

ORDINANCE 4780

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE XXV OF THE LINDSBORG MUNICIPAL CODE RELATING TO IRRIGATION SYSTEMS IN THE PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF LINDSBORG, KANSAS.

Be It Ordained by the Governing Body of the City of Lindsborg, Kansas that Chapter 50, Article XXV is modified by adding a new section 50-888 as follows:

Section 1. Section 50-888. Lawn sprinkler / irrigation systems within the public right-of-way. Lawn sprinkler / irrigation systems within the public right-of-way must be approved and permitted by the City of Lindsborg before being installed. This permit process is not intended to in any way approve or warrant the irrigation system installed. The following conditions are required for approval:

1. It is understood that the public right-of-way is reserved for the placement of utilities as well as public movement.
2. All contractors (including homeowners) working in the public right-of-way shall possess a valid Permit in addition to any applicable plumbing license. Permits may be obtained from the Public Works Department at 202 E. Lincoln, 785-227-3428.
3. Except in the case of emergency repair work, the City of Lindsborg shall give a minimum of two days' notice of impending work in the public right-of-way. During such time, the owner of an irrigation system must flag all sprinkler heads, or remove them if they so choose. If, during the installation or repair of any utility, sidewalk or other public improvement it results in damage to an irrigation system located in the public right-of-way, the owner of said system shall bear all responsibility and costs associated with its repair.
4. Should a private irrigation system become obsolete, nonfunctional, poorly maintained, protruding from grade, in violation of this policy or some other such problem cited by the City, then in that event, the City may require repair or removal of all or a portion of such system within 30 days of written notice from the City to do so. If the owner fails to so repair or remove, then after two such written notices to the owner, the City may cause removal of the system at the owner's expense, and may file a lien against the property for all costs involved.

Section 2. All prior ordinances or parts thereof in conflict herewith are hereby repealed as to the conflicting portion only.

Section 3. Summary of ordinance for publication. This ordinance shall be published by the following summary:

Ordinance No. 4780 Summary

On November 5, 2012, the City of Lindsborg, Kansas, passed Ordinance No. 4780. The ordinance adds Section 50-888 to the Lindsborg Municipal Code providing for the regulation of Irrigation Systems in the Public Right-of-Way. A complete copy of the ordinance is available at www.lindsborgcity.org or in the

office of the city clerk, 101 S. Main Street, free of charge. This summary is certified by the city attorney to be legal, accurate and sufficient.

Section 4. **Effective Date.** This ordinance shall be in full force and effect from and after its adoption and publication by summary once in the official city newspaper. Passed and approved by the Governing Body of the City of Lindsborg, Kansas this 5th day of November, 2012.


Judy Neuschaefer, Mayor

ATTEST


Jerry Lovett-Sperling, MMC
City Clerk