


ARTICLE 12. SEVERABILITY AND EFFECTIVE DATE

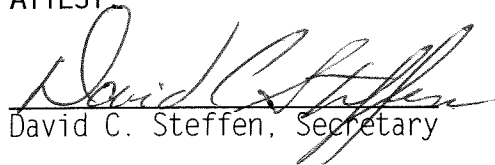
100 Severability. If any provisions of these regulations are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, then such provisions shall be considered separately and apart from the remaining provisions of these regulations, so as to be completely severable and the remaining provisions of these regulations shall remain in full force and effect.

101 Effective Date. These regulations shall be in full force and effect from and after their adoption by the Planning Commission, approval by the Governing Body by an ordinance incorporating these regulations by reference as a model code in book form and publication of such ordinance in the official city newspaper.

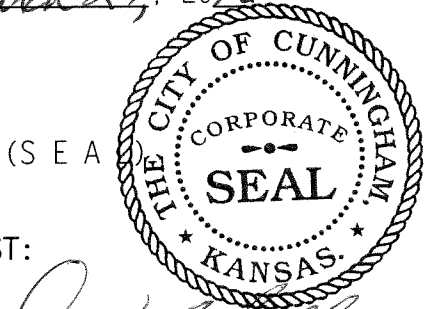
ADOPTED by the Cunningham City Planning Commission on March 19, 2010.

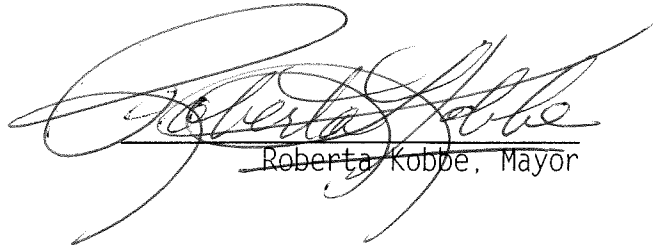

Mike McGovney, Chairperson

ATTEST:



David C. Steffen, Secretary

APPROVED and ADOPTED by the City Council of the City of Cunningham, Kansas on March 29, 2010




Roberta Kobbe, Mayor

ATTEST:


David C. Steffen, City Clerk

(Adopted by Ordinance No. 601 by the City Council of the City of Cunningham, Kansas on March 19, 2010, officially published in The Cunningham Courier on April 2, 2010 and effective on April 2, 2010.)

(Published once in The Cunningham Courier on Friday, April 2, 2010)

ORDINANCE NO. 601

AN ORDINANCE ENACTED APPROVING AND INCORPORATING BY REFERENCE CERTAIN ZONING REGULATIONS COVERING THE USE OF LAND AND THE LOCATION OF BUILDINGS WITHIN THE CITY OF CUNNINGHAM, KANSAS, AS PREPARED AND PUBLISHED AS A MODEL CODE IN BOOK FORM BY THE CUNNINGHAM CITY PLANNING COMMISSION PURSUANT TO K.S.A. 12-741 ET SEQ., AS AMENDED, 12-736, 12-3009 TO 12-3012 INCLUSIVE, 12-3301 AND 12-3302; ESTABLISHING ZONING DISTRICT BOUNDARIES AND THE CLASSIFICATIONS OF SUCH DISTRICTS; ADOPTING BY REFERENCE AN OFFICIAL MAP OF ZONING DISTRICTS; DEFINING CERTAIN TERMS USED IN SAID REGULATIONS; REGULATING THE MAXIMUM DIMENSIONS OF BUILDINGS AND OTHER STRUCTURES THROUGH BULK REGULATIONS AND LOT AREAS; REGULATING THE LOCATION AND SIZE OF SIGNS; PROVIDING FOR AND REGULATING VEHICULAR PARKING SPACE; ESTABLISHING THE BOARD OF ZONING APPEALS AND PRESCRIBING ITS DUTIES; PROVIDING FOR THE APPOINTMENT OF A ZONING ADMINISTRATOR AND PRESCRIBING HIS OR HER DUTIES; PROVIDING FOR FEES TO BE CHARGED FOR AMENDMENTS, SPECIAL USES, APPEALS AND PERMITS; ESTABLISHING A MEANS FOR AMENDING SAID REGULATIONS, MAP AND ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF ITS PROVISIONS AND A MEANS OF ENFORCEMENT; AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. Adoption: Zoning regulations are hereby approved and adopted by the Governing Body of the City of Cunningham, Kansas, as prepared and published as a model code in book form by the Cunningham City Planning Commission with the technical assistance of Foster & Associates, Planning Consultants of Wichita, Kansas, and the City Zoning Administrator under the date of March 19, 2010 and entitled "Zoning Regulations of the City of Cunningham, Kansas" and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. Official Maps: There are further herein incorporated by reference and adopted an Official Zoning Map dated March 19, 2010, delineating the boundaries of zoning districts and classification of such districts, which map shall be marked "Official copy of zoning district map incorporated into zoning regulations by adoption of Ordinance No. 601 by the Governing Body of the City of Cunningham on the 29th day of March, 2010" and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 3. Public Hearing: The advertised public hearing required by Kansas law was duly held on March 19, 2010 by the Cunningham City Planning Commission, and a discussion of said Zoning Regulations and map was had at the hearing; and the Zoning Regulations and map in model code form herein adopted are a true and correct copy of those regulations as adopted by the Planning Commission.

Section 4. Jurisdiction: From the effective date of this Ordinance, the Zoning Regulations and Official Zoning Map herein incorporated by reference shall govern all use of the

land and the location of buildings and other structures placed within the City of Cunningham, Kansas.

Section 5. Official Copies: Not less than three copies of the Zoning Regulations in book form marked "Official Copy as incorporated by Ordinance No. 601" and to which there shall be a published copy of this Ordinance attached, shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

Section 6. Invalidity of a Part: Any provisions of this Ordinance which shall be declared by a competent court to be unconstitutional or invalid shall not affect the validity and authority of the other sections of said Ordinance.

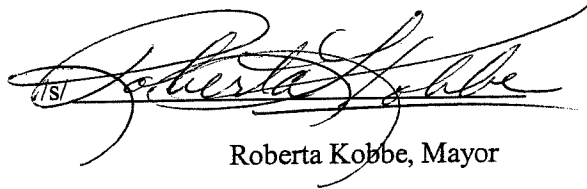
Section 7. Repeal: Any other ordinance or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 8. Effective Date: This Ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

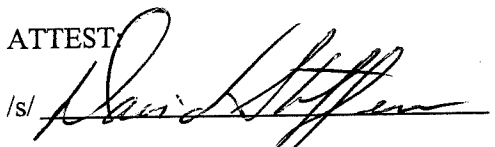
PASSED by the City Council of the City of Cunningham, Kansas, this 29th day of March, 2010.

APPROVED by the Mayor this 29th day of March, 2010.

(SEAL)


Roberta Kobbe, Mayor

ATTEST


David Steffen, City Clerk

APPROVED AS TO FORM ONLY:

/s/ _____
Curtis E. Watkins, City Attorney