater system installer and maintenance license.
- d. *Continuing education.* A requirement for continuing education is set for extended renewal of a wastewater system installer and maintenance license. The licensee must complete continuing education approved by the administrative agency. The continuing education must be pertinent and related to wastewater treatment. Continuing education units (CEUs) must be submitted to the administrative agency.



# Saline County Code of Ordinances

## Emergency Management

- e. *Liability requirements.* Before a license can be issued, the applicant must provide a certificate of insurance for liability coverage as approved by the administrative agency.
- f. *Revocation of license.* A license issued under the provisions of this chapter may be revoked for violation of any of the terms of this code. No license shall be revoked until the license holder has been given notice in writing of the violation and reasonable opportunity to comply with the provisions of this code.
- g. *Reciprocity with other licensing programs.* Licensure in other counties shall be reciprocal with licensure in Saline County if training, exam, and passing scores are equal to or greater than those required for licensure in Saline County.
- h. *Contracting with unlicensed persons prohibited.* No person responsible for operating a private wastewater system shall contract with any person for services unless that person holds a valid permit or license to provide such services from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-79. - Alternative wastewater treatment system installer licensure.

- a. *License required.* No person shall repair or install an alternative wastewater treatment system unless they hold a valid alternative wastewater treatment system installer license from the administrative agency.
- b. *Prior training required.* Before applying for an alternative wastewater treatment system installer license the applicant must first have taken and passed the wastewater system installer and maintenance license.
- c. *License issued.* The administrative agency shall issue an alternative wastewater treatment system installer license after the applicant has completed training for each brand of system. The training shall include a minimum of two on-site installations with a qualified representative from the manufacturer at the site during the entire installation. Each manufacturer will provide a certificate of installation training that includes the name and contact information of the manufacturer and representative who supervised the training of the installations and the contact hours.
- d. *Application, class, and examination.* Every person wishing to obtain an alternative wastewater treatment system installer license shall make application for a license at the administrative agency. The applicant will be notified of the next exam date. A fee shall be paid to the administrative agency for the alternative wastewater treatment system installer exam. A license shall be issued upon completion of the exam with a score of 70 percent or higher and after meeting all training requirements.
- e. *License fee.* An annual fee may be paid to the administrative agency by January 1 of each year, following the initial issuance of the alternative wastewater treatment system installer license.
- f. *Continuing education.* A requirement for continuing education is set for extended renewal of an alternative wastewater treatment system installer license. The licensee must complete continuing education approved by the administrative agency. The continuing education must be pertinent and related to alternative wastewater treatment. Continuing education units (CEUs) must be submitted to the administrative agency.
- g. *Liability requirements.* Before a license can be issued, the applicant must provide a certificate of insurance for liability coverage as approved by the administrative agency.
- h. *Revocation of license.* A license issued under the provisions of this chapter may be revoked for violation of any of the terms of this code. No license shall be revoked until the license holder has been given notice in writing of the violation and reasonable opportunity to comply with the provisions of this code.



# Saline County Code of Ordinances

## Emergency Management

- i. *Reciprocity with other licensing programs.* Licensure in other counties shall be reciprocal with licensure in Saline County if training, exam, and passing scores are equal to or greater than those required for licensure in Saline County.
- j. *Contracting with unlicensed persons prohibited.* No person responsible for operating a private wastewater system shall contract with any person for services unless that person holds a valid permit or license to provide such services from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-80. - Alternative wastewater treatment maintenance and repair licensure.

- a. *License required.* No person shall repair or install an alternative wastewater treatment system unless they hold a valid alternative wastewater treatment maintenance and repair license from the administrative agency.
- b. *Prior training required.* Before applying for an alternative wastewater treatment maintenance and repair license the applicant must first have taken and passed the wastewater system installer and maintenance license.
- c. *License issued.* The administrative agency shall issue an alternative wastewater treatment maintenance and repair license after the applicant has completed training for each brand of system. The training shall include a minimum of two on-site maintenance and repair calls with a qualified representative from the manufacturer at the site during the entire maintenance and repair call, or eight contact hours of training at the manufacturer's plant. Each manufacturer will provide a certificate of maintenance and repair training that includes the name and contact information of the manufacturer and representative who supervised the training of the maintenance and repair and the contact hours.
- d. *Application, class, and examination.* Every person wishing to obtain an alternative wastewater treatment maintenance and repair license shall make application for a license at the administrative agency. The applicant will be notified of the next exam date. A fee shall be paid to the administrative agency for the alternative wastewater treatment maintenance and repair exam. A license shall be issued upon completion of the exam with a score of 70 percent or higher and after meeting all training requirements.
- e. *License fee.* An annual fee may be paid to the administrative agency by January 1 of each year, following the initial issuance of the alternative wastewater treatment maintenance and repair license.
- f. *Continuing education.* A requirement for continuing education is set for extended renewal of an alternative wastewater treatment maintenance and repair license. The licensee must complete continuing education approved by the administrative agency. The continuing education must be pertinent and related to alternative wastewater treatment or repair. Continuing education units (CEUs) must be submitted to the administrative agency.
- g. *Liability requirements.* Before a license can be issued, the applicant must provide a certificate of insurance for liability coverage as approved by the administrative agency.
- h. *Revocation of license.* A license issued under the provisions of this chapter may be revoked for violation of any of the terms of this code. No license shall be revoked until the license holder has been given notice in writing of the violation and reasonable opportunity to comply with the provisions of this code.
- i. *Reciprocity with other licensing programs.* Licensure in other counties shall be reciprocal with licensure in Saline County if training, exam, and passing scores are equal to or greater than those required for licensure in Saline County.



# Saline County Code of Ordinances

## Emergency Management

- j. *Contracting with unlicensed persons prohibited.* No person responsible for operating a private wastewater system shall contract with any person for services unless that person holds a valid permit or license to provide such services from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-101. - Purpose and intent of article.

The provisions of this article have been adopted for the purpose of regulating and controlling the development, maintenance, and use of public and private water supplies of the county to the end that public health will be protected and the contamination and pollution of the water resources of the county will be prevented.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-102. - Compliance required.

- a. No person shall after March 1, 1975, construct on any property subject to the provisions of this chapter any public, semipublic, or private water supply that does not comply with the requirements of this chapter.
- b. No dwelling shall be occupied that does not have water supplied under pressure to that dwelling.
- c. No sale or conveyance of any real property shall be complete until all abandoned wells on such real property are plugged. Dug wells on real property shall be plugged or reconstructed in accordance with K.A.R. 28-30-1 through 28-30-10 et seq., as amended.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-103. - Requirements—Public water supplies.

- a. *Permit to operate.* No person shall operate a public water supply without obtaining a public water supply permit from KDHE.
- b. *Approval of plans.* No person shall construct after March 1, 1975, any public water supply on any property subject to the provisions of this chapter until the plans and specifications have been submitted to and approved in writing KDHE.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-104. - Same—Semipublic water supplies.

- a. *Permit to construct.* No person shall drill, develop or construct any semipublic water supply on any premises for domestic use subject to regulations of this chapter until they have obtained a permit therefore from the administrative agency.
- b. *Minimum water testing standards.* Semipublic water supplies shall be tested semiannually for coliform bacteria and annually for nitrate. Results of the testing shall be submitted to the administrative agency. Testing shall be done by a lab approved by the administrative agency. The administrative agency shall reserve the right to require additional testing if, in their opinion, a potential exists for other contaminants. If either coliform bacteria are present or nitrate exceeds the maximum contaminant level (MCL), the end users of the semipublic water supply shall be notified in writing in a letter approved by the administrative agency, to their residence within ten days of receipt of results. The semipublic water supply shall be treated in accordance to requirements set by the administrative agency.
- c. *Approval of plans.* No person shall construct, after adoption of this chapter, any semipublic water supply on any property subject to the provisions of this chapter until the plans and specifications have been submitted to and



# Saline County Code of Ordinances

## Emergency Management

approved, following minimum standards found in K.A.R. 28-30-1 through 28-30-10 et seq., in writing by the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-105. - Same—Private water supply.

- a. *Permit to construct.* No person shall drill, develop or construct any private water supply on any premises for domestic use subject to regulations of this chapter until they have obtained a permit therefore from the administrative agency. Failure to comply shall result in a fine of \$100.00 for each occurrence.
- b. *Approval of plans.* No permit to construct or develop a private water supply on any premises subject to the regulations of this chapter shall be issued until the plans showing the locations and construction of the supply have been approved by the administrative agency.
- c. *Inspections for transfer of property.* Whenever any property connected to, or served by, a private water supply is offered for or subject to a contract of sale, the administrative agency shall evaluate the wellhead and well water, at a fee to be paid to the administrative agency. A water sample shall be taken and screened for bacteria, nitrate, and chloride and reported as EPA's primary and secondary MCLs. Any inspection provided under this section shall not constitute nor be deemed a warranty and neither the administrative agency nor any official of the board of health shall be liable for any future failures of the system or of other claims arising out of the inspection. Inspection shall not relieve any person of compliance with the requirements of this code.
- d. *Water testing for daycare facilities.* Where a private water supply serves a daycare, a water sample shall be screened annually for bacteria and nitrate.
- e. *Use limitation.* Use of surface water (lakes, ponds or streams) as a source of water for a private water supply shall not be permitted:
  1. Where a satisfactory groundwater source is available;
  2. Unless adequate treatment is provided, in no case shall surface water be used without filtration and chlorination; or
  3. Where the pond or lake receives any drainage or discharges from septic tanks, or sewage treatment plants.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-106. - Minimum standards for groundwater supplies.

- a. *Location.* All wells used as sources of water for private water supplies shall be separated from the specified sources of pollution by distances equal to or greater than those shown in the following table. The administrative agency shall determine the minimum distances that shall be provided between a well and other sources of contamination. Such distances shall be sufficient to provide reasonable assurance that the well will not be contaminated.

Area	Minimum Separation (Feet)
Subsurface absorption field for septic tank effluent .....	100



# Saline County Code of Ordinances

## Emergency Management

Pit privy .....	100
Septic tank .....	50
Streams, lakes, and ponds .....	50
Barnyard, stables, manure piles, animal pens, etc. ....	50
Sewer lines not constructed of cast iron or other equally tight construction .....	100
Sewer lines constructed of cast iron or other equally tight construction. ....	10
Property lines .....	50
Petroleum and fertilizer storage .....	100
House/outbuilding .....	50
Lagoon .....	50

- b. *Construction.* The enforcement of this section shall be regulated in accordance with K.A.R. 28-30-1 through 28-30-10 et seq., as amended. Recommended standards for design, construction and location; and practices consistent with current approved technology shall be followed.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-107. - Requirements for subdivision development.

No person shall develop any subdivision until the plans and specifications for water supply provision and/or protection have been approved by the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-108. - Water well pump installer and maintenance licensure.

- a. *License required.* No person shall repair or install a water well pump unless they hold a valid water well pump installer and maintenance license from the administrative agency. Property owners are exempt from the license, but not exempt from provisions of the code.
- b. *Application, class, and examination.* Every person wishing to obtain a water well pump installer and maintenance license shall make application for a license at the administrative agency. The applicant will be notified of the next class and exam date. A fee shall be paid to the administrative agency for the water well





# Saline County Code of Ordinances

## Emergency Management

pump installer and maintenance exam. A license shall be issued upon completion of the exam with a score of 70 percent or higher.

- c. *License fee.* An annual fee shall be paid to the administrative agency by January 1 of each year, following the initial issuance of the water well pump installer and maintenance license.
- d. *Continuing education.* A requirement for continuing education is set for extended renewal of a water well pump installer and maintenance license. The licensee must complete continuing education approved by the administrative agency. The continuing education must be pertinent and related to water wells. Continuing education units (CEUs) must be submitted to the administrative agency.
- e. *Liability requirements.* Before a license can be issued, the applicant must provide a certificate of insurance for liability coverage as approved by the administrative agency.
- f. *Revocation of license.* A license issued under the provisions of this chapter may be revoked for violation of any of the terms of this code. No license shall be revoked until the license holder has been given notice in writing of the violation and reasonable opportunity to comply with the provisions of this code.
- g. *Reciprocity with other licensing programs.* Licensure in other counties shall be reciprocal with licensure in Saline County if training, exam, and passing scores are equal to or greater than those required for licensure in Saline County.
- h. *Contracting with unlicensed person prohibited.* No person responsible for operating a private well or semipublic well shall contract, or offer to contract, with any person for services unless that person holds a valid permit or license to provide such service from the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-131. - Purpose and intent of article.

The purpose and intent of this article is to protect the health, safety and welfare of the public, and establish regulations governing the accumulation, storage, collection, transportation and disposal of solid waste.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-132. - Area of applicability.

The provisions of this article shall not apply to:

- a. Areas within the limits of incorporated cities.
- b. Disposal sites permitted by KDHE, provided that such disposal sites comply with rules promulgated by K.S.A. 65-3401 et seq., and regulations adopted in this chapter.
- c. Agricultural operations, the growing or harvesting of crops and the raising of fowl or animals. (See article VII "Public Health Nuisances" for any issues involving animal carcasses or animal excrement.)

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-156. - Application.

Any person engaging in the business of collecting or transporting of solid waste within the county shall first obtain a permit from the administrative agency. Each applicant for any such permit shall state on his application the following:





# Saline County Code of Ordinances

## Emergency Management

- a. The nature of the permit desired (storage, collection and/or transportation of solid waste or any combination thereof);
- b. The characteristics of the solid waste to be collected and transported;
- c. The number of solid waste vehicles and equipment to be operated;
- d. The location where the solid waste vehicles are stored or maintained;
- e. The precise locations of the solid waste processing or disposal sites to be used;
- f. Information sufficient to establish that the permittee, in contracting to collect and transport solid waste within the county, has agreed that such collection and transportation will be in accordance with the provisions of this chapter;
- g. An agreement to indemnify and hold the county harmless for any claims which may be made against the county as a result of the failure of the permittee to transport, dispose of, or process solid waste collected within the county in compliance with this chapter, state or federal law; and
- h. Such other information as may be reasonably necessary to determine that the operations of the permittee will be conducted in compliance with the provisions of this chapter.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-157. - Proof of insurance.

The applicant must furnish the administrative agency a certificate of insurance showing insurance coverage by an effective public liability insurance policy as approved by the administrative agency. In the event the insurance is cancelled during the term of the permit, the applicant shall notify the administrative agency, in writing, not less than ten days prior to the effective date of such cancellation. The certificate of insurance shall provide that the insurance company agrees to so notify the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-158. - Issuance, reciprocity, and denial.

- a. Permits will be issued on a client-by-client basis. If the application shows that the applicant will collect and transport solid waste without hazard to the public health or damage to the environment and in conformity with this chapter and the laws of the state, the administrative agency shall issue the permit authorized by this division. The permittee shall pay an annual fee for each collection vehicle to be used in the county.
- b. If a permit fee for each vehicle is paid to a municipality, and requirements equal to or more stringent than those found in this chapter for vehicles are met by that process, upon documented proof of payment and inspection, the administrative agency can reciprocate with that municipality and the fee to the administrative agency can be waived.
- c. The application must clearly show that the collection and transportation of solid waste will create no public health hazard or be without harmful effects on the environment. If such a showing is not made by the applicant, the administrative agency shall deny the application and not issue the permit. The applicant may appeal the refusal of the administrative agency to issue the application to a hearing officer. The hearing officer, after a hearing, may order issuance of the permit. Nothing in this section shall prejudice the right of the applicant to reapply at a later date for a permit.

(Res. No. 09-2003, 7-21-09)



# Saline County Code of Ordinances

## Emergency Management

### Sec. 9.5-159. - Exceptions.

Permits shall not be required for the removal or hauling of construction or demolition wastes. All such wastes shall be conveyed in tight vehicles, trucks or receptacles so constructed and maintained to prevent the material being transported from spilling upon public highways or public or private lands. All construction or demolition wastes must be disposed of in a permitted construction and demolition landfill or other state-approved landfill as listed in appendix A of the Zoning and Master Plan Resolution.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-160. - NFPA 704M hazard classification placard list.

Before a permit shall be issued by the administrative agency, the applicant must furnish the administrative agency a list of clients with buildings that display an NFPA 704M hazard classification placard of the National Fire Protection Association placed there by the Salina Fire Department, the county emergency preparedness department, or the individual company.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-161. - Operating without a permit.

It is prohibited to engage in the business of accumulation, collecting, transporting, or disposing of solid waste within the county without a solid waste collector's permit from the administrative agency, or operate under an expired permit, or operate after a permit has been suspended or revoked.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-162. - Revocation of permit.

A permit issued under the provisions of this division may be revoked for violation of any of the terms of this chapter. No permit shall be revoked until the permit holder has been given notice, in writing, of the violation and given a reasonable opportunity to comply with the provisions of this chapter.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-186. - Collection; service schedule.

- a. All solid waste produced in the county shall be disposed of weekly or at a frequency determined by the volume of solid waste produced and the onsite storage capacity. If a weekly collection period is not sufficient to prevent nuisances from occurring, the administrative agency may require a more frequent collection interval. The owner of each multifamily dwelling, mobile home park, duplex, recreation area, and the occupant of each single-family dwelling, commercial, industrial, and all other types of premises shall be responsible for the collection of all residential, commercial, and industrial solid waste produced thereon.
- b. The solid waste collector holding a permit shall provide collection service in accordance with a schedule as agreed upon by such collection service and its individual customers.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-187. - Storage—Standards generally.

