

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

RESOLUTION NO. 06-075

A RESOLUTION RESTRICTING THE ISSUANCE OF BUILDING PERMITS ON MINIMUM MAINTENANCE ROADS

WHEREAS, K.S.A. 19-101 provides that a County may exercise the powers of home rule to determine its local affairs and government authorization under the provisions of K.S.A. 19-101a; and

WHEREAS, the County desires to amend their policy in regard to the issuance of building permits for non-agricultural structures on minimum maintenance roads and this is a permissible exercise of home rule power, pursuant to K.S.A. 19-101a; and

WHEREAS, the Board of County Commissioners finds that direct access from a County or State maintained road or highway system for non-agricultural development is necessary to provide required services and to protect and promote the public health, safety and general welfare of the residents of Franklin County, Kansas.

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners hereby directs that no building permit shall be issued for the construction of a non-agricultural structure located on a minimum maintenance road. A structure shall be deemed to be located on a minimum maintenance road if the structure has no direct access to a full maintenance road other than by traveling on a minimum maintenance road. Prior to a building permit being issued, the landowner shall, in accordance with Franklin County Resolution 05-81, make a written request for an upgrade of the minimum maintenance road to a full maintenance road and receive approval for the upgrade of the minimum maintenance road.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 6th day of December 2006.

/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

Donald C. Hay
Commissioner District 4

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

Received and recorded this the 6th day of December 2006.

Shari Perry

/s/ Shari Perry

County Clerk