

**BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 06-070

A RESOLUTION AMENDING ARTICLE 26, SECTIONS 26-4.01 AND 26-4.04 OF THE FRANKLIN COUNTY ZONING REGULATIONS FOR THE UNINCORPORATED AREAS OF THE COUNTY AS PROVIDED IN K.S.A. 12-757

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to Kansas Statutes K.S.A. 19-101; and

WHEREAS, the Franklin County Board of County Commissioners did by Resolution #23-91 create the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS, the Franklin County Board of County Commissioners did adopt an update of the Zoning Regulations of Franklin County, Kansas on August 4, 2002 as provided in K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission published a notice on September 27th, 2006, that a public hearing would be held to consider said revision of the Franklin County, Kansas Zoning Regulations, as required by K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission did, on October 19th, 2006, hold a Public Hearing for the consideration of adopting an amendment to the County Zoning Regulations as prescribed by K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission has reviewed in detail the Amendment to Article 26, Sections 26-4.01 and 26-4.04; and

WHEREAS, after due consideration of all written reports and testimony, the Planning Commission, by unanimous vote of those members present, finds such Amendment to the County Zoning Regulations to be in the public interest and necessary to promote the health, safety, convenience, prosperity and general welfare of the citizens of Franklin County, Kansas; and

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners does hereby approve the adoption of an Amendment to the County Zoning Regulations as follows:

Section 26-4 Penalties for Violations: Actions for Enforcement

26-4.01 Any person, company, corporation, institution, municipality or agency of the State of Kansas who violates any provision of Franklin County Kansas Zoning Regulations shall be guilty of a Class "B" Misdemeanor and upon conviction shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or imprisonment in the County Jail for a period not to exceed six (6) months, or both. Each day shall be considered a separate and continuing Violations.

26-4.04 Any person, company, corporation, institution, municipality or agency of the State of Kansas who violates any provision of any regulation relating to floodplain zoning effective under Article 16, shall be guilty of a Class "B" Misdemeanor and upon conviction shall be punishable by a fine not to exceed five hundred dollars (\$500.00), or imprisonment in the County Jail for a period not to exceed six (6) months, or both. Each day shall be considered a separate and continuing Violation.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 8th day of November 2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1

/s/ John E. Taylor
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

Voted "no"
Donald C. Hay
Commissioner District 4

/s/ Donald R. Stottlemire
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 8th day of November 2006.

/s/ Shari Perry
Shari Perry
County Clerk