

**CITY OF SHAWNEE**  
**ORDINANCE NO. 3346**

**AN ORDINANCE AMENDING CHAPTER 8.28 OF THE SHAWNEE  
MUNICIPAL CODE REGARDING REGULATION OF INFECTED OR  
DISEASED TREES.**

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE  
CITY OF SHAWNEE, KANSAS:**

**PARAGRAPH 1.** Chapter 8.28, Section 8.28.010, of the Shawnee Municipal Code is hereby amended to read as follows:

8.28.010 - Infected, infested—Removal or treatment required.

Whenever the director of the department of community development, hereinafter referred to as the director, or his or her authorized representative shall determine that trees or tree materials or shrubs located within the city are infected or infested with or harbor any tree or plant disease or insect pest or larvae, the uncontrolled presence of which may constitute a hazard to or result in the damage or destruction of other trees or shrubs in the community, describing the same and where located, the director shall forthwith issue notice requiring the owner or agent of the owner of the premises to treat or remove any such designated tree, tree material or shrub within a time specified in such notice. The notice shall be served by delivering a copy thereof to the owner or agent of such property, or if the same be unoccupied and the owner a nonresident, then the director shall notify the owner by mailing a notice to his or her last known address. If the owner or agent shall fail to comply with the requirements of the notice within the time specified in the notice, then the city shall proceed to have the designated tree, tree material or shrub treated or removed and report the cost thereof to the city clerk, and the cost of such treatment or removal shall be paid by the owner of the property or shall be assessed and charged against the lot or parcel of ground on which the tree, tree material or shrub was located. The city clerk shall at the time of certifying other city taxes to the county clerk, certify the unpaid costs and the county clerk shall extend the same on the tax roll of the county against the lot or parcel of ground.

**PARAGRAPH 2.** Chapter 8.28, Section 8.28.020, of the Shawnee Municipal Code is hereby amended to read as follows:

8.28.020 - Dead trees—Declared nuisance.

All dead trees adjacent to the city right-of-way utility lines or wires, and sidewalks, and areas which children frequent are declared to be a public nuisance and shall be removed by the property owner at his or her own expense.

**PARAGRAPH 3.** The previously existing Section 8.28.010 and Section 8.28.020, of the Shawnee Municipal Code are hereby repealed.

**PARAGRAPH 4.** This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

*[Remainder of Page Intentionally Left Blank]*

;

**PASSED** by the Governing Body this 23 day of November, 2020.

**APPROVED AND SIGNED** by the Mayor this 23 day of November, 2020.



**CITY OF SHAWNEE, KANSAS**

By: \_\_\_\_\_

Michelle Distler, Mayor

ATTEST:

By: \_\_\_\_\_

Stephanie Zaldivar, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_

Ellis Rainey, City Attorney

# The Legal Record

1701 E. Cedar St., Ste. 111  
Olathe, KS 66062-1775  
(913) 780-5790

CITY OF SHAWNEE - CITY CLERK  
11110 JOHNSON DR  
SHAWNEE KS 66203-2750

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## Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;  
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

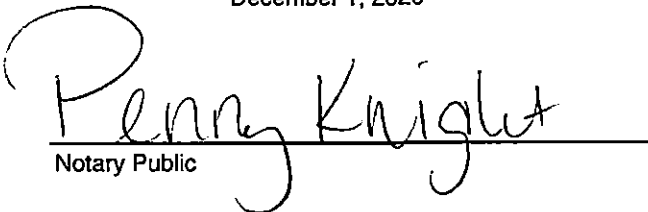
ORDINANCE #3346  
12/1/20



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

December 1, 2020

  
Notary Public

PENNY KNIGHT  
Notary Public-State of Kansas  
My Appt. Expires Dec. 31, 2021

L88587  
Publication Fees: \$42.14

First published in The Legal Record, Tuesday, December 1, 2020.

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By: \_\_\_\_\_  
Michelle Distler, Mayor

(Seal)

**ATTEST:**

By: \_\_\_\_\_  
Stephanie Zaldivar, City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Ellis Rainey, City Attorney