The following standards are established for the storage of solid waste in the county:



# Saline County Code of Ordinances

## Emergency Management

- a. *Multifamily dwellings, mobile home parks, and recreational facilities.* The owner of each multifamily dwelling, mobile home park, and recreational facility shall provide a minimum of one container per dwelling unit or containerized units of sufficient size and quantity to contain all residential trash produced on the premises between collection periods. The containers shall be of a type originally manufactured for the purpose of storing solid waste. Trash containers shall be watertight, vector-proof with lids or closures maintained in place. The owner of each multifamily dwelling and mobile home park shall be responsible for the trash being in the containers and the condition and maintenance of the containers.
- b. *Commercial solid waste.* The occupant of each premises producing commercial waste, which is not disposed of through garbage grinders or by incinerators constructed and operated in accordance with K.S.A. 65-3001 through 65-3020 and regulations adopted thereunder, shall store waste on the premises where produced, in containers approved by the administrative agency, and compatible with the collection equipment. Such containers shall be liquid tight and fly tight and closed by a vector-proof cover. These containers shall be used only for such storage.
- c. *Industrial solid waste.* The occupant of each premises producing industrial solid waste shall store all such solid waste produced thereon and awaiting disposal in suitable containers or facilities to be approved by the administrative agency and must meet state and local zoning requirements. Such containers or facilities shall consist of individual containers, containerized units, or a fenced and walled facility. Such storage containers or facilities shall have sufficient capacity to contain all industrial solid waste produced on the premises between collections. The containers shall be of a type originally manufactured for the purpose of storing solid waste. Trash containers shall be watertight, vector-proof with lids or closures maintained in place, and shall be maintained so as to prevent littering, fly and mosquito attraction or production, rodent harborage, odors, or other nuisances.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-188. - Same—Special solid wastes.

- a. *Bulky material.* Bulky material may not be stored on the premises of single-family dwellings, multifamily dwellings, mobile home parks, or those other than residential, outside of an enclosed building. The occupant of each single-family dwelling and the owners of multifamily dwellings, mobile home parks, unoccupied single-family dwellings, or nonresidential premises are responsible for arranging for the removal, collection, and disposal, at the sanitary landfill site or other approved processing or disposal facility, of all residential bulky waste.
- b. *Construction and demolition waste.* Construction and demolition waste shall be removed from a project within 20 days following completion of the work. Such waste shall be disposed of at the municipal solid waste landfill or construction/demolition landfill as permitted by KDHE and the county planning and zoning department.
- c. *Hazardous waste.* Hazardous waste shall only be disposed of in sites approved by KDHE in accordance with K.S.A. 65-3430 through 65-3470, as amended.
- d. *Inoperable vehicles.* It shall be unlawful for any person either as lessee, tenant, or occupant of any real property within the county to park, store, or deposit, or permit to be parked, stored, or deposited thereon more than five inoperable vehicles if the property is ten acres or larger, or more than three inoperable vehicles if the property is less than ten acres. All inoperable vehicles must be located within an enclosed building, screened from any public road, or screened from any public road or residence by an opaque screening fence or existing vegetative barrier.

(Res. No. 09-2003, 7-21-09)



# Saline County Code of Ordinances

## Emergency Management

### Sec. 9.5-189. - Disposal.

- a. The disposal of solid waste by use in normal farming operations, including gardening, or in the processing or manufacturing of other products in a manner that will not create a public nuisance or adversely affect the public health is not prohibited.
- b. Individuals may dump or deposit solid waste generated on that property resulting from their own residential or agricultural activities on land owned or leased by them if such dumping does not create a nuisance or public health problem. Such solid waste shall be buried within 30 days of being deposited on the ground.
- c. A state-permitted subtitle D municipal solid waste landfill has been provided by the City of Salina and shall be used to dispose of solid waste, except as otherwise prohibited by this chapter and other ordinances or regulations.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-190. - Recycling.

Material being held for recycling shall be stored in an approved facility or an enclosed container until scheduled for collection. Such storage shall not create a fire or health hazard or other nuisance. Transportation of solid waste materials to a recycling facility for processing shall be accomplished in a manner that will prevent littering, by a vehicle designed for such purpose, as determined by the administrative agency, or by the individual producing such material at their residential premises. Recycling facilities and/or processing operations shall be conducted in accordance with guidelines provided by the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-191. - Composting.

Composting of yard and garden waste on residential premises is permissible, provided:

- a. The composting is only of yard and garden wastes produced on the premises associated therewith;
- b. Such composting does not result in odor, fly breeding, rodent activity or other vectors or nuisances; and
- c. That such composting is carried out in accordance with guidelines provided by the administrative agency.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-192. - Salvaging.

Salvaging of solid waste is permissible with the approval of the administrative agency. Such approval shall be based on the provision of facilities specifically designed for the purpose of salvaging or processing solid waste, proper control to prevent interference with prompt sanitary disposal of solid waste and such operations being conducted in a manner that will not create a nuisance.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-193. - Prohibited practices.

- a. *Storage.* Except as provided in [section 9.5-132](#), no person shall accumulate, store, collect, maintain or display on private property, waste or solid waste that is offensive or hazardous to the health and safety of the public or which creates offensive odors or a condition of unsightliness. The storage, collection, maintenance or display of



# Saline County Code of Ordinances

## Emergency Management

wastes or solid wastes in violation of this subsection shall be considered to be a nuisance which may be abated as provided in [section 9.5-194](#).

- b. *Depositing into waters or wetlands.* Solid waste shall not be deposited into any waters of the state or into any wetland.
- c. *Open dumping.* All open dumping is prohibited.
- d. *Burning.* Burning of solid waste is prohibited unless performed in accordance with fire district regulations governing the property, the county resolution governing burning, and KDHE.
- e. *Littering.* It shall be unlawful for any person to litter or dump solid waste in a place other than an approved sanitary landfill, or other processing or disposal sites approved by KDHE.
- f. *Scavenging.* Scavenging is prohibited. It shall be unlawful for any person not permitted by the administrative authority to remove from private property or public right-of-way, any item which has been discarded by the occupant for collection by a person holding a permit to collect solid waste.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-194. - Abatement of nuisances.

- a. *Investigation.* The administrative agency may, and upon receipt of a complaint of any person shall, make an investigation to determine whether or not the accumulation, storage, collection, maintenance or display of waste or solid wastes is in violation of [section 9.5-193](#). For the purpose of such investigation, the administrative agency or their duly authorized personnel may enter upon private property at reasonable times to determine compliance.
- b. *Notification.* After investigation, if the administrative agency finds that there is reasonable cause to believe that a nuisance exists, they shall mail a violation notice to the alleged violator.
- c. *Removal by county.* Where a violation notice is issued, the county may remove from the subject premises the wastes or solid wastes found, with the cost of removal and disposal charged to the property owner, which shall become a lien on the property.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-216. - Standards and maintenance.

- a. All solid waste collection vehicles shall be permitted, maintained, and operated in accordance with the provisions of this chapter. The administrative agency will reciprocate with licensure obtained from other municipalities in the county.
- b. Each solid waste collection vehicle when not in use shall be maintained or parked in accordance with zoning or other regulations applicable in the county and in such a manner and location so as not to create a nuisance. No solid waste collection vehicle shall be stored, parked (other than for collection purposes), or maintained on a public street or residential premises.
- c. Each vehicle, prior to annual licensure as a solid waste collection vehicle, shall receive an inspection by the administrative agency to determine that such vehicle is operating in accordance with state statutes relating to safety and in accordance with this chapter. All such vehicles shall be maintained in a safe, clean, and sanitary condition and shall be operated in such a manner as to prevent spillage. All vehicles to be used for collection of solid waste shall be constructed with watertight bodies and with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting waste, or, as an alternate, the entire



# Saline County Code of Ordinances

## Emergency Management

bodies thereof shall be enclosed, with only loading hoppers exposed. No materials shall be transported in the loading hoppers.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-217. - Display of permit.

All motor vehicles operating under any permit required by this chapter shall display a permit for each vehicle. Documentation of a valid non-revoked permit must be with each vehicle.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-241. - Purpose and intent of article.

The purpose and intent of this article is to outline those conditions which constitute a public nuisance and are deemed hazardous to the public health.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-242. - General procedure.

The administrative agency shall have the authority and power to examine all nuisances, sources of filth and causes of sickness that in its opinion may be injurious to the health of the inhabitants within the county. Whenever any such nuisance, source of filth or cause of sickness shall be found to exist on any private property or upon any watercourse in this county, the administrative agency shall have the power and authority to order, in writing, the owner or occupant thereof at his own expense to remove the nuisance, source of filth, or cause of sickness within 24 hours, or within such reasonable time thereafter as the administrative agency may order. Public nuisances shall include but shall not be restricted to the following:

- a. Any privy, privy vault, or other place used for the deposit of human excreta which permits animals or insects access to the excreta; which produces foul or objectionable odors; or is located so as to make pollution of any water supply probable.
- b. The collection or accumulation of any organic materials such as swill, meat scraps, dead fish, shells, bones, decaying vegetables, tree waste, dead carcasses, human or animal excrements, or any kind of offal that may decompose and create an attraction or breeding place for insects or rodents.
- c. Any animal pen that pollutes a water supply, underground water-bearing formation, or stream in a manner that is hazardous to human health or is maintained in a manner that creates an attraction or insect breeding place, or is a rodent harborage or breeding place.
- d. Solid waste which is stored, collected, transported, processed, treated or disposed of contrary to the rules and regulations, standards or orders of the administrative agency, or in such a manner as to create a public nuisance.

(Res. No. 09-2003, 7-21-09)

### Sec. 9.5-254. - Sewage disposal system.

- a. For all new construction in the Kipp Sewer District (as shown on attachment A and hereinafter called "the district"), a direct connection shall be made to the public sewer in compliance with this division. An application for sewer connection is available from the Saline County Planning and Zoning Department. The application contains the lawfully adopted rate schedule for the district, which may be amended from time to time by the board of county commissioners. Sewer users will be notified prior to any changes to the rate schedule.





# Saline County Code of Ordinances

## Emergency Management

- b. Suitable toilet facilities shall be connected directly to the public sewer within 60 days after date of official notice to do so, provided that said public sewer is within 100 feet (30.5 meters) of the property line. Billing for sanitary sewer service will begin the date of official notice to connect to the public sewer.
- c. Where connection to the public sewer system is not possible, the building sewer shall be connected to a private sewage disposal system complying with the provisions of the Salina/Saline County Health Department (hereinafter called "the health department").
- d. Before commencement of any new construction in the Kipp Sewer District, the owner shall first obtain a Saline County building permit signed by the zoning administrator and the health department. The building permit shall be furnished by the Saline County Planning and Zoning Department, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the zoning administrator and/or health department. Any applicable permit and inspection fees shall be paid to the appropriate department at the time the building permit is filed.
- e. Customers shall be required to pay a fee to connect to the sewer district. If, for any reason, a customer does not connect to the district, applicable fees shall not be reimbursed.
- f. An authorized designee of the district shall be allowed to inspect the sewage disposal system at any stage of construction. The applicant for the permit shall notify the health department when the work is ready for final inspection, and before any underground portions are covered.
- g. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Kansas Department of Health and Environment (KDHE) and sanitary codes of the health department.
- h. The owner shall operate and maintain all sewage disposal facilities in a sanitary manner at all times.
- i. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health department or the KDHE.

(Res. No. 07-1947, art. I, 6-5-07; Amend. No. 1947-1, att. A, art. I, 1-6-09)

### Sec. 9.5-255. - Building sewers and connections.

- a. *Specific requirements.*
  - 1. *Rainwater leaders.* No person shall discharge or cause to be discharged any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, including interior and exterior foundation drains, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
  - 2. *Independent system.* Each building sewer and drainage system shall be independent of any other building, except where one building stands in the rear of another on an exterior lot, the building sewer from the front building may be extended to the rear building and the whole considered as one house sewer when so approved by the District.
- b. *[Fittings.]* A "Y," "T," or "cleanout" fitting may be installed near the building foundation to provide for cleanout purposes.
- c. *Size of building sewer.* Individual sewer lines shall not be less than four inches in diameter.
- d. *Grades for building sewers.* Unless otherwise authorized, all building sewers shall have a grade of not less than one-eighth inch per foot. A grade of one-fourth inch per foot shall be used wherever practical.





# Saline County Code of Ordinances

## Emergency Management

- e. *Trenching and backfilling.* All excavations shall be open trench work unless otherwise authorized by the authorized designee of the district. The foundation in the trench shall be formed to prevent any subsequent settlement of the pipes. If the foundation is good, firm earth, the earth shall be pared or molded to give a full support to the lower quadrant of each pipe. Bell holes shall be dug. Backfilling shall not be done until final inspection is made. Backfilling shall be placed in layers and solidly tamped or packed up to two feet above the pipe.

*Note:* Where the floor of the trench is soft or rocky material the trench shall be excavated to four inches below the bottom of the sewer line and brought back to the proper grade with fine gravel, coarse sand or similar material so as to provide a firm foundation and uniform support for the sewer line.

(Res. No. 07-1947, art. II, 6-5-07)

### Sec. 9.5-256. - Use of the public sewers.

- a. It shall be unlawful to discharge to any natural outlet within the district or in any area under the jurisdiction of Saline County, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this division.
- b. Except as provided herein, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage within the district.
- c. No person shall discharge or cause to be discharged any materials, waters, or wastes if it appears likely, in the opinion of the wastewater operator, that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Wastewater Operator will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

The substances prohibited are:

1. Any fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees F (0 and 65 degrees C).
2. Any garbage that has not been properly shredded.
3. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances.
4. Any waters or wastes containing phenols or other taste- or odor-producing substances.
5. Any radioactive wastes or isotopes.
6. Any waters or wastes having a pH in excess of [9.5](#).
7. Materials which exert or cause:
  - i. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).



# Saline County Code of Ordinances

## Emergency Management

- ii. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - iii. Unusual biochemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
  - iv. Unusual volume of flow or concentration of wastes.
- d. Grease, oil, and sand interceptors may be provided for commercial and industrial uses. Where preliminary treatment or flow-equalizing facilities are required, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- e. Any necessary measurements, tests, or analyses of any wastes shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association.
- f. Any violations of this section shall be enforced by the Kansas Department of Health and Environment.

(Res. No. 07-1947, art. III, 6-5-07)

### Sec. 9.5-257. - Protection from damage.

- a. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the district. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.
- b. If the sewer equipment requires repair as a result of injury or damage by any action of the customer, or any of its guests, invitees, licensees, or residents on the property, the district will repair such sewer equipment, and the customer will be responsible for said expenses, and shall reimburse the district for any charges incurred by the district for repairing such sewer equipment.

(Res. No. 07-1947, art. IV, 6-5-07)

### Sec. 9.5-258. - Powers and authority of inspectors.

Pursuant to K.S.A. 19-27a02, any authorized designee of the district shall be permitted to enter all private properties through which the district holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(Res. No. 07-1947, art. V, 6-5-07)

### Sec. 9.5-259. - Penalties.

- a. Any person found to be violating any provision of this division except section 9.5-92 shall be served by the district with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- b. Any person who shall continue any violation beyond the time limit provided for in subsection (a) shall be guilty of a misdemeanor, and on conviction thereof shall be fined in an amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.



# Saline County Code of Ordinances

## Emergency Management

- c. Any person violating any of the provisions of this division shall become liable to the district for any expense, loss or damage, including reasonable attorneys' fees, occasioned by the district by reason of such violation. If any such fees or charges remain unpaid after 60 days, a lien will be placed against the property to which public sewer service was provided.

(Res. No. 07-1947, art. VI, 6-5-07; Amend. No. 1947-1, att. A, art. VII, 1-7-09)

### Sec. 9.5-260. - Fees, rates and billing charges.

- a. The user (as defined in the Saline County Kipp Sewer District wastewater user's notice) will pay when due all fees, rates and charges with respect to such services in effect and from time to time established and revised by the district including, without limitation, fees and sewer rates. Such payment when due shall be a condition to the district's obligations to provide equipment and services to the user hereunder.
- b. The district, or its designated agent, will bill the user periodically for such fees and charges at the address provided by the user in writing to the district or its designated agent. Payment of a bill for sewer service shall be due and shall become delinquent after 30 days and shall be subject to such penalty or penalties for late payment as the district or its designated agent has in effect or as may be in effect.
- c. The district may assess the user a one-time penalty for a delinquent bill the greater of either \$5.00 or five percent for each month the bill remains delinquent. If any such fees or charges remain unpaid after 60 days, a lien will be placed against the property to which public sewer service was provided.
- d. The user and district may agree to negotiate a payment schedule necessary to pay all delinquent accounts in full.
- e. When the user moves from the location and no longer needs sewer service, the user must notify the district, in writing, and provide a disconnect date. Written notice must be provided to Kipp Sewer District, City/County Building, 300 West Ash, Room 217, Saline, Kansas, 67401. A district representative will obtain the information needed to provide a final bill to the user. The user will be billed for the service provided since the last billing cycle. The user is responsible for all bills incurred at this location until the district is notified to the contrary, whether the user resides at the location or not.

(Amend. No. 1947-1, att. A, art. IV, 1-6-09)



# Saline County Code of Ordinances

## Fire Prevention

### Sec. 10-1. - Prohibition on open burning; exceptions.

- a. The board of county commissioners has determined that wildfires are a real danger to the citizens of the county, their property and their resources; and, that it would serve to protect the citizens, their property and natural resources to prohibit open burning and to enact certain rules and regulations relating to exemptions to prohibition of open burning.
- b. No person shall cause or permit the open burning of any waste, structures, vegetation, or any other materials on any premises except as authorized by K.A.R. 28-19-647 and K.A.R. 28-19-648.
- c. Anyone conducting open burning operations must, prior to burning, obtain a permit to conduct open burning operations exempt by K.A.R. 28-19-647 and K.A.R. 28-19-648 from the rural fire chief having jurisdiction and/or the county emergency management office on forms provided by said offices. Said rural fire chiefs and/or the county emergency management office shall have exclusive authority to determine the location of the burning, the type and amount of material to be burned, the dates for which the burn permit is valid, and the time for which the materials may be burned. The permits shall be subject to all other applicable laws. In addition, the above county representatives shall determine the conditions under which burning shall be allowed.
- d. Permits to burn will be issued by the rural fire chiefs having jurisdiction and/or the county emergency management office for prescribed burning as authorized by K.A.R. 28-19-647 and K.A.R. 28-19-648.
- e. The knowing and willful violation of this section shall constitute a class C misdemeanor; and, any person convicted of such violation shall be punished as provided by law.

