**ORDINANCE NO. \_\_\_\_\_\_\_\_\_**

 **AN ORDINANCE AMENDING THE LA HARPE CITY CODE BY ENACTING A NEW Section 8-408 OF CHAPTER VIII RELATING TO CLASSIFYING A PROPERTY AS A HAY CROP PROPERTY.**

 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAHARPE, KANSAS:**

**Section 1**: Chapter VIII of the LaHarpe City Code is hereby amended by adding a new Section 8-408 to read as follows:

**8-408. HAY CROP**. (a) The Owner or the Owner’s agent in charge of a Property within the La Harpe City Limits may apply to the City Clerk on an application form provided by the City for the Property to be designated for the current year as a Hay Crop Property.

(b) Applications for Hay Crop Property designations must be filed before April 20 each year: No applications will be considered after this date.

(c) The application will be reviewed and approved by the Code Enforcement Officer or the Governing Body.

(d) If the application is approved, the following conditions must be complied with:

(1) The outside 10-foot perimeter of the Property must be mowed and maintained as any other property within the City Limits. (No grass or vegetation more than 12 inches in height.)

(2) No grass or vegetation on the Property may exceed 36 inches in height.

(3) The grass or vegetation on the Property must be baled at least twice and all bales removed within the Hay Crop Property time period described in Paragraph (d)(4) below.

(4) The Hay Crop Property designation is applicable only from April 20 through September 30 of each year. The Property must be maintained in compliance with City Code regulations at all other times.

(e) Failure to comply with the criteria will result in the following;

(a) The Owner or the Owner’s agent in charge of the Property will be served Notice that the Property is in violation by either personal service or by restricted mail. If the Owner or the Owner’s agent in charge of the Property cannot be served in the above manner, service may be made by publishing Notice one time in the official City newspaper.

(2) The Owner or the Owner’s agent in charge of the Property shall have 10 days from receipt of Notice, or from the date of publication of the Notice, to remedy the violation.

(3) The Owner or the Owner’s agent in charge of the Property may request a hearing before the Governing Body within five (5) days of receipt of the Notice or the date of publication of the Notice. The request shall be in writing and delivered to the City Clerk.

(4) If the Owner or the Owner’s agent in charge of the Property does not remedy the violation within the time period prescribed, the City, or its authorized agent, may enter onto the Property to remedy the violation and the City shall bill the costs thereof, including an administrative fee of $85.00, to the Owner of the property.

(5) If the Owner the Property does not timely pay the billing for the costs and administrative fee, the City shall file the costs and fee against the Property as a special tax assessment.

(6) Any Owner who fails to correct a violation after Notice is given shall not be eligible for a Hay Crop Property designation for the following one (1) year.