

ORDINANCE NO. 3812

AN ORDINANCE ADOPTING A HISTORIC RESOURCES PRESERVATION ORDINANCE BY REFERENCE FOR THE CITY OF DODGE CITY, KANSAS; ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF; AND REPEALING AND REPLACING ALL OTHER ORDINANCES AND PROVISIONS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, Historic Preservation is fundamental to tourism and economic development in the City of Dodge City; and

WHEREAS, the City of Dodge City has had an Historic Landmarks Commission and procedures for nominating and preserving structures, places, and districts to local, state, and national historic registers since 1967; and

WHEREAS, state and federal guidelines have evolved since the original 1967 ordinance;

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

SECTION 1: ADOPTION AND INCORPORATION OF HISTORIC RESOURCES PRESERVATION ORDINANCE.

There is hereby adopted and incorporated by reference for the purpose of identifying, preserving, and regulating changes to historic structures, places, and districts within the City of Dodge City, and providing for the administration and enforcement thereof a Historic Resources Preservation Ordinance developed and published by the Dodge City Development Services Department, dated July, 2024. Such Historic Resources Preservation Ordinance is hereby made as part of the ordinance and code of the City as if the same had been set in full herein, all as authorized and in the manner proscribed by K.S.A. 12-3009 through 12-3012, and K.S.A. 12-3301 through 12-3302, including any amendments thereto. No fewer than three copies of said Historic Resources Preservation Ordinance shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours of City Business.

SECTION 2: STATUTORY AUTHORITY.

The Historic Resources Preservation Ordinance is established by the Home Rule authority of the City as granted by the Kansas State Constitution

SECTION 3: PENALITIES.

ANY violation of any provision of the Historic Resources Preservation Ordinance shall be a misdemeanor and punishable by a fine not to exceed Four Hundred and Ninety-Nine Dollars (\$499.00) and/or by imprisonment for not more than One Hundred Eighty (180) days. Each day of violation after notification shall constitute a separate offense. Nothing contained herein shall prevent the City from taking such other lawful actions as necessary to prevent, abate, or remedy any violation.

SECTION 4: REPEAL.

Adoption of this Historic Resources Preservation Ordinance hereby repeals the City of Dodge City Ordinance NO. 3598, and repeals all other ordinances or provisions of ordinances in conflict herewith to the extent of conflict only.

SECTION 5: ACCRUED RIGHTS AND LIABILITIES SAVED.

The repeal of previously existing ordinance, and provisions of ordinances provided by Section 4 above shall not affect any rights accrued, nor fines penalties, forfeitures, or liabilities incurred thereunder, nor actions involving any of the provisions of said ordinances. Said repealed ordinances and provisions of ordinances are hereby continued in force and effect, for the purpose of such rights, fines, penalties, forfeitures, liabilities or actions thereof.

SECTION 6: SEVERABILITY.

If any section, provision, sentence, clause, or phrase of this Historic Resources Preservation Ordinance, or if its application in a specific instance is found to be invalid, the remainder of such ordinance and its application shall remain in full force and effect.

SECTION 7: EFFECTIVE DATE.

This Historic Resources Ordinance shall take effect from and following its publication in the official city newspaper as provided by law.

**PASSED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS IN
REGULAR SESSION, AND APPROVED BY THE MAYOR, THIS FIRST DAY OF
JULY, 2024.**

CHUCK TAYLOR, MAYOR

ATTEST:

CONNIE MARQUEZ, CITY CLERK