(Res. No. 1233, 7-24-90; Res. No. 1252, 2-12-91; Res. No. 92-1283, 2-18-92; Res. No. 97-1513, 2-11-97)

### Sec. 10-2. - Rural fire district board of trustees.

In accordance with K.S.A. 19-101, et seq., and K.S.A. 19-3601, et seq., the board of county commissioners hereby adopts this policy requiring that all [members of the] county rural fire district board of trustees be comprised of active district firefighters as a majority of the board.

The board of county commissioners, in accordance with the policy being adopted herein, requires that all board of trustees members be required to attend annual training on topics of major importance related to firefighting and other areas of importance as determined by the board of county commissioners.

In order to implement said policy, vacancies established on the fire district board of trustees shall be filled with members sufficient to meet the requirements set forth herein.

Notice of Resolution No. 96-1496 shall be provided to all fire districts within the county. Said fire districts shall send verification of adoption of this resolution as a policy for the fire district board of trustees within 30 days upon receipt of said resolution.

In accordance with K.S.A. 19-3601, et seq., the board of county commissioners hereby delegates to the district board of trustees the power and authority as provided in the bylaws attached to Resolution No. 99-1594.

The board of county commissioners, as the governing body of each fire district, hereby adopts and incorporates by reference the by-laws attached to Resolution No. 99-1594.

Said by-laws shall become effective January 1, 1999, and shall remain in full force and effect unless repealed by the board of county commissioners.



# Saline County Code of Ordinances

## Fire Prevention

(Res. No. 96-1496, 10-22-96; Res. No. 99-1594, 1-5-99)

### Sec. 10-26. - Fireworks—Definition, approved, illegal, and manufacture.

The term "fireworks" as used in this resolution shall be defined pursuant to K.S.A. 22-6, et seq.

- a. *Approved fireworks.* All fireworks offered for sale and discharge within Saline County, Kansas, outside the corporate limits of any city, shall be of a type that has been tested and approved for sale and use within the state by the state fire marshal, provided, however that bottle rockets shall not be sold or discharged within Saline County, Kansas, outside the corporate limits of any city.
- b. *Illegal fireworks.* Fireworks not licensed by the provisions of K.S.A. 22-6-7 and as specified in subsection (1) shall be illegal to be sold, possessed, manufactured or transported. Fireworks which are illegally sold, offered for sale, used, discharged, possessed or transported in violation of this resolution shall be subject to seizure by any law enforcement official, the chief or designated representative of any organized fire department.
- c. *Manufacture of fireworks.* It shall be unlawful to manufacture fireworks, either for retail sale or personal use, within Saline County, Kansas.

(Res. No. 09-1999, Amend. #2, § 1, 8-31-10)

### Sec. 10-27. - When sale of fireworks is lawful.

It shall be unlawful for any person, firm, or corporation to sell at retail, or to offer to sell at retail, deliver, or give away to individuals any fireworks as defined in [section 10-26](#) except from 8:00 a.m. to 12:00 a.m. (midnight) June 27 through July 5 of any year.

(Res. No. 09-1999, Amend. #2, § 2, 8-31-10)

### Sec. 10-28. - Permits, license fee, fire and other code inspections.

Any person, firm or corporation prior to selling at retail, offering to sell at retail, delivering, or giving away to any individuals, any fireworks as defined in subsection [10-26](#)(1) shall first apply to the county planning and zoning department on or before May 20 of any year for a consumer fireworks facility permit. A fee in the amount of \$1,000.00 shall be charged for each consumer fireworks facility permit application. The fee shall not be refunded upon revocation due to failure to comply, withdrawal, or cancellation of the application or permit. Said fee shall be distributed at the discretion of the county commission.

Permits shall be issued pursuant to the zoning regulations of Saline County. In general, consumer fireworks facilities shall be permitted in all zoning districts (per Saline County Code, appendix A) but shall only be permitted in temporary structures. Consumer fireworks facilities will not be permitted in existing and/or permanent structures. Compliance with NFPA 1124, [chapter 7](#) will be required for all consumer fireworks facilities; a copy of said regulations shall be provided to the applicant with the consumer fireworks facility permit application. Either the signature of the property owner or an authorized agent must be obtained for a permit application to be considered valid; if an agent signs the application, proof of authority to act as agent will be required. Applicants must also provide proof of liability insurance with the consumer fireworks facility permit submittal, written by an insurance carrier licensed to do business in Kansas, in the amount of \$1,000,000.00 at the time of application, with Saline County listed as an additional loss payee. A checklist of additional submittal items is included with the consumer fireworks facility permit application.

Applications will not be accepted by the planning and zoning staff until all required information is provided. Completed applications must be received by 5:00 p.m. on May 20 of each year and no deadline extensions will be granted. However, applicants will have until June 1 to correct any mistakes in an application. Inspections of consumer fireworks facilities may be scheduled from June 15 through June 20. For those facilities that do not pass the initial inspection,



# Saline County Code of Ordinances

## Fire Prevention

additional inspections may be scheduled from June 21 through June 26. If at any time during the process the applicant fails to meet a deadline, the consumer fireworks facility permit becomes null and void. If any deadlines fall on a Saturday or Sunday, then the deadline shall be considered to be the Friday preceding the actual deadline date.

Upon approval of a Saline County Consumer Fireworks Facility Permit for a location, the applicant shall then be authorized to begin construction and planning staff shall mail a copy of Saline County's "Fireworks Stand Instructions for Local Contacts" and a final inspection checklist to the local contact. Prior to occupancy, the facility shall be inspected. Once the facility has passed the inspection, the license shall be issued to operate at that location during the period of June 27 through July 5 of that year and the facility may be stocked. No license will be issued until the facility has passed inspection and no merchandise may be placed on site until the license has been issued. The licensee shall prominently display the license and any applicable state fire marshal's office licenses at the facility.

(Res. No. 09-1999, Amend. #2, § 3, 8-31-10)

### Sec. 10-29. - Discharge of fireworks.

The following rules, conditions, and restrictions shall apply to the igniting or discharge of fireworks.

- a. It shall be unlawful for any person to discharge, fire, or ignite any fireworks as defined in [section 10-26](#) except during the hours of 8:00 a.m. to 12:00 a.m. (midnight) on each day of the period of June 27 through July 5 of any year, except for licenses obtained under [section 10-30](#).
- b. A person shall not ignite or discharge fireworks within 1,000 feet of any hospital, sanitarium, or infirmary; into, under or on a car or vehicle, whether moving or standing still; or on a public roadway or the right-of-way adjoining a public roadway.
- c. Fireworks shall not be discharged within 300 feet of any retail fireworks stand or facility where fireworks are stored.
- d. It shall be unlawful for any person to throw, cast or propel fireworks of any kind in the direction of or into the path of any person or group of persons, whether on foot, bicycle, motorcycle or in a vehicle.
- e. It shall be unlawful for any person to discharge, fire, or ignite any fireworks on private property without the express written consent of the property owner. Said written permission shall include the property owner's name, address, telephone number and signature.

(Res. No. 09-1999, Amend. #2, § 4, 8-31-10)

### Sec. 10-30. - Licenses for public fireworks displays, July 1 through July 4 and other times.

Any person, firm, or corporation desiring to provide a public fireworks display or for organized groups shall obtain a license to do so by making application at least 30 days in advance of the desired display date. Application for licenses shall be submitted to the Saline County Emergency Management Office for approval by the board of county commissioners. Applications for licenses may be obtained at the Emergency Management Office, 255 N. 10th Street, Salina, KS.

- a. For the purposes of this article, a public fireworks display is defined as an organized display using commercial grade fireworks and a licensed fireworks public display operator that is open to the general public for viewing, such as SkyFire, etc. Neighborhood and/or family-type displays using only consumer grade fireworks (subsection [10-26\(1\)](#)) are not considered public displays.
- b. No license shall be approved unless the applicant furnishes a certificate of public liability insurance for the display in a minimum amount of \$1,000,000.00 written by an insurance carrier licensed to do business in





# Saline County Code of Ordinances

## Fire Prevention

Kansas, conditioned as being noncancelable except by ten days' advance written notice to Saline County Emergency Management. Said insurance policy shall provide indemnification of Saline County [against] any and all loss incurred as a result of the operation of said fireworks display. In the event of cancellation of the insurance prior to the display, the license shall automatically be revoked and void.

- c. Each display must be handled and discharged by a person licensed as a fireworks public display operator by the Kansas State Fire Marshal.
- d. A performance bond in the amount of \$500.00 to ensure cleanup of the display discharge area shall be on file at the Saline County Emergency Management Office. Once the discharge area and areas downwind from the discharge area have been inspected by emergency management, the performance bond will be returned. If the area is not satisfactory, the performance bond will be used to hire someone to clean the area and only the portion of the performance bond not used in paying for the cleaning will be returned.
- e. In all cases, the rural fire district chief and/or the director of emergency management or their representatives shall have the authority to stop any display if any condition exists that threatens or endangers life or property.

(Res. No. 09-1999, Amend. #2, § 5, 8-31-10)

### Sec. 10-31. - Retail display of fireworks—Storage, sale, and handling.

The following restrictions and conditions must be met in locations where fireworks are available for sale to the public:

- a. All retailers are forbidden to expose fireworks where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package, and all fireworks kept for sale on front counters must remain in original packages, except where an attendant is on constant duty at all times at counters where such fireworks are on display; provided, however, that fireworks in open stock may be kept in showcases or counters out of reach of the public without an attendant being on duty. Signs reading "FIREWORKS FOR SALE—NO SMOKING ALLOWED" in letters at least two inches tall shall be displayed in the section of the store set aside for the sale of fireworks. For small structures temporarily erected to be used as a place for storing and selling fireworks only, such sign shall be posted on the front of the structure.
- b. Fireworks shall not be sold or kept for sale in a place of business where paints, oils, varnishes, turpentine or gasoline or other flammable substances are kept in unbroken containers, unless in a separate and distinct section or department of the store.
- c. Two U.L. listed 4A:80B:C (10#) fire extinguishers must be provided and kept in close proximity to the stock of fireworks in all buildings where fireworks are sold. Small fireworks structures (less than 800 square feet) shall have at least one U.L. listed 4A:80B: C (10#) fire extinguisher in close proximity to the stock of fireworks.
- d. Fireworks shall not be stored, kept, sold, or discharged within 50 feet of any gasoline pump, gasoline filling station, gasoline bulk station or any building in which gasoline or volatile liquids are sold in quantities in excess of one gallon, except in stores where cleaners, paints, and oils are handled in sealed containers only.
- e. Fireworks shall not be allowed to be discharged within 300 feet of any facility, permanent or temporary, from which fireworks are offered for retail sale. At least one sign that reads as follows, in letters at least four inches high on a contrasting background, shall be conspicuously posted on the exterior of each side of the structure "NO FIREWORKS DISCHARGE WITHIN 300 FEET."
- f. Temporary consumer fireworks facilities must be at least 50 feet from any other tent, stand, building or fireworks storage area. Structures must be at least ten feet from any vehicle parking area.

(Res. No. 09-1999, Amend. #2, § 6, 8-31-10)





# Saline County Code of Ordinances

## Fire Prevention

### Sec. 10-32. - Enforcement, penalty and indemnification.

Any authorized representative of Saline County Emergency Management, the Saline County Planning and Zoning Department, the Saline County Sheriff's Office or any Saline County Fire District may periodically inspect any consumer fireworks facility for compliance with applicable laws and standards. The authorized representative shall have the authority to close any consumer fireworks facility found to be operating in violation of this resolution, or in violation of any other license or permit required by law.

Any person or entity that elects to discharge fireworks as provided herein shall assume all liability with regard to the discharge of said fireworks. Said assumption of liability shall include the indemnification of Saline County, Kansas, of any and all claims or losses resulting from the discharge of fireworks from said individual or entity. In addition, any person, firm, or corporation violating any provisions of this article, or doing any of the acts or things prohibited by this article or by law, or failing or refusing to perform any duty imposed by this article shall, upon conviction thereof, be fined not more than \$500.00 or sentenced to not more than six months in the Saline County Jail or be both so fined and imprisoned. Said penalty provision shall be in addition to all other penalties as provided by law.

(Res. No. 09-1999, Amend. #2, § 7, 8-31-10)

### Sec. 10-33. - Burn ban exception.

If the governor has issued a statewide burn ban or the board of county commissioners has issued a proclamation of a state of local disaster for Saline County, Kansas, pursuant to K.S.A. 48-932 that places a ban on open burning, there shall be no sale or discharge of fireworks during the time frame specified in the resolution.

(Res. No. 09-1999, Amend. #2, § 8, 8-31-10)



# Saline County Code of Ordinances

## Health

### Sec. 11-26. - Established; organization.

There is hereby created and established in and for the county and the City of Salina a joint city-county board of health composed of 11 members to be selected as follows:

- a. Each of the three members of the board of county commissioners shall be members of the joint board during their term in office as county commissioners.
- b. The mayor of the board of commissioners of the City of Salina shall appoint three members from that body as members of the joint board, whose term shall be their tenure in office as city commissioners or at the pleasure of the mayor.
- c. The six members from the county and city board of commissioners shall select four additional members of the joint board, as follows:
  1. From a list containing the names of two or more doctors of medicine practicing within the corporate limits of the county, selected by the county medical society, they shall appoint one member.
  2. From a list containing the names of two or more registered nurses having legal residence in and residing in the corporate limits of the county, selected by the board of directors of the district nurses' association of which the county is a part, they shall appoint one member.
  3. From a list containing the names of two or more dentists practicing within the county, selected by the county dental society, they shall appoint one member.
  4. From a list containing the names of two or more doctors of veterinary medicine practicing within the county, selected by the county veterinary medical association, they shall appoint one member.
  5. They shall select one member at large.
  6. After the expiration of the initial term of each of the above five members, their successors shall be appointed and shall serve for a three-year term.

(Res. No. 1576, § 1, 6-28-55; Res. No. 667, 10-23-73; Res. No. 759, § I, 3-8-77)

### Sec. 11-27. - Powers and duties.

- a. The joint city-county board of health shall determine and define the policies for the promotion of the public health and sanitation of the county and the City of Salina.
- b. The board of health shall appoint a health officer qualified in the specialty of preventive medicine and public health, who shall be an ex officio member of the board and its health officer and director of the city-county health department, and it shall be his duty to develop and direct the program necessary to cause the policies established by the board under subsection (a) of this section to be effective.
- c. The board of health shall adopt, amend and repeal rules, regulations and bylaws governing its procedure and activities.
- d. The board of health shall have all powers, duties and limitations as are now or hereafter may be provided by law for creation and conduct of boards of health as now conferred by law upon local municipal or county boards of health.
- e. All money provided for health and sanitation purposes by the boards of commissioners of Salina and the county shall, when collected, be paid over to the treasurer of the board of health in an amount not exceeding that budgeted by the commissions for such purposes. The board of health shall have the exclusive control of the expenditures of all money paid to the credit of its treasurer for health and sanitation purposes, and the treasurer shall receive and pay all the money under the control of the board as ordered by it.
- f. The board of health shall, during the first month of each year, file with the boards of commissioners of the City of Salina and the county a report of its activities and a statement of all receipts and expenditures during the preceding calendar year.

(Res. No. 1576, § 2, 6-28-55)



# Saline County Code of Ordinances

## Health

### Sec. 11-28. - Officers.

A chairman and vice-chairman shall be elected by the joint city-county board of health from its membership. A treasurer shall also be appointed by the board. The health officer, director of the city-county health department, shall serve, by virtue of his office, as secretary and executive officer of the board but shall hold no power to vote. Except for the secretary, all officers shall be elected for a term of one year and such election shall be held in December of each year. The treasurer shall hold office for the term for which he is elected as aforesaid and until his successor is elected and qualified, and shall give bond to be approved by the governing bodies of the city and county commissions, for the safekeeping and due disbursements of all funds that may come into his hands.

(Res. No. 1576, § 3, 6-28-55)

### Sec. 11-29. - Budget and expenditures.

- a. The joint city-county board of health shall prepare a proposed annual budget estimating the amount of funds necessary to carry on public health activities, which budget shall be submitted to the boards of commissioners of the county and the City of Salina not later than 30 days before the proposed adoption by each of such boards.
- b. When the proposed budget is approved by each of the aforesaid governing bodies, the funds necessary to meet the necessary expenditures shall be provided by the aforesaid governing bodies, in such proportion as shall be fixed by agreement, after taking into consideration the population of each, and other factors which would necessarily increase or diminish the costs of administration in the absence of any agreement to establish such joint board of health.

(Res. No. 1576, § 4, 6-28-55)

### Sec. 11-30. - Termination.

The joint city-county board of health shall terminate and cease activity whenever either governing body adopts a resolution declaring its intention to withdraw from the agreement, and the joint board of health shall give written notice thereof to the other governing body on or before July 15 of any fiscal year, and such withdrawal and dissolution shall become effective at the end of such fiscal year. Any money remaining in the hands of the treasurer of the joint board of health upon its dissolution shall be repaid to the respective treasurers of the governing bodies of the civil governments from which the joint board has its origin, in the same proportion in which the governing bodies contributed during the last fiscal year. All other unexpended financial contributions shall be returned to their respective donors.

(Res. No. 1576, § 5, 6-28-55)



# Saline County Code of Ordinances

## Offenses and Misc Provisions

### Sec. 12-1. - Electric fences.

The construction of an electric fence in accordance with the following minimum specifications shall constitute a legal fence as defined in K.S.A. 29-101 et seq., as amended:

- a. *Posts.* The posts shall be spaced no further apart than that sufficient to hold the wire, hereinafter described, and shall be constructed of wood or metal and equipped with an insulator between the wire bearing the electrical energy and the post with sufficient insulation quality so as to prevent the grounding out of the wire bearing the electrical energy.
- b. *Wire.* The wiring may consist of a single strand of wire no smaller than gauge no. 14, which shall be bare, and shall transmit the electrical energy. The wire, which bears the electrical energy, shall be no less than 20 inches above the ground.
- c. *Voltage.* The fence shall at no time, while it is in use, carry electrical energy of less than 500 volts.

