

Ord 69

CONCURRENT RESOLUTION AND ORDINANCE
FOR DEVELOPING A COMPREHENSIVE
PLANNING STUDY IN BUTLER
COUNTY KANSAS

Pub. Notice

repealed
by Ord #
150

By concurrent resolution duly, and regularly adopted by the Board of County Commissioners of BUTLER COUNTY, KANSAS, and by ordinance duly passed and adopted by the Governing Body of the Incorporated City of Andover, Kansas, it is HEREBY AGREED, RESOLVED, ORDAINED, AND ORDERED:

WHEREAS, pursuant to the provisions of Section 12-716 to 12-721 inclusive, 1935 and 1961 Supp., G.S. Kansas, 1949, any two or more Counties and Cities having adjoining planning jurisdictions may jointly cooperate in the exercise and performance of the planning powers, duties and functions, as provided by law, and may establish a joint or Regional Planning Board for the regional area comprising the area coterminous with the areas of planning jurisdiction of said Counties and Cities, cooperating jointly, and,

WHEREAS, the Board of County Commissioners of BUTLER COUNTY, KANSAS, on December 6, 1966, did by Resolution create the BUTLER COUNTY PLANNING BOARD for the purpose of developing a County-wide Comprehensive Plan, including comprehensive social and water studies, and

WHEREAS, the Governing Body of the City of Andover, Kansas, on The 11th of Feb., 1967, duly passed and adopted Ordinance Number 69 of said City, authorizing said City to join and cooperate with BUTLER County, Kansas, and the other cities herein named in the development of such joint County and Comprehensive Plan, and,

Whereas, the County of BUTLER, Kansas, and the cities of ANDOVER, BENTON, CASSODAY, DOUGLASS, ELBING, LATHAM, LEON, POTWIN, ROSE HILL, TOWANDA, AND WHITEWATER, in the State of Kansas, comprise a regional area and this said regional area requires a plan or plans that will guide the unified development of the area, that will eliminate planning duplication, and promote economy and efficiency in the co-ordinated development of the area and the general welfare and prosperity of its people. Such plan is to include, but shall not be limited to, recommendations for coordinated land use, coordinated regulatory controls, including but not limited to, Zoning, and Subdivision Regulations; principal highways, bridges, airports, parks and recreation areas; schools and public institutions; elimination and prevention of blighted conditions; public utilities and public works programs; including Financial studies and Capital Improvements Programming.

NOW, THEREFORE, IT IS HEREBY FURTHER AGREED, RESOLVED, ORDAINED, AND ORDERED AS FOLLOWS:

SECTION 1. DEFINITION OF REGION. All territory in Butler County, Kansas and in the Cities of ANDOVER, BENTON, CASSODAY, DOUGLASS, ELBING, LATHAM, LEON, POTWIN, ROSE HILL, TOWANDA, AND WHITEWATER in the State of Kansas, are hereby designated as the Regional Planning Area.

SECTION 2. POWERS. Nothing in this agreement shall be construed to remove or limit, the powers of the co-operating cities and county as provided by State Law, ALL LEGISLATIVE POWER WITH RESPECT TO ZONING AND OTHER PLANNING LEGISLATION SHALL RESTAINT WITH THE GOVERNING BODY OF THE CO-OPERATING CITIES AND COUNTY. Nothing herein shall be construed as being mandatory in the adoption of any plans, reports, ordinances, and regulations which will be developed and recommended as part of the comprehensive planning study.

SECTION 3. PAYMENT OF COSTS AND EXPENSES. The costs and expenses of the preparation of the various plans and implementation procedures shall be defrayed ~~in part by the County of BUTLER, Kansas, and in part by the cooperating Communities~~ ~~in part by the County of BUTLER, Kansas, and in part by the cooperating Communities~~

SECTION 4. ADDITION OF OTHER PUBLIC BODIES. Other public bodies, not parties to this resolution and agreement may be included herein as provided by law, should future planning requirements necessitate their inclusion.

SECTION 5. SEPARABILITY. If any one or more of the provisions of this concurrent Resolution and Agreement is declared unconstitutional or contrary to law, the validity of the remainder of the Resolution and Agreement shall not be affected thereby.

SECTION 6. EFFECTIVE DATE. This Resolution and Agreement shall become effective when passed, approved, and adopted by the Board of County Commissioners of BUTLER County, Kansas and the Governing Bodies of the Cities of ANDOVER, BENTON, CASSODAY, DOUGLASS, ELBING, LATHAM, LEON, POTWIN, ROSE HILL, TOWANDA, AND WHITENATER, Kansas.

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Adopted and passed as Ordinance Number 69 by the Governing Body of the City of Andover, Kansas, and approved by the Mayor this 11th day of February, 1967.

ATTEST (Seal.)

Reba E. May
City Clerk

THE CITY OF Feb 11, KANSAS

Vol. Babie
Mayor