

HOME RULE RESOLUTION NO. HR-2003-_____

A RESOLUTION TO PROHIBIT AND PENALIZE THE UNAUTHORIZED DUMPING OF TRASH, JUNK, OR OTHER PERSONAL PROPERTY

WHEREAS, the Board of County Commissioners of the County of Shawnee, Kansas hereby finds that the unauthorized dumping of trash, junk, or other personal property on public or private property is a public nuisance and detrimental to the public health, safety, and welfare; and

WHEREAS, the Board of County Commissioners of the County of Shawnee, Kansas desires to prohibit and penalize such conduct.

NOW, THEREFORE, the Board of County Commissioners of the County of Shawnee, Kansas, meeting in regular session this _____ day of July, 2003, and intending to exercise its powers of home rule pursuant to K.S.A. 19-101a, does hereby resolve as follows:

1. “Unauthorized dumping” means the act of dumping or abandoning trash, junk, or other personal property without permission or proper authority on the property of another.
2. Unauthorized dumping is unlawful and punishable by a \$1,000.00 fine per occurrence.
3. Citations for unauthorized dumping may be issued by law enforcement officers or Shawnee County code enforcement officers, and shall be prosecuted by the Shawnee County Counselor.
4. This Resolution shall not be interpreted to supercede or rescind HR-89-10 or any amendments thereto. Under circumstances where conduct has occurred that violates both HR-89-10 and this Resolution, the Shawnee County Counselor shall have the right to elect and seek the appropriate remedies.
5. This Resolution shall be liberally construed to give the Board of County Commissioners the broadest authority allowed by law; any word, phrase, sentence, or section found to be invalid or unconstitutional shall be severed from this Resolution.

6. This Resolution shall take effect upon publication in the official County newspaper.

BOARD OF COUNTY COMMISSIONERS
SHAWNEE COUNTY, KANSAS

Vic Miller, Chairman

Theodore D. Ensley, Vice-Chairman

Marice A. Kane, Member

ATTEST:

Cynthia A. Beck, Shawnee County Clerk

APPROVED AS TO FORM AND LEGALITY BY THE SHAWNEE COUNTY COUNSELOR'S OFFICE	
DATE _____	BY _____