(Res. No. 1029, 5-14-85)

**Cross reference**— Livestock running at large, [§ 4-1](#).

### Sec. 12-2. - Persons knowingly inhaling or breathing fumes of toxic vapors; prohibited.

- a. It shall be unlawful for any person to knowingly inhale or breathe the fumes of toxic vapors for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, or to possess, buy, or use any such substance for the purpose of violating or aiding another to violate this section. However, this section does not apply to the inhalation of anesthesia for medical or dental purposes, when directed or prescribed by a duly licensed physician or dentist.
- b. As used in this section, the term "toxic vapors" means and includes any glue, cement, paint, gasoline, aerosol, drug or other substance or combination of substances of whatever kind containing one or more of the following chemical compounds: acetone, an acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, toluene or any group of polyhalogenated hydrocarbons containing fluorine and chlorine.
- c. The inhaling or breathing fumes of toxic vapors as provided for these sections shall be a class C misdemeanor, punishable by a fine not more than \$200.00 or by imprisonment not to exceed 30 days in the county jail, or both such fine and imprisonment.

(Res. No. 00-1676, 10-24-00)



# Saline County Code of Ordinances

## Parks and Recreation

### Sec. 13-1. - Fishing with bank line, limb line, trotline.

It shall be unlawful to fish with bank line, limb line or trotline unless such bank line, limb line or trotline has a tag or label securely attached or affixed thereto on which shall be plainly written or printed the name, address and fishing license number of the person fishing with the same line. This section does not apply to such fishing in a privately owned pond or strip pit by the owner, tenant or his guest.

(Res. No. 301, 7-1-63)

### Sec. 13-50. - Livestock and Expo Center (farm/noxious weed) facilities information and rental fees.

Current certificates of insurance policies designating the county and its officers, agents and employees as insureds under said policy for the term of rental agreement shall be mailed to:

Saline County Livestock and Expo Center, 900 Greeley, Salina, KS. 67401

Fees for rental are as follows:

*Exhibit barn no. 1 (Size: 200' × 120', 144 stalls).* \$1,008.00 per day for horse and cattle shows when full barn is used. If only one half the barn is used the charge will be \$504.00 plus current labor rates if an arena is set up in this barn.

\$225.00 per day, during show or event where no stalls are used and there is minimum cleanup. \$50.00 move-in days. \$50 move-in days (sic).

If stalls have to be removed, current labor rates will be charged for teardown and setup.

*Exhibit barn no. 2 (Size: 180' × 60' with an L 40' × 80', 32 pens, 30 stalls).* \$300.00 per day.

*No. 3 metal barn (Size: 100' × 40', 20 stalls) only rented as a stall barn.* \$140.00 per day.

*No. 4 pole barn (Size: 80' × 40', + 16' lean-to, 28 stalls).* \$250.00 per day. If stalls have to be removed, current labor rates will be charged for teardown and setup.

*No. 5 metal barn (Size: 80' × 32', 16 stalls) only rented as a stall barn.* \$112.00 per day.

*No. 6 metal barn (Size: 200' × 41', 40 stalls) only rented as a stall barn.* \$280.00 per day.

*Restrooms and showers—Barn No. 2.* \$15.00 per day with rental of other buildings. No charge with rental of barn No. 2.

*Tri-Rivers Stadium (Seats approximately 3,200). Arena area at stadium is 284' long × 150' wide. In addition there is a large grassy area that is fenced which is approximately 300' × 200'.*

\$150.00 per day during show or event with \$50.00 per day move-in.

\$200.00 per day when alcohol is permitted. Cereal malt beverages may be sold in Tri-Rivers Stadium concession area and consumed in Tri-Rivers Stadium grandstand area with prior approval only of the county commissioners. No alcohol is to be sold or consumed in stadium pit area.



# Saline County Code of Ordinances

## Parks and Recreation

Ten percent of gross admission charged to out-of-county users.

*Agricultural hall (Arena 90' × 190', seats approximately 2,600).*

\$235.00 per day during show or event with move-in days at \$100.00.

\$275 per day when alcohol is permitted. Alcohol and cereal malt beverages may be consumed in agricultural hall with prior approval only of the county commission.

Rental includes the kitchen, 1 dumpster, arena floor worked twice, additional arena workings at \$25.00 each.

Ten percent of gross admission to out-of-county users.

Stall rent (not with an event), per day with prior arrangements ..... \$10.00

Pens—Sheep, goats, swine, per pen, per day, with show ..... 3.00

    Otherwise, per animal ..... 7.00

Stalls—Cattle, per animal ..... 7.00

Show office, per day ..... 30.00

Display area, per day ..... 30.00

Phone service (no long-distance charges), per day ..... 5.00

Portable public address system, per day ..... 25.00

Portable sign, per day ..... 25.00

Overnight camper plug-in, per day, with prior arrangements ..... 10.00

Equipment rental-tractor and/or truck ..... \$36.75 per hour with operator regular time and \$43.75 per hour overtime.

Labor, per hour ..... 10.00

    Weekends, holidays, and overtime, per hour ..... 15.00

Landfill charge, per dumpster ..... 25.00

    Per truck or trailer ..... 86.00

Other charges ..... Ten percent of gross admission to out-of-county users.

*Kenwood Hall—120' × 60' = 7,200 square feet; bathrooms 24' × 17' = 408 square feet; banquet capacity 6,792 usable square feet—105 = 452 capacity.*

Per eight-hour day \$150.00; additional hours at \$30.00 each.



# Saline County Code of Ordinances

## Parks and Recreation

Per eight-hour day \$200.00 with alcohol.

Standard rate applies to banquet for first 200 persons; each additional 100 persons an increase of \$10.00.

Public address system—\$15.00.

Phone service—\$5.00 per day plus long-distance.

*4-H building—Main hall 116' × 86' = 9,976 square feet; banquet capacity 9,976 square feet—15 = 665 cap.*

Per eight-hour day—\$225.00 with additional hours at \$30 each.

Per eight-hour day—\$275.00 with alcohol.

Standard rate applies to banquet for first 200 persons, each additional 100 persons an increase of \$10.00.

Kitchen ..... \$40.00

Public address system ..... 20.00.

Phone service ..... 5.00 per day plus long distance.

Move or remove stage ..... 75.00

(Stage—30" high; 32' long and 16' deep; ceiling height—12' to heaters, etc.; blue curtain and skirting with curtain behind stage going from below stage to ceiling. No standing podium or AV equipment.)

Northwest room only—Monday through Wednesday—\$50.00. 1,440—15 = 90 capacity. Rental on any other day requires approval.

Deposits required from all lessees.

Deposits may be waived for local or repeat lessees with good previous record. Deposits are the same as cancellation fees.

Cancellation policy—If contract is signed and lessee should cancel the event covered under the lease agreement prior to 30 days, the following fee will be charged:

Ag hall and barns ..... \$350.00

Ag hall ..... 235.00

Barns 1 & 2 ..... 100.00

Barns 3, 4, 5, 6 ..... 100.00

Stadium ..... 100.00

4-H building ..... 175.00

Kenwood Hall ..... 125.00





# Saline County Code of Ordinances

## Parks and Recreation

Show office, kitchen, display area ..... 25.00

Failure to pay will result in immediate cancellation of all other reservations or contracts held by lessee and its groups or individuals.

With prior approval, alcohol and cereal malt beverages may be sold and consumed in 4-H building and Kenwood Hall when caterer for event has a liquor license or if renter plans to purchase alcohol or cereal malt beverages and serve them free of charge; otherwise it is prohibited, security is required.

With prior approval by the county commission (Expo Center), cereal malt beverages may be sold and consumed in agricultural hall, stadium concession stand and grandstand and caterer/server for event must be agreeable. Saline County Expo Center will purchase the cereal malt beverage and after all costs are deducted, caterer/server will receive ten percent of the sales. No cereal malt beverages or alcohol are permitted in the barns or stadium pit area.

(Res. No. 96-1471, 3-12-96; Res. No. 97-1542, 11-25-97; Res. No. 99-1624, 11-2-99; Res. No. 02-1760, 8-27-02)



# Saline County Code of Ordinances

## Planning

### Sec. 14-1. - Designated nonmetropolitan region.

The Kansas Secretary of Commerce and Housing is hereby requested to acknowledge the North Central Regional Planning Commission as a qualifying regional economic development organization for the purpose of reapproving the county as a designated nonmetropolitan region.

(Res. No. 00-1660, 8-15-00)

### Sec. 14-26. - Applicability of state law.

K.S.A. 19-2916b through 19-2921, are hereby adopted, and that the same hereby apply to the county, excepting incorporated cities of the county; provided, however, that zoning shall not apply to the use of land for agricultural purposes nor to the erection or maintenance of buildings thereon for agricultural purposes.

(Res. No. 64, 7-11-52)

### Sec. 14-27. - Created.

There is hereby created a commission to be known as the Saline County Planning and Zoning Commission for the county, herein called the commission.

(Res. No. 64, 7-11-52)

### Sec. 14-28. - Composition.

The commission shall consist of not less than five or more than nine members, who shall be residents of the county, and a majority of whom shall live outside of the corporate limits of any incorporated city in the county.

(Res. No. 64, 7-11-52; Res. No. 763, 4-11-77; Res. No. 93-1331, 5-4-93; Res. No. 1331, Amendment #1, 2-14-06)

### Sec. 14-29. - Term.

The members first appointed shall serve for terms of one year, two years, and three years; thereafter members shall be appointed to terms of three years.

(Res. No. 64, 7-11-52; Amend. 1254-41, 10-13-15; Amend. 1254-44, 4-11-17)

### Sec. 14-30. - Vacancies.

Vacancies on the commission shall be filled by appointment of the unexpired term.

(Res. No. 64, 7-11-52)

### Sec. 14-31. - Compensation.

Members of the commission shall serve without compensation for their services.

(Res. No. 64, 7-11-52)



# Saline County Code of Ordinances

## Planning

### Sec. 14-32. - Powers and duties.

The commission shall have those powers and duties as specified in K.S.A. 12-745, and amendments thereto, and as called out in commission bylaws.

### Sec. 14-33. - Removal of members.

The following shall apply to the removal of planning commission members:

- a. Members may be removed for inefficiency, incompetence, unprofessional conduct, continued absences, failure to perform duties or for other sufficient cause.
- b. Members may be removed at the discretion of the county commission if the county commission deems it to be in the best interest of the planning commission.

(Res. No. 03-1789, 4-1-03)



# Saline County Code of Ordinances

## Roads and Bridges

### Sec. 15-2. - Road petitions.

- a. The following requirements shall apply to all road petitions submitted to the county:
- b. Each submitted road petition shall be accompanied by a nonrefundable application fee of \$30.00.
- c. All persons owning property adjoining the subject right-of-way shall be individually notified by public mail of the scheduled public hearing.
- d. The above requirements shall be in addition to all statutory provisions of K.S.A. 68-102 et seq.

(Res. No. 1185, 3-14-89)

### Sec. 15-3. - Road-naming and property-numbering system.

- a. The uniform road-naming and property-numbering system for the unincorporated area of the county involves first giving each road in the county, regardless of length, a name based on historical facts obtained from primary and secondary sources. Next, the entire county had to be divided into parts small enough to assure any new structure of an address regardless of its location. This was accomplished by dividing each mile of road into eight hypothetical city blocks of 660 feet each. Each of these blocks was then assigned a number depending on its location and direction from the meridian streets (Highway 81 East and West, and Country Club Road—State Street Road North and South). For instance, the first 660 feet east of Highway 81 on Mentor Road would be designated the 100 block east on Mentor Road. The second 660 feet would be the 200 block east on Mentor Road and so on. Each of these blocks is in turn divided into lots of 25 feet each, and these lots are numbered in increments of four. Using the previous example, in the first block east on Mentor Road the lot extending from 75 feet to 100 feet would be numbered 113 East Mentor Road (see exhibit B). Similarly, the lot extending from 400 feet to 425 feet in the 600 block of East Mentor Road would be numbered 665 East Mentor Road. These addresses are odd-numbered because of their location on the north side of the road in the southeast quadrant of the county. On the south side of East Mentor Road in the southeast quadrant the lots will have even numbers.
- b. This system is as uniform as can logically be expected. It is an extrapolation of the addressing system used by the City of Salina. Because of this, several adjustments had to be made to compensate for discrepancies in Salina's system. The most noticeable of these adjustments is the substitution of Country Club Road-State Street Road for Iron Avenue and Highway 81 for Santa Fe Avenue as the meridian streets. Neither Iron Avenue nor Santa Fe Avenue connect to section lines beyond the city limits. Another discrepancy is that many of the blocks in Salina are not of uniform length. For this reason, many of the sections in the county extending away from Salina do not have exactly eight blocks. Some may have as few as six or as many as 15. In these instances the lot numbers were assigned in increments of two to facilitate the property numbering system. The reason Salina's system is used is to allow that city to grow through annexation without those people being annexed having to change their address. Theoretically, the City of Salina could grow to encompass the entire county but with a minimum of address changes.
- c. Rural addresses and road names are assigned by the county planning and zoning department.
- d. The address is based upon the location of the centerline of the driveway entrance to the public road, and not the location of the house on the property. The address may be adjusted to reflect the addresses of adjoining properties or addresses already assigned.
- e. Addresses are based upon the numbering system established in subsections (a) and (b) of this section.
- f. Addresses shall only be assigned to residences, businesses, and other occupied structures and buildings where a phone is located. Vacant property with the entrance location determined or restricted by plat may be assigned addresses prior to construction. Exceptions may be made where a utility company requests an address be assigned for utility purposes.
- g. Addresses will be assigned based upon the approved construction registration.
- h. In the case of a building with multiple tenants, separate units within the building will be assigned the same base address, with a letter after the base address. In the case of a building that is modified after assignment of the address, the first unit will receive the address and subsequent units will receive the alphabetic letter, beginning with the unit closest to the main building entrance.



# Saline County Code of Ordinances

## Roads and Bridges

- i. Private roads, except those within PUD or industrial areas, will not receive a road name, and any addresses will be based upon the intersection of the private road with the public road. Private road identification signs on private road right-of-way or private property that conflict with the approved road names and in the opinion of the county planning and zoning director would cause confusion to emergency service providers, are prohibited.
- j. Within planned unit developments and industrial areas where street names have been assigned or approved by the county, separate addresses may be assigned by the county for individual structures or units.
- k. When more than one property is served by the same entrance road, driveway, or location the base address will be assigned to the original or first structure, and any new structures shall be assigned the same address followed by an alphabetic letter (i.e.: 631, 631A, 631B). To avoid confusion, the letters I, L, and O will not be used.
- l. In those instances involving a looped street that turns back into itself, addressing shall begin at the first property at the entrance from the main road, and follow around the loop in a counterclockwise manner.
- m. For those roads that do not follow a section line, or bend around physical features, road name changes may occur where the angle of intersection is 90 degrees or greater.
- n. As a general rule, roads that are discontinuous in right-of-way for more than one mile may be assigned a different road name. Road names may also change based upon location either side of the Meridian Streets (Highway 81, Country Club/State Street).
- o. New streets outside of incorporated entities shall be assigned names by the county planning and zoning department either through the platting of property, or by the deeding or dedication of right-of-way. Duplicate or similar street names shall not be allowed.
- p. Where unnamed frontage roads are utilized, the address shall be assigned based upon the entrance location of the property with respect to the main road as if the frontage road did not exist. Where named frontage roads are utilized, all property accessing the frontage road will be addressed from the frontage road.
- q. Where a joint entrance is mandated by plat or access restriction, but the driveway separates within the right-of-way, separate addresses may be assigned for each parcel.
- r. Road names outside of incorporated areas shall only be changed through formal action by the board of county commissioners. Requests for road name changes shall be submitted in writing to the county planning and zoning department for review and scheduling for action by the board of county commissioners.
- s. All residential, commercial, industrial, or public building sites obtaining new utility services shall be required to provide the assigned road or street numbers to all affected utilities prior to obtaining said service.

(Res. No. 878, 7-21-81; Amend. No. 8, 12-3-91; Res. No. 1256, 4-2-91)

**Cross reference**— Zoning and master plan resolution, app. A.

### Sec. 15-4. - Seismographic operations.

- a. No person shall conduct seismographic testing activities of any nature upon the easements and rights-of-way of the county, except by written permission conferred following application to do so on the prescribed forms on file in the office of the county engineer providing the following information:
  1. The name, address and telephone number of the person or entity desiring to conduct seismographic thumping operations.
  2. The name, address and telephone number of the actual proposed seismographic thumping operator.
  3. Exact location of the intended operation, including a detailed map of the area to be tested.
  4. Permission in writing from the landowners and operators, located within 600 feet of the intended operation.
- b. The county engineer shall, in addition to the application containing the information aforesaid, prior to issuance of a permit for seismographic thumping operations, require the following:
  1. That any damages anticipated to the roadbeds of the county as a result of such operation be determined and security for the cost of repair procured before commencement of any operation.
  2. Procure from the operator a certificate of liability insurance for his operation within the county in an amount not less than \$100,000.00 per incident and \$500,000.00 per occurrence, and a bond, which shall be posted with the clerk of the district court of the county in an amount not less than \$1,000.00



# Saline County Code of Ordinances

## Roads and Bridges

per mile for each mile to be traveled in conducting seismographic thumping operations, securing any costs to the county arising from the operations including, but not limited to, damage to county roads, culverts and access entrances and exits to county roads.

3. A statement from the operator that no seismographic thumping shall occur upon any county roadbed having an asphalt or concrete surface; and that any movement on to or off of such roadbed shall only occur at existing access entries and existing exits to such roads.
  4. An application fee, which if the application is approved by this commission, shall be in the amount of \$100.00 per road mile over which testing activity is to be conducted, and which will be retained by the county for use in offsetting administrative costs in processing and monitoring such testing activity.
- c. Nothing herein contained shall be construed as relieving any person, corporation or business of liability for damage to county roads or other property caused by them in excess of the amount of any policy of insurance or bond required in this section.

