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**ORDINANCE NO. 1875**

**AN ORDINANCE AMENDING PRIVATE PROPERTY, BUILDING DEMOLITION, CHAPTER 4, ARTICLE VIII, SECTION 4-803, OF THE CODE OF THE CITY OF HERINGTON, KANSAS RELATING TO REGULATION AND ADMINISTRATION OF PROPERTY DEMOLITION IN THE CITY OF HERINGTON, KANSAS AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

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

**SECTION 1.** That Chapter 4, Article VIII, Section 4-803, be amended to read as follows:

**Sec. 4-803. - Bond.**

No permit to wreck, dismantle, or tear down any house, building or other structure shall be issued or granted until the owner or owners shall have filed with the City Clerk a bond in in the following categories shall be posted in advance by any applicant for permit:

1. A fifteen thousand dollar (\$15,000.00) bond, providing necessary assurance as specified herein, shall be maintained for any proposed demolition of 600 square feet or more for residential accessory structures and residential dwellings.
2. A twenty-five thousand dollar (\$25,000.00) bond, providing necessary assurance as specified herein, shall be maintained for any application for any proposed demolition of commercial, industrial, mercantile, church, or public structures.
3. Any applicant or contractor undertaking the proposed demolition covered by this ordinance and requiring a permit hereunder, shall be required to furnish

public liability insurance in the amount of not less than five hundred thousand dollars (\$500,000.00 or in lieu of bond.

4. No permit, bond, or attendant insurance imposed under this ordinance shall be required for any demolition contemplated for a proposed project involving a scope of work on a structure with no utilities and sewer service **under** a total square footage of six hundred (600) feet.

All bonds posted bond shall be signed by not less than two sureties to be approved by the City Manager or until, in the alternative, the owner or owners shall have paid to the City Clerk a cash deposit in an amount fixed by the City Manager. The bond or cash deposit shall be for protection of the city, the public, and adjacent lot owners and shall be to secure the payment of all damages of any kind or nature arising from the operations of wrecking, dismantling, or tearing down of the house, building, or other structure and to secure the strict compliance of the owner or owners and the person, firm, or corporation assisting in such operations with the provisions of this article regulating the wrecking, dismantling or tearing down of such house, building or other structure. A public liability insurance policy, issued by an insurance company authorized to do business in the State of Kansas, and conforming to this section may be permitted in lieu of bond.

**SECTION 2.** Existing Article VIII of Chapter 4, Section 4-803 is hereby repealed. All other sections of Chapter 4, Article VIII, shall remain in full force and effect.

**SECTION 3.** This ordinance shall become effective and in full force from and after its passage, adoption and publication one time in the official city newspaper, Dickinson County News - Times.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
ERIC GARES, MAYOR

ATTEST:

\_\_\_\_\_  
MEGAN LAWRENZ  
CITY CLERK

SEAL: