

RESOLUTION NO. 1173

A RESOLUTION PROVIDING FOR
THE ADOPTION OF THE ATCHISON COUNTY
ENVIRONMENTAL/SANITARY CODES

WHEREAS, the Board of County Commissioners of Atchison County, Kansas, finds that provisions for adequate and reasonable control over the environmental conditions in unincorporated areas of the County of Atchison are necessary; and

WHEREAS, the adoption of environmental/sanitary codes is for the purpose of eliminating and preventing the development of environmental conditions which are hazardous to the public health, well being, comfort and safety of the inhabitants of Atchison County is necessary in order to promote the economical and orderly development of the land and water resources of the county; and,

WHEREAS, the purpose of the Atchison County Codes are to prescribe the procedures to be followed in administering said Code and any amendments thereto; to prescribe rules and regulations to minimize health and safety hazards in the environment; and to establish administrative procedures to facilitate fair and equitable regulations while at the same time recognizing the rights of affected persons to receive reasonable and prompt processing of applications and to appeal administrative decisions; and,

WHEREAS, the provisions of the codes are for the further purpose of regulating the development, maintenance and use of private or semipublic water supplies and regulating the location, construction, maintenance, and use of septic systems, alternative waste water disposal systems or privies, and the removal and disposal of materials from such facilities in order that the public health and welfare will be protected and the contamination and pollution of water resources of the county will be prevented; and,

WHEREAS, the codes shall apply to and be in effect for all areas of Atchison County, Kansas, except for incorporated cities, any premises under one ownership which exceeds ten (10) acres in area and which is used only for agricultural purposes as defined in K.S.A. 19-3706 and Indian Reservation land; and,

WHEREAS, said Environmental/Sanitary Codes were drafted pursuant to the provisions of K.S.A. 19-3701, et. seq and pursuant to the regulations and at the direction of the Kansas Department of Health and Environment; and,

WHEREAS, the codes were submitted to the Kansas Secretary of Health and Environment for review and approval; and,

WHEREAS, pursuant to K.S.A. 19-3704, notice of a public hearing was published in the official county paper, The Atchison Daily Globe, on September 2, 1998, September 9, 1998, and September 16, 1998 and a public hearing was held by the Board of County Commissioners on September 27, 1998; and,

WHEREAS, at the close of said public hearing, the Board of County Commissioners voted to approve the adoption of the Environmental/Sanitary Codes as presented.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Atchison County, Kansas, that the Atchison County Environmental/Sanitary Codes approved on September 27, 1998, public hearing, to consider the same are hereby adopted by the Board of County Commissioners.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Atchison County, Kansas, that copies of said Environmental/Sanitary Codes and the Atchison County Environmental Fee Schedule shall be available for public inspection at the Atchison County Home Health Department, the Atchison County Clerk's Office, and the Atchison County Zoning Office.

BE IT FURTHER RESOLVED that any and all amendments to said Environmental/Sanitary Codes shall be made pursuant to the provisions of K.S.A. 19-3705.

BE IT FURTHER RESOLVED, pursuant to K.S.A. 19-3703, that the administration of said Environmental/Sanitary Codes shall be by the Atchison County Health Department/Home Health.

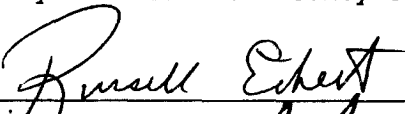
BE IT FURTHER RESOLVED, that the fees to be charged in the administration of said codes and for the filing of applications for permits and licenses shall be as follows:

Wastewater Disposal System, \$100; Private Water Wells, \$25; Wastewater Installer License, \$50; Wastewater Hauler License, \$25;


BE IT FURTHER RESOLVED, that any and all violations of the Environmental/Sanitary Codes shall be deemed to be a misdemeanor and punishable by a fine not to exceed \$200 for each offense, and each day's violation shall constitute a separate offense.

BE IT FURTHER RESOLVED that the Atchison County Environmental/Sanitary Codes shall take effect September 28th 1998.

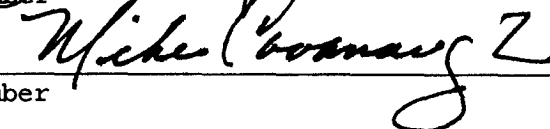
APPROVED October 14, 1998, by the Board of County Commissioners of Atchison County, Kansas.



Chairman

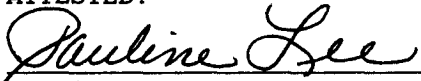


Member



Member

ATTESTED:



Pauline Lee, County Clerk
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