(Res. No. 988, 5-1-84)

### Sec. 15-5. - Unauthorized use of minimum maintenance roads prohibited.

- a. *Vehicles.* In accordance with the County Home Rule Power, K.S.A. 19-101 et seq. [and] K.S.A. 19-212, any and all vehicles, four-wheel drive trucks and other mechanical devices shall be prohibited from the unnecessary and unlawful destruction or damage of minimum maintenance roads within the county. Unauthorized destruction and/or damage shall include those instances that said vehicles utilize minimum maintenance roads for purposes contrary to the intent of this section. Said minimum maintenance roads shall be utilized only by those individuals whose occupation or residence necessitates the use of said roads. The board of county commissioners finds that said prohibition is in the best interest of the public in that said prohibition will decrease the likelihood that the roads will become dangerous and will help to maintain the cost of maintenance of said roads.
- b. *Aircraft.* In accordance with the County Home Rule Power, K.S.A. 19-101 et seq., and K.S.A. 19-212, any and all aircraft as defined by K.S.A. 3-201, shall be prohibited from landing or utilizing county roads and right-of-ways unless said use is the result of an emergency. The board of county commissioners find that said prohibition is in the best interest of the public.
- c. *Penalty.* The knowing and willful violation of this order shall constitute a class C misdemeanor; and, any person convicted of such violation shall be punished as provided by law.

(Res. No. 93-1330, 4-20-93; Res. No. 93-1338, 5-25-93)

### Sec. 15-6. - Entrance policy.

- a. *Introduction:* This policy is adopted by the county commission acting pursuant to the power and authority granted by K.S.A. 68-543. The purpose of this policy is to establish written guidelines for new and existing entrances and to regulate ingress and egress to the county road system. The ultimate goal is to provide the maximum convenience and protection of the traveling public.
- b. *New entrances:* According to state law, property owners are entitled to reasonable access to their property. All proposed entrances require an "application for new entrance" form to be completed by the land owner. The application must be approved and a permit issued by the public works department before any work within the county right-of-way is allowed. The following items are standards regulating the compliance of new entrances.
  1. The location of all proposed entrances require approval by the public works department. Under certain circumstances, such as a proposed entrance having poor sight distance, the application for a proposed entrance may be denied.
  2. The landowner is responsible for all costs involved in construction of the new entrance and any subsequent ditch cleaning required. Construction may be completed by a contractor or the applicant. All entrances constructed on all weather roads shall be required to have three inches of AB-3 base material placed between the right-of-way line and the edge of the roadway as a minimum surface treatment. The cost of all surfacing types shall be the owner's responsibility. Any and all ditch cleaning





# Saline County Code of Ordinances

## Roads and Bridges

required, both upstream and downstream, shall be completed at the applicant's expense regardless of who installs the entrance.

- i. Construction staking of the pipe flow lines and any required ditch cleaning shall be completed by the public works department and constructed according to such staking.
3. Proposed entrance locations within 125 feet of an intersection shall be denied due to safety concerns.
4. When a structure is required for drainage, the structure shall be a new pipe, made of either corrugated metal or reinforced concrete. Flared end sections shall be required on all pipes. Polyethylene pipe and used pipe shall not be permitted. If a drainage structure is required that has an opening larger than a pipe can provide, the applicant shall have the large drainage structure constructed by a contractor approved by the public works department. Plans for large structures shall be prepared by a licensed professional engineer and approved by the public works department. All new entrance pipes shall have a minimum length of 24 feet, not including end sections, and a minimum height of 18 inches. However, the maximum length for pipes shall be 50 feet. A minimum of 12 inches of cover material shall be required over the top of the pipe. The completed entrance surface shall be at or below the elevation of the shoulder of the existing roadway and shall be constructed in such a manner as to not direct drainage onto the roadway.
5. If the existing right-of-way is too narrow for the entrance pipe, end sections and back slopes to be constructed within said right-of-way, the landowner shall donate the necessary right of way to the county for said construction. The amount of additional right-of-way required shall be determined by the public works department.
6. No head walls of any kind shall be permitted on the ends of pipes.
7. The applicant/contractor shall be responsible for notifying all utility companies prior to beginning work. [State of] Kansas law requires the use of the [State of] Kansas One Call System (1-800-344-7233) before any and all excavation. Rural water districts are not covered by the one-call system but applicant/contractor is also required to contact the appropriate water district/districts.
8. The applicant/contractor shall be responsible for providing all necessary traffic control items during construction. Traffic control items and usage of them shall be in accordance with the "Manual on Uniform Traffic Control Devices," current edition.
9. The applicant/contractor shall provide insurance and shall furnish a certificate of insurance or proof of adequate liability insurance to the public works department indicating the following coverage:
  - i. Comprehensive liability: Bodily injury and property damage for which the applicant is responsible with limits of \$250,000.00 per person and \$500,000.00 per occurrence.
  - ii. Workman's compensation: \$100,000.00 to cover claims of the contractor and the contractor's employees, if applicable.

The applicant, his successor, or assigns, shall assume all risk and liability for accidents and damages that may occur to persons or property as a result of this work, and shall indemnify and hold the county harmless from any and all costs, liabilities, expenses, suits, judgments, or damages to persons or property or claims of any nature whatsoever arising out of or in connection with the work being permitted, or the operation and performance thereunder by the applicant, their agents, employees, or subcontractors.
10. All new entrance construction shall require final inspection and approval by the public works department. Entrances for new homes or buildings must pass final inspection and have approval prior to any building permit being issued by the planning and zoning department.
11. After the new entrance has been accepted by the final inspection process, the maintenance of the entrance pipe and ditch drainage shall be the county's responsibility. Maintenance of the surface and additional surfacing material shall be the owner's responsibility.
12. If any new entrance is installed without a permit, the owner shall have 30 days to bring the construction into compliance with this policy.
13. Noncompliance with any of the terms of this policy or the entrance permit may be considered cause for shut down of operations or revocation of all permits. By signing the application, the property owner consents to the county performing any and all work required pursuant to this policy. The property owner



# Saline County Code of Ordinances

## Roads and Bridges

further consents, should the county incur costs in bringing the entrance into compliance with the policy, the owner agrees to pay the county for said costs.

14. Upon request by the petitioner, the county commission may consider variances to the entrance policy.
15. Installation of all mailboxes shall conform to the county mailbox policy (Policy No. 2000-102).

c. *Existing entrances:*

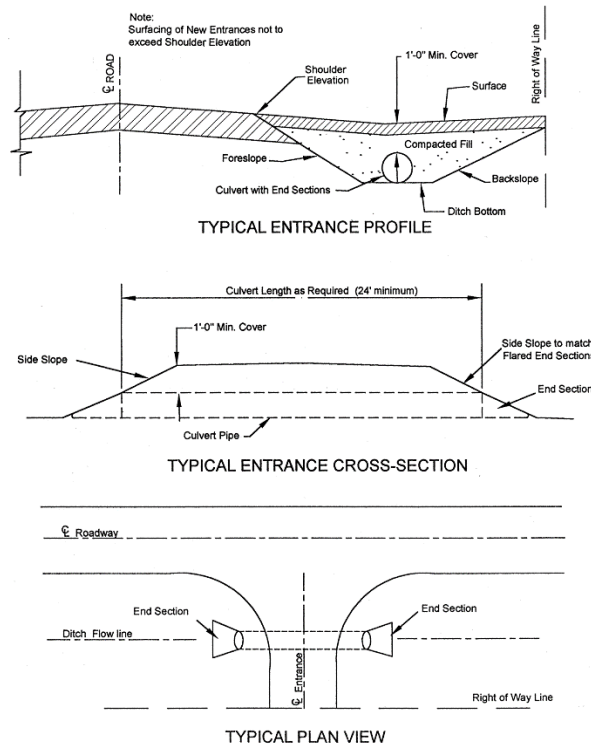
1. Maintenance of all existing entrance drainage structures and ditches within county right-of-way is the responsibility of the county. However, in the event of damage to entrance pipes caused by negligence, construction activities by others, or repeated inattentive driving, the public works department may charge the offending party for replacement of said damaged pipe.
2. When an existing entrance is replaced by the public works department under routine maintenance and the entrance has existing head walls, those head walls shall not be replaced. End sections shall be installed and the head wall materials shall be removed. If the owner wishes, the public works department may place the head wall materials on their property adjacent to the right-of-way line.
3. As stated in subsection (b)11., the owner is responsible for maintenance of the surface on their entrance. When entrance pipes are replaced by the public works department, the surfacing shall be repaired with existing type of surfacing.
4. A "new entrance" permit is required to widen or relocate any existing entrance. Under these circumstances the provisions set out under "new entrances" shall apply except for the relocation or widening of a mound entrance. Relocating or widening a mound entrance only requires the applicant to provide necessary traffic control during construction, notify all utility companies and water districts prior to beginning work and provide a certificate of insurance or proof of adequate liability insurance to the public works department.
5. Whenever it is necessary for the public works department to construct a ditch along a public road at such depth that ingress and egress is obstructed or existing entrances are no longer functioning properly, it has been the policy of the county to provide and maintain access over said ditch so as to make a good and safe crossing. The county shall bear all costs associated with such entrance.
6. The county does not assume any responsibility for the removal or clearance of snow or ice, or the opening of windrows of such material, upon any portion of any entrance.

(Res. No. 01-1688, 3-6-01)



# Saline County Code of Ordinances

## Roads and Bridges



### **Entrance Policy—Exhibit A**

#### [Sec. 15-7. - Official road map.](#)

The GIS road centerline database and the GIS road map prepared by the GIS division of the administrative resource center is hereby adopted as the Official Road Map of Saline County, that said map shall be printed for distribution and that said map shall be updated periodically as needed.

(Res. No. 94-1403, 7-19-94; Res. No. 07-1928, 1-2-07)

#### [Sec. 15-8. - Minimum road standards.](#)

In accordance with K.S.A. 19-101 et seq., the board of county commissioners hereby adopts policies number 97-101, 97-102, and 97-103, copies of which are attached to Res. No. 98-1565 and incorporated by reference.

(Res. No. 98-1565, 4-7-98)

#### [Sec. 15-9. - Newspaper delivery box policy \(Policy No. 2001-101\).](#)

*Introduction.* This policy is adopted by the county commission acting pursuant to the power and authority granted by Kansas State Law. The purpose of this policy is to establish written guidelines for newspaper delivery box installations located along the county road system. The ultimate goal is to provide for the general health, safety, and public welfare of the traveling public keeping in mind the convenience of rural residents.

*Newspaper delivery box installations.*



# Saline County Code of Ordinances

## Roads and Bridges

### a. *General.*

1. No newspaper delivery box will be allowed to exist on right-of-way controlled by the County if it interferes with the safety of the traveling public or the function, maintenance, or operation of the county road system. A newspaper delivery box installation that does not conform to the provisions of this policy is a roadway obstruction under K.S.A. 68-545.
2. The location and installation shall conform to the guidelines established by the Public Works Department.

### b. *Location.*

1. The roadside face of the newspaper delivery box shall be located approximately six inches behind the edge of roadway, or the edge of shoulder on roadways with shoulders.
2. No newspaper delivery box shall be located closer than 100 feet from the intersection of two roadways without prior approval.
3. Newspaper delivery boxes shall be installed adjacent to mailboxes or attached to the mailbox support. If no mailbox exists for a delivery location, the newspaper delivery box shall be located adjacent to the recipient's driveway entrance.
4. At no time will a newspaper delivery box be located on the opposite side of the road from a mailbox. This creates a traffic obstruction for wide farming equipment and passing traffic.

### c. *Structures.*

1. Newspaper delivery boxes shall be of light sheet metal or plastic construction of minimum dimensions suitable for holding a newspaper.
2. A single two-inch "U"-style metal post embedded no more than 18 inches into the ground shall be acceptable as a newspaper delivery box support. However, lightweight newspaper delivery boxes may be mounted below the mailbox on the side of the mailbox support.

### d. *Relocation.* Any newspaper delivery boxes that do not conform to this policy shall be deemed to be an obstruction and/or hazard to the traveling public and the unit shall be removed or relocated upon notification.

### e. *Violations.* Any newspaper delivery box that is found to violate the intent of this policy shall be removed or relocated by the newspaper delivery box owner upon notification by the public works department. At the discretion of the public works department, based on an assessment of hazard to the public, the owner will be granted not less than 24 hours nor more than 30 days to remove or relocate an unacceptable newspaper delivery box. After the specified removal or relocation period has expired, the unacceptable newspaper delivery box will be removed by the public works department at the owner's expense.

(Res. No. 02-1733, 2-19-02)

## Sec. 15-10. - Joint road-waterway and/or terrace use permit.

The joint road-waterway and/or terrace use permit described in exhibit A, attached to Resolution No. 02-1767, shall be deemed to be the joint road-waterway and/or terrace use permit for the county.

The county public works director shall be responsible for administration and enforcement of the joint road-waterway and/or terrace use permit adopted herein.

The public works director shall be responsible for providing permits for new joint road-waterways and/or terrace use pursuant to exhibit A attached to Resolution No. 02-1767.

(Res. No. 02-1767, 11-5-02)

## Sec. 15-11. - Improvement of roads by benefit districts (Policy No. 92-104).

The purpose of this policy is to establish written guidelines to be followed when there is a request for a road improvement. The procedures outlined in this policy are in conformance to Kansas Statutes Annotated, specifically



# Saline County Code of Ordinances

## Roads and Bridges

K.S.A. 68-701 et seq. This policy shall supersede Saline County Policy No. 92-101 previously approved by the board of county commissioners.

- a. Any interested party making a request for a road improvement shall obtain a petition for road improvement from the office of the county clerk. The interested party or petitioner shall meet with the county engineer to prepare the contents of the petition.
- b. It will be the petitioner's obligation to insure that the petitioner meets the requirements of K.S.A. 68-701 et seq., a copy of which is attached to Res. No. 04-1845. The completed petition shall be filed with the county clerk acting on behalf of the Board of Commissioners of Saline County.
- c. A review shall be made by the county counselor of the executed petition as to the validity of said petition and a recommendation submitted to the board of county commissioners.
- d. The board of county commissioners shall set a time and place for a hearing and consideration of said petition for road improvement. The commissioners shall give notice of the time and place of the meeting by publication once in the official county paper. Notification will also be sent by certified mail to the property owners within the benefit district at the address where the owners' individual tax statements are sent. Publication and mailing of the notice shall be not less than ten days prior to the date of the meeting.
- e. The board of county commissioners reserves the right to reject any and all proposals which are not of a public utility and further reserves the right to waive all technicalities.
- f. Upon approval allowing the petition for the road improvement, the commissioners shall, by order, find the improvement to be of public utility and the county clerk shall publish such order one time in the official county paper.
- g. After finding the improvement to be of public utility, the board shall cause an accurate survey of the road or benefit district, plans and specifications for the improvement and estimates of the cost to be prepared by the county engineer. All land required for the laying out, widening or altering of a road shall be acquired by the board of county commissioners by purchase or by donation. If any owner of land shall refuse to sell or donate the land, the board of county commissioners may exercise the right of eminent domain.
- h. Apportionment of cost for improvement of roads by benefit district shall be 40 percent to the taxable property within the benefit district and 60 percent to Saline County. The apportionment of cost for improvement is in conformance with K.S.A. 68-701 et seq.
- i. Upon denial of petition for road improvement, the interested party or parties, if they wish to proceed with the proposed improvement, shall request approval from the county commissioners, providing that the interested party or parties retain sole responsibility for the total cost of the improvement. The board of county commissioners reserves the right to reject any request for improvement which they do not find to be of public utility. Upon approval, the party or parties shall work with the county engineer to prepare the necessary documents.

(Policy No. 92-101, §§ 1.0—7.0, 2-4-92; Policy No. 92-104, §§ 1.0—9.0, 12-7-04)

### Sec. 15-12. - Minimum standards for bituminous road construction or upgrade within the unincorporated area of the county (Policy No. 97-102).

*General.* To advise and aid owners and promoters of platted subdivisions, benefit districts or planned unit developments who will be required to construct roads and drainage improvements in compliance with the standards of Saline County and administered by the department of public works, the following guidelines have been established to create an overall uniform policy of bituminous road minimum standards.

These standards are to be minimum standards set forth for the various improvements herein outlined. If conditions dictate, it shall be necessary to exceed these standards.

The current edition of the Kansas Department of Transportation's "Standard Specifications for State Road and Bridge Construction" shall be the standard specifications unless otherwise noted in this section.





# Saline County Code of Ordinances

## Roads and Bridges

*Cost and warranty.* The owners/promoters of areas to be developed shall be responsible for all expenses for the design and construction of roads and related drainage improvements including new entrance structures that may be required. Costs to a benefit district will be on a case-by-case basis as determined by the board of county commissioners. The owners/promoters of roads for public dedication or road upgrades shall provide a 12-month warranty on all items constructed. After the improvements have been formally accepted by the board of county commissioners, the department of public works shall maintain the roadway during the 12-month warranty period. All road maintenance required during that 12-month period shall be at the owners'/promoters' expense. A maintenance bond shall be required to guarantee said warranty and maintenance items. The amount of the bond required shall be calculated by the linear feet of road improvement times \$50.00 per linear foot and shall be made payable to Saline County.

*Design.* In order to supply the department of public works with sufficient information to properly evaluate the proposed road and drainage improvements, which are required to be constructed to these standards, the following information shall be submitted to the department of public works prior to commencing construction.

- a. The plans of the proposed roads shall be prepared by a registered engineer and shall conform to the design standards as outlined in the county zoning and subdivision regulations. The plans shall include, but not limited to, the following:
  1. A benchmark established within the area being developed and referenced on the plans.
  2. Existing profile along the centerline of the proposed roads.
  3. Centerline grades of the proposed roads.
  4. Existing and proposed cross-sections at 100-foot intervals along the centerline of the proposed roads.
  5. Location and size of all drainage structures to be installed or constructed including all supporting hydraulic data.
  6. Location and specific type of all traffic-control devices to be installed or constructed.

*Right-of-way requirements.* The owners/promoters shall provide all required right-of-way. The width of all road rights-of-way, public or private, shall be established in accordance with the current functional classification map. All road right-of-ways intended for future maintenance by the department of public works shall be properly dedicated for public use and shall be on public record in the office of the register of deeds. Private roads shall be prohibited except within planned unit developments. All additional right-of-way required to meet the functional classification will be acquired by Saline County at the expense of the owners/promoters.

*Drainage structures.* Cross-road drainage structures shall be designed on the basis of the 25-year frequency runoff. All cross-road and entrance pipes installed shall have end sections included. Minimum allowable interior dimensions of any culvert used as an entrance or cross-road structure shall be 18 inches in diameter. The culvert pipe material shall be new metal or concrete and shall meet the requirements of the standard specifications. Where reinforced concrete box culverts are used, the design thereof shall be as per Kansas Department of Transportation Standards. All span structures shall require approval by the department of public works. Entrances installed at the time of the road construction/upgrade shall not require a county entrance permit, however, the installation must follow the guidelines set forth within the county entrance policy.

*Earthwork.* The travelway shall consist of a 24-foot wide roadbed with five-foot shoulders on each side. Cross slopes shall be one-quarter inch per foot on the travelway and three-quarter inch per foot on the shoulders. The material shall be compacted to type B (MR-90) requirements as per the standard specifications. The minimum foreslope shall be 4:1 with the minimum depth of ditch being two and one-half feet below the shoulder elevation. The ditch bottom shall have a minimum width of eight feet with minimum backslopes of 3:1 (see attached typical cross-section).

*Partial acceptance.* After completing all excavation, compaction of the roadway, installation of all cross-road drainage structures and all other construction, the department of public works shall be informed of same and shall notify the owners/promoters of the land as to the acceptability of the road and drainage improvements or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall the roadway base and surface material be applied and the seeding be performed.



# Saline County Code of Ordinances

## Roads and Bridges

*Aggregate or stabilized base.* For an asphaltic prime and double seal surface, an aggregate base shall be constructed consisting of six inches of compacted AB-3 material (90 tons/station). A stabilized subgrade can be used as an alternative base and shall consist of eight inches of lime or fly ash treated base as determined by an independent testing lab. If a plant-run hot-mix bituminous surfacing material is used, the base can be reduced to four inches of compacted AB-3 material (60 tons/station) or six inches of lime or fly ash treated base. All methods and materials used shall meet the requirements of the standard specifications. The base construction shall be approved by the department of public works before the surfacing material is applied.

*Bituminous surfacing.* The bituminous surfacing shall consist of a plant-run hot-mix asphalt or an asphaltic prime and double seal. A mix design shall be submitted for the plant-run hot-mix asphalt and shall be approved by the department of public works before any surfacing is placed. The minimum thickness of an asphalt hot-mix surfacing shall be two inches compacted (30 tons/station).

The asphaltic prime and first seal surfacing shall be applied immediately following the approval of the base construction. The second seal shall be applied not more than one year after the application of the first seal, as determined by the department of public works.

All methods, materials and rates of application shall meet the requirements of the standard specifications.

*Seeding.* The shoulders and ditch areas shall be seeded after completion of the roadway surfacing.

A four-variety seed mixture shall be used. The rates of application are as follows:

Seed	Pounds Per Acre
Smooth Bromegrass	50
Fescue K-31	100
Improved Buffalo grass (Treated)	5
Bermuda grass	50

The seed shall be drilled in or hydraulically applied.

A 10-20-10 or 30 percent nitrogen fertilizer shall be applied at a rate of 200 pounds per acre.

Prairie hay shall be used for mulching and shall be applied at a rate of 2,000 pounds per acre.

All seed, fertilizer and prairie hay shall meet the requirements of the standard specifications. All seeding cost shall be paid by the owners/promoters.

*Traffic-control devices.* Installation of and materials for all traffic-control devices shall be in compliance with the current edition of the Manual of Uniform Traffic Control Devices Handbook and shall be completed at the owners'/promoters' expense. The owners/promoters shall also be responsible for the purchase and installation of all necessary street signs. Pavement marking shall also be installed at the owners'/promoters' expense. Cold plastic material will be used for centerline stripping and paint will be used for edge stripping. All materials used shall meet the requirements of the standard specifications.





# Saline County Code of Ordinances

## Roads and Bridges

*Final acceptance.* After completion of all the items of work listed above, the department of public works shall be informed of same and shall notify the owners/promoters as to the acceptability of the work or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall a building permit be issued.

*Formal approval.* Roads within subdivisions, meeting all the above requirements, will be eligible for county maintenance upon approval by the county commission. The owners/promoters shall make a request to the board of county commissioners for formal approval of said roads.

(Policy No. 97-102, 4-7-98)

### Sec. 15-13. - Minimum standards for gravel road construction or upgrade within the unincorporated area of the county (Policy No. 97-101).

*General.* To advise and aid owners and promoters of platted subdivisions or planned unit developments who will be required to construct roads and drainage improvements in compliance with the standards of Saline County and administered by the department of public works, the following guidelines have been established to create an overall uniform policy of gravel road minimum standards.

These standards are to be minimum standards set forth for the various improvements herein outlined. If conditions dictate, it shall be necessary to exceed these standards.

The current edition of the Kansas Department of Transportation's "Standard Specifications for State Road and Bridge Construction" shall be the standard specifications unless otherwise noted in this section.

*Cost and warranty.* The owners/promoters of areas to be developed shall be responsible for all expenses for the design and construction of roads and related drainage improvements including new entrance structures that may be required. The owners/promoters of roads for public dedication shall provide a 12-month warranty on all items constructed. After the improvements have been formally accepted by the board of county commissioners, the department of public works shall maintain the roadway during the 12-month warranty period. All road material required during that 12-month period shall be at the owners'/promoters' expense. A maintenance bond shall be required to guarantee said warranty and maintenance items. The amount of the bond required shall be calculated by the linear feet of road improvement times \$25.00 per linear foot and shall be made payable to Saline County.

*Design.* In order to supply the department of public works with sufficient information to properly evaluate the proposed road and drainage improvements, which are required to be constructed to these standards, the following information shall be submitted to the department of public works prior to commencing construction.

- a. The plans of the proposed roads shall be prepared by a registered engineer and shall conform to the design standards as outlined in the county zoning and subdivision regulations. The plans shall include, but not limited to, the following:
  1. A benchmark established within the area being developed and referenced on the plans.
  2. Existing profile along the centerline of the proposed roads.
  3. Centerline grades of the proposed roads.
  4. Existing and proposed cross-sections at 100 foot intervals along the centerline of the proposed roads.
  5. Location and size of all drainage structures to be installed or constructed including all supporting hydraulic data.
  6. Location and specific type of all traffic-control devices to be installed or constructed.

*Right-of-way requirements.* The owners/promoters shall provide all required right-of-way. The width of all road rights-of-way, public or private, shall be established in accordance with the current functional classification map. All road right-of-ways intended for future maintenance by the department of public works shall be properly dedicated for public use and



# Saline County Code of Ordinances

## Roads and Bridges

shall be on public record in the office of the register of deeds. Private roads shall be prohibited except within planned unit developments. All additional right-of-way required to meet the functional classification will be acquired by saline county at the expense of the owners/promoters.

*Drainage structures.* Cross-road drainage structures shall be designed on the basis of the 25-year frequency runoff. All cross-road and entrance pipes installed shall have end sections included. Minimum allowable interior dimensions of any culvert used as an entrance or cross-road structure shall be 18 inches in diameter. The culvert pipe material shall be new metal or concrete and shall meet the requirements of the standard specifications. Where reinforced concrete box culverts are used, the design thereof shall be as per Kansas Department of Transportation Standards. All span structures shall require approval by the department of public works. Entrances installed at the time of the road construction/upgrade shall not require a county entrance permit, however, the installation must follow the guidelines set forth within the County entrance policy.

*Earthwork.* The travelway shall consist of a 24-foot-wide roadbed and shall have six inches of crown from the centerline to the edge of the roadbed. The material shall be compacted to type B (MR-90) requirements as per the standard specifications. The minimum foreslope shall be 3:1 with the minimum depth of ditch being two and one-half feet below the shoulder elevation. The ditch bottom shall have a minimum width of four feet with minimum backslopes of 3:1, (see attached typical cross-section).

*Partial acceptance.* After completing all excavation, compaction of the roadway, installation of all cross-road drainage structures and all other construction, the department of public works shall be informed of same and shall notify the owners/promoters of the land as to the acceptability of the road and drainage improvements or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall the roadway base and surface material be applied and the seeding be performed.

*Aggregate base and surfacing.* An aggregate base shall be constructed consisting of two inches of compacted AB-3 material (30 tons/station) mixed 50/50 with soil and compacted. Aggregate surfacing shall be applied on top of the aggregate base at a rate of ten tons/station of sand-gravel material (SS-8). The finished roadway cross-section shall have six inches of crown. At the developer's expense, additional aggregate surfacing may be required by the department of public works within the 12-month warranty period. All aggregates used for base and surfacing shall meet the requirements of the standard specifications.

*Seeding.* The shoulders and ditch areas shall be seeded after completion of the roadway surfacing.

A four-variety seed mixture shall be used. The rates of application are as follows:

Seed	Pounds Per Acre
Smooth Brome grass	50
Fescue K-31	100
Improved buffalo grass (treated)	5
Bermuda grass	50 pounds per acre

The seed shall be drilled in or hydraulically applied.



# Saline County Code of Ordinances

## Roads and Bridges

A 10-20-10 or 30 percent nitrogen fertilizer shall be applied at a rate of 200 pounds per acre.

Prairie hay shall be used for mulching and shall be applied at a rate of 2,000 pounds per acre.

All seed, fertilizer and prairie hay shall meet the requirements of the standards specifications. All seeding cost shall be paid by the owners/promoters.

*Traffic-control devices.* Installation of and materials for all traffic-control devices shall be in compliance with the current edition of the Manual of Uniform Traffic Control Devices Handbook and shall be completed at the owners'/promoters' expense. The owner/promoter shall also be responsible for the purchase and installation of all necessary street signs.

*Final acceptance.* After completion of all the items of work listed above, the department of public works shall be informed of same and shall notify the owners/promoters as to the acceptability of the work or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall a building permit be issued.

*Formal approval.* Roads within subdivisions meeting all the above requirements will be eligible for county maintenance upon approval by the county commission. The owners/promoters shall make a request to the board of county commissioners for formal approval of said roads.

(Policy No. 97-101, 4-7-98)

### Sec. 15-14. - Minimum standards for earth road construction or upgrade within the unincorporated area of the county (Policy No. 97-103).

*General.* To advise and aid owners who will be required to construct roads and drainage improvements in compliance with the standards of Saline County and administered by the department of public works, the following guidelines have been established to create an overall uniform policy of earth road minimum standards.

These standards are to be minimum standards set forth for the various improvements herein outlined. If conditions dictate, it shall be necessary to exceed these standards.

The current edition of the Kansas Department of Transportation's "Standard Specifications for State Road and Bridge Construction" shall be the standard specifications unless otherwise noted in this document.

*Cost and warranty.* The owners/promoters of areas requesting earth road construction or upgrade shall be responsible for all expenses for the construction/upgrade of earth roads and related drainage improvements including new entrance structure that may be required. The owners or promoters of earth roads shall provide a 12-month warranty on all items constructed. After the improvements have been formally accepted by the board of county commissioners, the department of public works shall maintain the roadway during the 12-month warranty period. A maintenance bond shall be required to guarantee said warranty and maintenance items. The amount of the bond required shall be calculated by the linear feet of road improvement times \$10.00 per linear foot and shall be made payable to Saline County.

*Design.* In order to supply the department of public works with sufficient information to properly evaluate the proposed road and drainage improvements, which are required to be constructed to these standards, the following information shall be submitted to the department of public works.

- a. Plans of the proposed roads shall be prepared. The plans shall include, but not limited to, the following:
  1. A benchmark established within the area being developed and reference on the plans.
  2. Existing profile along the centerline of the proposed roads.
  3. Centerline grades of the proposed roads.



# Saline County Code of Ordinances

## Roads and Bridges

4. Typical road cross section and proposed road centerline profile.
5. Location and size of all drainage structures to be installed or constructed including all supporting hydraulic data.
6. Location and specific type of all traffic-control devices to be installed or constructed.

*Right-of-way requirements.* The owners/promoters shall provide all required right-of-way. The minimum width of all road right-of-ways, public or private, shall be 60 feet. In areas where existing right-of-way is less than 60 feet, additional right-of-way shall be required. The additional right-of-way would be acquired by Saline County at the expense of the owners/promoters. If conditions dictate, it shall be necessary to exceed the 60-foot minimum.

*Drainage structures.* Cross-road drainage structures shall be designed on the basis of the five-year frequency runoff. All cross-road and entrance pipes installed shall have end sections included. Minimum allowable interior dimensions of any culvert used as an entrance or cross-road structure shall be 18 inches in diameter. The culvert pipe material shall be new metal or concrete and shall meet the requirements of the standard specifications. Where reinforced-concrete box culverts are used, the design thereof shall be as per Kansas Department of Transportation standards. All span structures shall require approval by the Department of Public Works. Entrances installed at the time of the road construction/upgrade shall not require a county entrance permit, however, the installation must follow the guidelines set forth within the county entrance policy.

*Earthwork.* The travelway shall consist of a minimum 18-foot-wide roadbed and shall have four inches of crown from the centerline to the edge of the roadbed. The material shall be compacted to type B (MR-90) requirements as per the standard specifications. The minimum foreslope shall be 2:1 with the minimum depth of ditch being one and eight-tenths feet below the shoulder elevation. The ditch shall have a "V" bottom with variable backslopes (see attached typical cross-section).

*Partial acceptance.* After completing all excavation, compaction of the roadway, installation of all cross-road drainage structures, entrance structures, and all other construction, the department of public works shall be informed of same and shall notify the owners/promoters of the land as to the acceptability of the road and drainage improvements or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall the seeding be performed.

*Seeding.* The shoulders and ditch areas shall be seeded after completion of the roadway.

A four-variety seed mixture shall be used. The rates of application are as follows:

Seed	Pounds Per Acre
Smooth Brome grass	50
Fescue K-31	100
Improved Buffalo grass (Treated)	5
Bermuda grass	50

The seed shall be drilled in or hydraulically applied.



# Saline County Code of Ordinances

## Roads and Bridges

A 10-20-10 or 30 percent nitrogen fertilizer shall be applied at a rate of 200 pounds per acre.

Prairie hay shall be used for mulching and shall be applied at a rate of 2,000 pounds per acre.

All seed, fertilizer and prairie hay shall meet the requirements of the standard specifications. All seeding cost shall be paid by the owners/promoters.

*Traffic-control devices.* Installation of and materials for all traffic-control devices shall be in compliance with the current edition of the Manual of Uniform Traffic Control Devices Handbook and shall be completed at the owners'/promoters' expense. The owner's/promoter's developer shall also be responsible for the purchase and installation of all necessary street signs.

*Final acceptance.* After completion of all the items of work listed above, the department of public works shall be informed of same and shall notify the owners/promoters as to the acceptability of the work or shall specify to them any changes or further improvements needed. Only after final approval of the above by the department of public works shall a building permit be issued.

(Policy No. 97-103, 4-7-98)

### Sec. 15-16. - Hay harvesting on county right-of-way (Policy No. 4-12788).

- a. A permit issued by Saline County Highway Department will be required before any hay is harvested on county right-of-way. The owner or interested party, hereinafter termed the petitioner, will be required to obtain a permit.
- b. Before any hay is cut on county right-of-way, the interested party shall submit to Saline County written permission from the adjoining property owner. If the landowner disapproves, no harvesting will be allowed.
- c. The petitioner agrees that an approved signed copy of the permit will be issued before any work is performed.
- d. The petitioner agrees under the permit to stay within the limits of the right-of-way.
- e. The petitioner workmanship will be done in an acceptable manner and all bales on county right-of-way will be picked up immediately after baling.
- f. The petitioner agrees to perform and complete the work within three weeks of issued date of permit.
- g. The petitioner agrees that the road traffic will be free in interference unless specifically provided for as a part of the permit.
- h. The petitioner, his successors, or assigns, shall assume all risk and liability for accidents and damages that may accrue to persons or property on account of this work.
- i. Prior to any cutting contact with county noxious weed department to determine any noxious weed infestation.

(Policy No. 4-12788, 12-7-04)

### Sec. 15-17. - Tree removal from county right-of-way (Policy No. 2-3888).

- a. Before any volunteer trees can be removed from county right-of-way for transplanting or etc., the interested party shall submit to the county written permission from the adjoining property owner.
- b. Each hole shall be properly backfilled after the removal of any volunteer tree.
- c. The county reserves the right to approve or deny any request made.

(Policy No. 2-3888, 12-7-04)

### Sec. 15.5-1. - Installations of signposts.

- a. The purpose of this section is to provide a service to incorporated or unincorporated cities, departments of the county and other county governmental organizations. The county public works department will install signposts as instructed by the governmental agency.
- b. The governmental agency making the request will be required to pay for this service at a flat rate as follows:



# Saline County Code of Ordinances

## Roads and Bridges

1. Installation of one signpost, post furnished by others ..... \$50.00
  2. Installation of one signpost, post furnished by county ..... 60.00
  3. Installation of two signposts at same location, posts furnished by other ..... 65.00
  4. Installation of two signposts at same location, posts furnished by county ..... 85.00
- c. If the governmental agency making the request has a number of posts installed at different locations, the public works department will provide a cost estimate for this service.
- d. The governmental agency making the request will be required to stake the location of the proposed sign. The county department of public works will inspect the proposed location for approval or denial.
- e. All signs will need to be in compliance with the Saline County Signing Control Policy (Policy No. 312788) and with the planning and zoning regulations.
- f. The maintenance of the signposts and signs will be the responsibility of the governmental agency making the request.

(Policy No. 91-102, 10-28-91)



# Saline County Code of Ordinances

## Solid Waste

### Sec. 16-1. - Transporting, covering of load.

- a. It shall be unlawful for any person to transport or move or to aid, permit or abet another person to transport or move garbage, papers, slop cans, sacks, glass, bottles, leaves, tree limbs, boxes, offal filth, rubbish, debris or trash of any nature or description whatsoever on any street, alley, avenue, road or highway unless in so doing the aforesaid materials are continuously covered and controlled, excepting only the unloading thereof at publicly owned sanitary landfills.
- b. The violation of this section shall be enjoined by a court of competent jurisdiction and any person found guilty of the violation thereof shall be deemed to be guilty of a public offense and punished by a fine of not less than \$25.00 nor more than \$200.00.

(Res. No. III, 1-14-75)





# Saline County Code of Ordinances

## Taxation

### Sec. 17-1. - Tax exemptions for economic development.

- a. *Purpose.* The purpose of this section is to establish the official policy and procedures of the county for the granting of property tax exemptions for qualified economic development purposes, in accordance with the provisions of [section 13](#) of [article 11](#) of the Constitution of the state.
- b. *Authority and jurisdiction.* The authority to grant tax exemptions within the unincorporated area of Saline County is solely vested in the board of county commissioners who reserve the right to exempt any project from the criteria set out herein if the economic development project, due to its unusual nature of magnitude, offers extraordinary benefits to the community. It shall be the policy of the county to consider applications for tax exemptions only for property located outside of incorporated cities. Further, the county shall notify all taxing units affected if an application relates to a business located or to be located within their taxing jurisdictions.
- c. *Notice and hearing.* Prior to approving an exemption application, a public hearing shall be held by the board of county commissioners. Notice of the public hearing shall be published at least seven days prior to the hearing and shall indicate the purpose, time and place thereof. Notice of the public hearing shall be provided in writing to any affected taxing jurisdictions.
- d. *Criteria for granting of tax exemption.* Each application for tax exemption shall be evaluated and graded in accordance with the following criteria:
  1. *Demonstration of benefit.* The board of county commissioners may consider approving said tax exemption application only upon a clear and factual showing of direct economic benefit to the county including the creation of additional permanent jobs and the stimulation of additional private capital investment.
  2. *Measure of economic growth benefits.* The primary purpose of tax exemptions is to further stimulate economic growth. The project shall be one that increases the number of jobs in the community and invests additional capital in a new or expanding facility.
  3. *Elimination of competition.* The approval of tax exemptions for business activities which would directly compete with established businesses in Saline County will not be encouraged unless there is a clear and definitive demonstration of substantial overriding benefit to the county as a whole.
  4. *Preservation of tax base.* It is the intent of this policy to promote expansion of the tax base and assure that the taxing units having authority to levy taxes on the property involved will receive, in the future, not less than the amount paid by the property prior to the granting of the exemption.
  5. *Types of industry (eligible businesses).* In accordance with article 11 of the Kansas Constitution, said tax exemptions will be considered only for businesses that:
    - i. Manufacture articles of commerce.
    - ii. Conduct research and development relative to the manufacturing of the product.
    - iii. Store goods and commodities which are sold or traded in interstate commerce.
  6. *Nature of improvements.* The board of county commissioners may exempt from taxation all or part of the appraised valuation of:
    - i. All newly constructed buildings or additions to existing buildings used exclusively for eligible business activities which are necessary to facilitate the formation of a new business or



# Saline County Code of Ordinances

## Taxation

expansion of an existing business if, as a result of such formation or expansion, new employment is created.

No exemption application will be considered for the land upon which qualified buildings or building additions are located, existing buildings are already built, or any property is being rented or leased by other than a not-for-profit local economic development corporation. No exemption application will be considered for buildings or building additions for which a building permit has been applied for or construction commenced before the date said application is considered.

In the event that a not-for-profit local economic development corporation constructs a new building for an unidentified occupant, the minimum job requirement may be waived.

No tax exemption shall be effective until occupancy by an eligible business activity and project completion.

e. *Term and amount of exemption.*

1. *Base exemption.* Said exemption may be granted for 25 percent of the property taxes due on projects with at least \$50,000.00 of new capital investment and that create a minimum of three new jobs (full-time equivalent [FTE]). For the purpose of this section, "capital investment" shall only include the cost of any business machinery and equipment associated with and necessary for the successful operation of the finished project. All newly created jobs shall be non-contractual jobs with benefits that are currently available to existing full time employees.
2. *Incentive exemption.* The county will consider increasing the amount of tax exemption up to 100 percent by giving special consideration to the amount of capital investment and number of new employees based on the following scale:
  - i. An additional tax exemption will be given for each additional new job (FTE) above the minimum as follows: 1.5 percent for jobs four through ten; 0.5 percent for each job above ten.
  - ii. An additional tax exemption will be given for each additional \$15,000.00 of investment above the minimum as follows: \$100,000.00 to \$1,000,000.00—0.3 percent; above \$1,000,000.00—0.1 percent.
3. *Descending exemption scale.* The calculated tax exemption will be applied according to the following scale:

Years 1 thru 5	100% of the calculated tax exemption
Years 6 thru 10	50% of the calculated tax exemption

4. *Term of exemption.* No tax exemption shall be in effect for more than ten years after the calendar year in which the business commences operations or completes an expansion. Any tax exemption granted shall not affect the liability of any special assessments levied or to be levied against such property.



# Saline County Code of Ordinances

## Taxation

- f. *Preliminary review.* Prior to submittal of a formal application, a business may inquire as to eligibility for tax exemption and the anticipated amount of tax exemption based upon preliminary employment and capital investment figures. The business shall complete the regular application form, stating at the top of the form that this is a preliminary application, and submit the pre-application to the county administrator (or planning and zoning department). County staff will review the information submitted and respond to the business regarding apparent eligibility and potential amount of eligible tax exemption. The response from the county staff shall in no way represent definitive findings or be seen as an expression of intent or obligation of the board of county commissioners to favorably consider or approve a formal request for tax exemption. The preapplication form, information, and the staff response shall be considered proprietary business information and shall be kept confidential.
- g. *Administration.* Applications for the granting of a tax exemption pursuant to this policy shall be accompanied by a nonrefundable filing fee for both formal applications and completion review to be deposited in the general fund. In addition, any business which has been granted a tax exemption shall pay an annual monitoring fee. These fees shall be used to defray expenses incurred by the county in processing the application and other documents relative to the proposed exemption.
- h. *Formal application.* The county will not consider any tax exemption application unless the business submits a full and complete application and provides such additional information as may be requested.
1. *Fees.* The filing fee for applications shall be \$250.00.
  2. *Application contents.*
    - i. Name and address of applicant, contact person and telephone number.
    - ii. Names and addresses of the principal officers and directors of the applicant business.
    - iii. Name and address of the owner of the land and buildings occupied or to be occupied by the business.
    - iv. A general description of the nature of the business of the applicant, applicant's history/experience and a list of principal competition in the local market.
    - v. A general description of the proposed project or improvements, including estimated costs, plus the percentage of tax exemption being requested. Also, a general description and the estimated value of existing tangible personal property that will be replaced, and, therefore, removed from the tax rolls, as a result of the proposed project or improvements.
    - vi. A site plan of the proposed project or improvements.
    - vii. If an existing business, average monthly employment figures for the past 12 months. This number will become the base line to determine continuous eligibility on an annual basis. If at any time total employment drops below this number plus the number of jobs to be created, the applicant may be considered ineligible or noncompliant and the tax exemption may not be granted for that year.
    - viii. If a new business, the number of jobs to be created. This number will become the base line to determine continuous eligibility on an annual basis. If at any time total employment drops below this number, the applicant may be considered ineligible or noncompliant and the tax exemption may not be granted for that year.
    - ix. Number of new jobs to be created by job title and projected wages for each position.



# Saline County Code of Ordinances

## Taxation

- x. A statement explaining why the requested tax exemption is a critical factor in determining whether the proposed project is to be completed.
  - xi. The applicant must designate the completion date not to exceed 36 months from the resolution of intent. In the event the completion date exceeds 36 months, the applicant may apply to the county commission to extend the completion date beyond 36 months. The planning and zoning director shall have authority to approve extensions of the completion date prior to the expiration of 36 months.
3. *Application procedures.* Each application made for granting of said tax exemption shall generally follow the procedures outlined below:
- i. Completed application and filing fee will be submitted to the planning and zoning department.
  - ii. A notice of the filing will be sent to the applicant and board of county commissioners.
  - iii. A review committee comprised of the county administrator, county appraiser and planning and zoning director will determine eligibility requirements, estimate the percent and amount of tax exemption, and analyze the cost and benefits of such exemption.
  - iv. The review committee's analysis will be forwarded to the board of county commissioners.
  - v. If the board desires to consider the application, they will schedule a public hearing and publish due notice in the official county newspaper at least seven days prior to the hearing. Each taxing unit affected by the proposed exemption will be notified individually.
  - vi. Official action on the application by the board will take place at a public meeting and hearing. The board of county commissioners will review the analysis of the costs and benefits and receive the comments from the applicant, affected taxing districts, and the general public. At the conclusion of the hearing, the board will take formal action on the application. Approval of the request will be in the form of a county resolution.
  - vii. In granting a tax exemption, the board of county commissioners may impose any terms or conditions as deemed necessary to fulfill the purpose and intent of this policy.

The complete application process from filing to official action shall generally be completed within 60 days.

4. *Confidentiality.* All applications and records pertaining to a formal tax exemption request will be available for public inspection under the Kansas Open Records Act as provided by K.S.A. 45-221.
- i. *Completion review.* Each tax exemption application approved shall be subject to a review of project completion. This review shall be for the purpose of determining if the economic benefits stated in the application are achieved, if the estimated percent and term of the exemption remain valid, and if the business is in compliance with any established terms or conditions. In the event that a capital investment project has not been completed, the review status shall be considered "in progress" and no tax exemption shall be granted. If the capital investment project is complete but the employment goal has not been reached and hiring remains active, the applicant business may request to be considered "in progress" and receive no tax exemption. Or the applicant business may be considered partially complete (as long as the minimum employment and investment threshold is met) and receive a prorated tax exemption for the subject year. A prorated exemption shall count against the tax exemption term. In any case a project shall be considered complete if more than 36 months have elapsed since initial approval of the tax exemption resolution, unless otherwise requested by the applicant and approved by the county commission.



# Saline County Code of Ordinances

## Taxation

The applicant shall do the following for completion review:

1. *Filing date and fee.* An application for completion review shall be filed within three months after the completion date as set forth in the application, unless extended as set forth herein. The filing fee shall be \$125.00 and is nonrefundable. There shall be no filing fee for an in-progress review.
  2. *Business information.* The applicant business shall provide information pertaining to the number of full-time permanent jobs in existence at completion of the project, the actual amount of capital invested in the project, the ongoing nature of business activities, an "as-built" site plan of the completed project, and any other data that may reasonably be requested.
  3. *Review process.* The county review committee will review the application and submit a report to the board of county commissioners within 60 days. The board will consider the application and staff report at a public hearing, advance notice of which shall be as provided for the hearing on the original application. Approval of the certification of compliance shall be in the form of a certificate of compliance resolution determining compliance with the tax exemption policy.
  4. *Certification.* If certification of compliance for the tax exemption is granted, a state exemption claim form shall be filed with the county appraiser within 30 days of the certificate of compliance resolution. A copy of the resolution that originally approved the exemption and a copy of the certificate of compliance resolution shall be submitted with said claim form. A state exemption claim form can be obtained from the Saline County Appraiser's Office.
  5. *Revocation.* The board of county commissioners reserve the right to revoke a granted exemption due to a fraudulent submittal of an application, failure to submit the completion review application and supporting information, failure to meet qualifying criteria, or failure to comply with established terms or conditions. Failure to produce the stated economic benefits will result in a reduction or loss of tax exemption.
- j. *Monitoring review.* Following receipt of certification of compliance, each tax exemption granted shall be subject to an annual monitoring review of business status. This review shall be for the purpose of determining if the business continues to meet eligibility criteria and remains in compliance with any established terms or conditions.
1. *Filing date and fee.* The application for monitoring review shall be filed on an annual basis no later than January 15 of each year for the term of the exemption. Reminder letters shall be mailed out by certified mail no later than December 15 of each year. The filing fee shall be \$50.00 and is nonrefundable.
  2. *Business information.* The recipient business shall provide information pertaining to the ongoing nature of business activities, average total monthly employment (i.e, newly created jobs have been retained and existing jobs have been retained), any change in majority ownership of the business and any other data as may reasonably be requested.
  3. *Review process.* The county review committee will review the application and, unless ineligibility or noncompliance is evident, the county clerk shall issue a certificate of compliance. In the alternative, the review committee shall submit a report to the board for their determination of compliance.
  4. *Certification.* If compliance is deemed to exist, a written statement, signed by the county clerk, that the property continues to meet all terms and conditions established as a condition of granting an exemption, shall be attached to the exemption claim form filed with the county appraiser.
  5. *Revocation.* The board of county commissioners reserves the right to revoke and/or modify a granted exemption due to a fraudulent submittal of an application, failure to submit the monitoring review



# Saline County Code of Ordinances

## Taxation

application and supporting information, failure to meet qualifying criteria, or failure to comply with established terms or conditions.

- k. *Policy review.* The board of county commissioners reserves the right to amend, revoke, change, or otherwise modify this policy from time to time to promote the best interests of Saline County, and reserves the right to apply this policy to pending applications to insure compliance with this policy.

(Amend. 1147-4, 11-7-06)

### Sec. 17-26. - Levy of tax.

- a. *Fund establishment.* There shall be and hereby is created a special fund account to be designated the Saline County 911 fund. The fund shall be administered as authorized under this section for the purposes required or permitted under the Kansas 911 Act, as now existing or hereafter amended.
- b. *Use of funds.* All monies received by Saline County derived from fees collected pursuant to the Kansas 911 Act shall be credited to and deposited in the Saline County 911 fund. The Saline County 911 fund shall be a separate fund from the existing funds known as the emergency 911 fund and wireless 911 fund, and monies shall not be comingled into or between those funds. Any and all interest earned or accrued on monies in the fund shall be retained in the fund. All monies in the fund shall be used only for purposes required or permitted under the Kansas 911 Act, as enacted or hereafter amended, but shall include uses pursuant to interlocal government agreements entered into with those cities in the county consistent with the Act.

(Res. No. 991, 5-8-84; Res. No. 87-1118, 8-27-91; Res. No. 87-1118-3, 1-19-93; Res. No. 87-1118-4, 10-12-93; Res. No. 98-1577, 8-25-98; Res. No. 87-1118-5, 10-10-95; Res. No. 87-1118-6, 10-10-96; Res. No. 87-1118-7, 9-24-96; Res. No. 87-1118-8, 9-30-97; Res. No. 99-1621, 9-21-99; Res. No. 00-1672, 10-3-00; Res. No. 01-1717, 10-30-01; Res. No. 02-1759, 8-20-02; Res. No. 03-1806, 8-26-03; Res. No. 07-1955, 9-11-07; Res. No. 11-2067, 12-13-11)





# Saline County Code of Ordinances

## Traffic and Motor Vehicles

### Sec. 18-1. - Vehicle weight limit—Stimmel Road.

- a. All through truck traffic, consisting of trucks having a gross vehicle weight of over 16,000 pounds thereon are prohibited from operating on the road described as follows:

Starting at the east city limits of Salina on Stimmel Road, thence easterly to old U.S. 40 Highway.

Vehicles in excess of that weight shall be permitted to make deliveries to premises located along such road.

- b. This section shall be effective following its publication and the designation of this limitation by appropriate signs as directed by K.S.A. 8-1912, and any violation thereafter shall constitute a class C misdemeanor.

(Res. No. 906, 4-27-82)

**State Law reference—** Vehicle weight, load, etc., K.S.A. 8-1901 et seq.; local regulation of weight limits, K.S.A. 8-1912.

### Sec. 18-2. - Same—Bridges.

- a. The board of county commissioners has determined that the age and condition of the county bridges described in the exhibit marked exhibit A, which is not included herein but is incorporated herein by reference, require that their use be limited in a manner that will advance the public safety and the preservation of such bridges; and that the establishment of a limitation upon the weight of the vehicles permitted to use such bridges will promote those ends.
- b. The weight of vehicles using each of the above described bridges shall be limited to the tonnage set forth in exhibit A, and there shall be erected appropriate signs designating the weight limitations applicable to each bridge at each end of each such bridge.
- c. The county engineer is hereby directed to erect and maintain the signs necessary to implement the provisions of this section.
- d. A penalty of \$500.00 for each offense shall be imposed upon conviction of a violation of this section, which penalty shall be paid into the general fund of the county by the clerk of the court in which the conviction is rendered.
- e. The county numbers, which follow, are the descriptive numbers used to identify county bridges in the Official Saline County Bridge Structural Inventory and Appraisal file.

The weight limit which follows each county number is the weight limit for that designated bridge.

County Number	Weight Limit	County Number	Weight Limit	County Number	Weight Limit
O-F.99	3	25-I.21	3	K-27.01	10
O-I.30	5	25-L.37	10	L-16.22	12



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

1-F.89	10	25-M.46	3	M-8.43	3
4-E.26	12	25-M.65	3	M-16.51	12
4-H.02	12	25-P.81	5	M-23.60	10
4-H.10	10	25-S.41	5	M-24.19	5
4-H.14	3	25-W.20	3	M-25.69	10
4-N.33	15	25-X.65	12	M-26.59	3
4.5-E.14	3	26-W.02	10	N-3.28	3
4.5-E.22	10	26-W.90	10	N-3.47	3
5-N.46	3	26.5-B.60	3	N-7.55	5
6-8.84	5	26.5-C.75	3	N-19.33	Closed
6-F.63	10	27-G.06	3	N-24.25	10
6-N.40	3	27-J.68	<a href="#">8</a>	N-26.73	5
7-F.16	15	27-M.71	3	N-27.32	10



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

7-F.64	10	27-Q.44	15	O-3.33	10
7-H.19	10	28-J.85	10	O-6.03	3
7-M.14	3	28-Q.25	12	O-10.83	5
7-M.80	10	28-V.58	10	O-11.63	10
7-N.25	3	29-P.82	5	O-12.36	10
8-U.17	5	29-S.34	3	O-26.59	3
9-T.04	12	29-U.79	3	O-27.19	3
9.5-L.87	5	29.5-C.91	3	P-22.78	5
10-C.76	5	30-I.63	<a href="#">8</a>	P-23.56	10
10-J.69	10	30-Q.80	4	P-27.16	15
11-H.36	3	A-11.00	3	Q-10.77	5
11-0.32	5	A-23.54	3	Q-12.65	3
11-Q.58	15	A.25-8.11	3	Q-14.26	3



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

11-R.18	10	B-10.84	12	Q-14.47	3
11-T.29	12	B-27.84	10	Q-14.60	3
11-V.56	3	C-10.25	5	Q-17.21	3
12-Q.31	5	C-10.50	3	Q-26.76	3
12-Q.69	3	C-10.60	12	R-11.17	3
13-H.91	3	C-11.64	10	R-27.32	3
14-P.45	3	E-6.96	5	S-10.01	<a href="#">8</a>
14-X.92	10	E-12.67	10	S-12.03	15
15-C.84	3	E-14.99	5	S-25.20	5
15-E.60	5	F-1.81	3	S-25.44	3
15-J.60	10	F-8.9	10	S-26.78	3
15-K.46	12	F-15.49	5	T-9.04	5
15-P.34	3	F-16.73	5	T-24.56	10



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

15-P.77	3	G-4.74	15	T-26.65	3
15-W.17	10	G-8.41	10	T-27.41	3
16-F.01	10	G-9.36	3	U-24.43	3
16-F.99	3	G-28.55	5	U-27.48	15
16-G.65	3	G-28.71	5	U-27.66	3
16-J.90	10	H-7.10	10	U-28.60	3
16-P.23	3	H-8.34	10	V-16.99	5
16-P.71	5	H-9.60	3	V-18.25	10
16-U.01	10	H.25-16.60	12	V-18.66	10
16-W.70	3	H.5-16.01	10	V-26.58	12
17.25-F.70	5	H.5-19.26	20	V-27.41	3
17.3-E.55	5	H.5-22.69	<a href="#">8</a>	V-29.15	5
18-P.11	12	H.5-23.35	10	W-16.76	3



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

19-W.46	10	H.5-24.05	5	W-27.48	3
19.75-S.36	3	J-10.51	3	W-29.38	3
20-A.31	5	J-22.50	<u>8</u>	X-9.65	10
20-I.21	10	J-27.02	12	X-12.71	3
21-F.71	10	J-27.15	3	X-28.14	5
22-E.70	10	J-27.87	3	X-29.61	5
23-I.27	5	K-9.61	10	Y-18.44	5
23-P.46	10	K-11.50	10	Y-26.55	5

### FEDERAL AID SECONDARY BRIDGES

County Number	Weight Limit	County Number	Weight Limit	County Number	Weight Limit
A.25-13.12	15	T-20.10	<u>8</u>	14-H.80	15
A-12.35	12	V-7.50	15	14-I.99	15
B-20.77	3	V-16.99	5	17-A.36	15





# Saline County Code of Ordinances

## Traffic and Motor Vehicles

D-15.45	15	W-26.20	15	17-A.53	3
I-3.73	15	X-18.20	3	17-U.10	15
I-5.88	12	X-23.30	5	17-V.30	10
I-7.65	15	X.25-17.60	5	17-W.90	15
I-11.83	<a href="#">8</a>	Old-40-21.65	15	18-E.80	15
I-12.80	15	Old-40-21.85	10	19.5-E.01	15
I-15.62	15	Old-40-28.60	10	21-G.68	15
I-15.99	10	Old-40-29.32	10	21-H.57	20
I-20.10	15	2-S.10	5	21-J.70	15
I-20.77	15	2-T.10	15	24-A.88	15
I-20.52	15	2-T.30	15	24-E.60	20
I-27.02	20	3-A.30	15	24-G.50	15
I-27.23	15	3-E.45	15	24-W.25	3



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

I-27.44	15	3-G.91	15	26-J.18	15
I-27.80	20	3-N.10	5	26-K.50	15
J-12.63	15	6-X.20	15	26-L.60	15
J-13.57	15	6-X.80	15	26-L.89	15
J-14.99	15	9-A.14	15	26-N.13	15
J-15.01	15	9-A.79	15	26-O.57	15
J-20.40	20	9-G.41	15	26-P.67	15
L-19.0	15	9-G.86	15	26-Q.15	15
L-20.38	20	9-K.84	10	27-I.01	15
L-24.60	20	9-U.10	20	27-U.10	15
L-26.44	15	13-I.85	20	27-U.30	15
L-26.54	15	13-P.40	15	27-V.00	20
P-14.10	15	13-P.90	15	27-W.40	3



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

P-16.30	15	13-Q.50	15	27-W.80	15
P-18.71	20	13-Q.80	15	27-X.50	20
T-11.10	15	13.5-B.78	20	28-A.55	15
T-11.50	15	13.5-C.99	5	28-D.59	<a href="#">8</a>
T-18.60	20	14-H.27	15	28-F.72	15

(Res. No. 975-A(Exh. A), 1-10-1984)

**State Law reference**— Vehicle weight, load, etc., K.S.A. 8-1901 et seq.; local regulation of weight limits, K.S.A. 8-1912.

### Sec. 18-3.5. - Speed limit and vehicle weight limit.

- a. For the purpose of this section a truck shall be defined as any vehicle used to transport persons or property with a registered vehicle weight of more than 16,000 pounds.
- b. The speed of truck traffic along the road described in this subsection is hereby limited to 45 miles per hour, and the interim county engineer is ordered and directed to erect on such road appropriate signs restricting the speed of truck traffic thereon to 45 miles per hour.

Starting at the northwest corner of section 34, township 14 south, range 2 west; thence easterly five miles to the northeast corner of section 32, township 14 south, range 1 west, more commonly known as Magnolia Road, from Simpson Road to Kipp Road.

- c. All truck traffic consisting of trucks having a gross vehicle weight of over 65,000 pounds is prohibited from operating on the road described in this section, and the interim county engineer is ordered and directed to erect appropriate signs restricting the operation of trucks on such road. Vehicles in excess of 65,000 pounds shall be permitted to make pickups or deliveries to premises located on such road and to premises on adjacent roads or side roads, if pickups and/or deliveries cannot otherwise be made without traveling on the road described in this section.

(Res. No. 1129, 11-24-87)

### Sec. 18-4. - Parking trucks, trailers, etc., on right-of-way.

It shall be unlawful for any person to use any public right-of-way in the unincorporated area of the county for parking of any truck (except pickup trucks), trailers, mobile homes, motor home or bus; provided, however, this section shall not apply to roads which are located in commercial or industrial areas and which are designed to accommodate onstreet parking; and if such truck is used for the transportation of livestock, gasoline or other flammable explosive or toxic



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

material the same shall not be parked at any time in any driveway or yard within 200 feet of any dwelling occupied by any person or family other than the person or family of the person owning or using the truck as a commercial vehicle. "Commercial and industrial areas" shall be defined as areas where more than 50 percent of the property abutting the street within the block outlined on the uniform road naming and property addressing system or plat of the area is used for commercial or industrial purposes. Violation of this section constitutes a class C misdemeanor.

(Res. No. 962, 8-23-83)

### Sec. 18-5. - No parking, stopping or standing area.

- a. The following described areas along county roads shall be designated no parking, stopping or standing areas for motor vehicles, whether mobile or not, and the county engineer is ordered and directed to erect on such county roads appropriate signs prohibiting parking, stopping or standing motor vehicles, whether mobile or not:
  - 1. Water Well Road from Ninth Street east one-half mile.
  - 2. Halstead Road from Armstrong Road one mile north to Stimmel Road.
  - 3. Berg Road from Ninth Street east two-fifths mile.
  - 4. Beginning at a point 3,245 feet west of the east side of [section 10](#), township 14 south, range 3 west, thence west 445 feet, both sides of the road.
  - 5. Beginning at a point 1,430 feet east of the west line of [section 5](#), township 14 south, range 2 west and continuing on eastward a distance of 935 feet, both sides of the road.
- b. Excepted herefrom shall be the use of this area by any driver faced with an emergency situation requiring the stopping of his motor vehicle, but in the emergency situation, the driver of the vehicle shall remove the vehicle from the area as soon as help can be obtained.
- c. Anyone convicted of being in violation of this section shall be subject to a penalty.

(Res. No. 566, 12-22-70; Res. No. 567, 12-22-70; Res. No. 1128, 11-24-87)

### Sec. 18-7. - Countywide truck-route system.

In accordance with K.S.A. 68-101, et seq., and K.S.A. 68-1901, et seq., the countywide truck-route system, which is more specifically described in exhibit "A", attached hereto, is deemed to be in the best interest of the county both as a safety measure and for economic reasons. Said truck route system is hereby adopted as the countywide truck-route system.

Violation of this order shall constitute a class C misdemeanor and any person convicted of such violation shall be punished as provided by law.

Saline County Truck Routes	
Road Description	Number of Miles
Hedville Road (State Street to county line)	8.0
Burma Road (State Street to county line)	16.0
Halstead Road (State Street to Interstate 70)	2.5



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

Centennial Road (Crawford to Cloud)	1.0
Centennial Road (North of Water Well Road)	0.5
State Street (Interstate 135 to Hedville Road)	6.0
State Street (Old 40 Highway to city limits)	0.6
W. Old 40 Highway (Interstate 135 to city limits)	1.6
W. Crawford Street (Highway 140 to city limits)	2.6
Water Well Road (Burma to Ohio)	5.0
Falun Road (Burma to Interstate 135)	3.5
Old Highway 81 (K-143 to county line)	2.8
Old Highway 81 (Schilling Road to Mentor Road)	3.0
Old Highway 81 (Assaria Road to Interstate 135)	4.0
Schilling Road (Old Highway 81 to Ohio Street)	1.0
N. Ohio Street (Old 40 Highway to Interstate 70)	1.8
S. Ohio Street (Water Well Road to Magnolia)	2.0
Old 40 Highway (city limits to Solomon)	11.3
N. Niles Road (Old 40 Highway to Interstate 70)	1.5
Country Club Road (city limits to county line)	10.5
E. Crawford Street (city limits to Simpson Road)	1.25
Magnolia Road (Ohio Street to Simpson Road)	3.0
Kipp Road (Country Club Road to K-4 Highway)	9.0



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

Simpson Road (Magnolia Road to Old 40 Highway)	<u>5.1</u>
Total:	103.55 miles

AVERAGE DAILY TRAFFIC COUNT FOR TRUCK ROUTES November 1992		
1.	S. Ohio Street—Magnolia south to city limits	6,060
2.	State Street—Interstate 135 to city limits	5,607
3.	S. Ohio Street—city limits south to Schilling Road	3,858
4.	N. Ohio Street—Interstate 70 to Old U.S. 40	3,689
5.	Old U.S. 81 south—Schilling Road to Mentor Road	3,650
6.	Old U.S. 40 west—Broadway to State Street	2,940
7.	Old U.S. 40 east—Ohio Street to Niles Road	2,610
<u>8.</u>	Magnolia—S. Ohio to Markley Road	2,349
9.	W. Crawford Street—Old U.S. 40 to Interstate 135	1,974



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

AVERAGE DAILY TRAFFIC COUNT FOR TRUCK ROUTES  
November 1992

10.	N. Old U.S. 81—Shipton Road to county line north	1,954
11.	Magnolia—Markley Road to Simpson Road	1,917
12.	S. Ohio—Schilling Road to Water Well Road	1,842
<a href="#">13.</a>	Old U.S. 40 east—Niles Road to Solomon	1,774
14.	Water Well Road—S. Ohio to Old U.S. 81	1,750
15.	Country Club Road—Holmes Road to Simpson Road	1,740
16.	State Street—Burma Road to Old U.S. 40 west	1,506
17.	Simpson—Magnolia Road to Country Club Road	1,473
18.	Country Club Road—Simpson Road to county line	1,455
<a href="#">19.</a>	Water Well Road—S. Old U.S. 81 to Burma Road	1,179





# Saline County Code of Ordinances

## Traffic and Motor Vehicles

AVERAGE DAILY TRAFFIC COUNT FOR TRUCK ROUTES November 1992		
20.	S. Old U.S. 81—Assaria Road to Bridgeport	1,177
21.	State St—Hedville Road to Burma Road	907
22.	Burma Road—Crawford Street to Water Well Road	816
23.	Halstead Road—Interstate 70 to State Street	733
24.	Kipp Road—Country Club Road to K4 Highway	723
25.	Burma Road—Water Well Road to county line south	629
26.	Hedville Road—State Street to county line north	508

(Res. No. 93-1367, 4-28-93)

### Sec. 18-8. - Traffic-control signs.

The board of county commissioners has a duty to place and maintain those traffic-control devices upon highways under construction and within its jurisdiction which it deems necessary to carry out the provisions of K.S.A. [ch. 8](#), art. 20 (K.S.A. 8-2001 et seq.), the Uniform Act Regulating Traffic, and herein called the "Act."

The board has completed a study to establish and locate traffic-control devices which they deem necessary to carry out the provisions of the Act or to regulate, warn and guide traffic in the interests of public safety.

The county engineer is hereby directed to erect and maintain the signs necessary to implement the provisions of Resolution No. 1234, and that the regulations established and adopted by said traffic-control devices shall supersede



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

all previous regulations and resolutions while said construction is underway. Traffic-control devices shall be effective forthwith upon their erection.

(Res. No. 1234, 8-14-90)

### Sec. 18-21. - Enforcement.

- a. Any and all traffic control devices erected and maintained by the board of county commissioners shall remain in full force and effect as of the date installed. No further action on the part of the board of county commissioners shall be required to enforce the traffic control devices erected and maintained pursuant to K.S.A. 8-2001 et seq.
- b. Violation of this section shall be punishable in accordance with the traffic laws of the state and county; and, any person convicted of such violation shall be punished as provided for by law.

(Res. No. 1258, 4-16-91)

### Sec. 18-22. - Signing control.

- a. The purpose of this section is to provide safety to the traveling public on both urban and rural roads, maintained under the jurisdiction of the county highway department.
- b. The Manual on Uniform Traffic Control Devices (MUTCD) is recognized by the county and the guidelines should be followed to provide uniformity in signing. The Handbook of Traffic Control Practices for Low Volume Rural Roads (LVR) should also be used by the county to assist and supplement the MUTCD on low volume roads.
- c. A county employee shall be designated to fill the position of traffic control sign person. The sign person may be called 24 hours a day, seven days a week. If, for any reason, this person is not available, the county maintenance superintendent or his designee shall serve as the temporary sign person.
- d. County employees shall make every effort to take immediate action on any information received, verbally or in writing, involving a regulatory or warning sign, which is missing or has been destroyed. In the event any sign has been removed or destroyed, the sign person shall take all reasonable action to repair or replace the sign or warning device, and remove any unduly dangerous condition.
- e. An inspection shall be made of all barricades and other temporary signs or warning devices used in closing a public road or bridge on a weekly basis.
- f. *Signing control (Policy No. 312788).*
  1. The purpose of this policy is to provide safety to the traveling public on both urban and rural roads maintained under the jurisdiction of the county highway department.
  2. The Manual on Uniform Traffic-control devices (MUTCD) is recognized by Saline County and the guidelines should be followed to provide uniformity in signing. The Handbook of Traffic Control Practices for Low Volume Rural Roads (LVR) should also be used by Saline County to assist and supplement the MUTCD on low-volume roads.
  3. A county employee shall be designated to fill the position of traffic control sign person. The sign person may be called 24 hours a day, seven days a week. If, for any reason, this person is not available, the county maintenance superintendent or his designee shall serve as the temporary sign person.
  4. County employees shall make every effort to take immediate action on any information received, verbally or in writing, involving a regulatory or warning sign which is missing or has been destroyed. In the event any sign has been removed or destroyed, the sign person shall take all reasonable action to repair or replace the sign or warning device, and remove any unduly dangerous condition.



# Saline County Code of Ordinances

## Traffic and Motor Vehicles

5. An inspection shall be made of all barricades and other temporary signs or warning devices used in closing a public road or bridge on a weekly basis.

(Res. No. 04-1848, 12-7-04)



# Saline County Code of Ordinances

## Vegetation

### Sec. 19-1. - Tree trimming or cutting.

- a. Before any trees are trimmed or cut the landowner must be notified. If the landowner wants the wood, he should be informed that once we leave the area, the county employees are not responsible for who might pick the wood up.  
Anyone who stops and asks if it is OK to pick up wood should be informed if the landowner wants the wood himself and given the name of the landowner. It will be the responsibility of the person requesting permission to pick up the wood to contact the landowner.
- b. County employees who wish to pick up wood may do so before or after regular working hours, however, at no time will personal vehicles be taken to the job site and wood loaded during regular working hours. Employees who want to take vacation or personal leave may pick up wood anytime.
- c. Citizens or employees who wish to pick up wood while we are cutting should be one-eighth mile from the work area.

(Res. No. 04-1846 (Policy No. 1-2588), 12-7-04)

### Sec. 19-2. - Removal of volunteer trees.

- a. Before any volunteer trees can be removed from the county right-of-way for transplanting, etc., the interested party shall submit to the county written permission from the adjoining property owner.
- b. Each hole shall be properly backfilled after the removal of any volunteer tree.
- c. The county reserves the right to approve or deny any request made.

### Sec. 19-3. - *Sericea lespedeza*.

Effective March 21, 1995, *sericea lespedeza* (*Lespedeza cuneata* [Dumont] G. Don) is declared a noxious weed within the boundaries of the county.

(Res. No. 95-1428, 3-21-95)