

**ORDINANCE NO. 8900**

**AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AMENDING CHAPTER IX, ARTICLE 6, SECTIONS 9-610 and 9-613 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2013 EDITION, AND AMENDMENTS THERETO, PERTAINING TO PROPERTY MAINTENANCE, AND REPEALING EXISTING SECTIONS 9-610 AND 9-613.**

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

**SECTION 1.** Chapter IX, Article 6, Section 9-610 of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, is hereby amended to read as follows:

9-610 **The *2012 International Property Maintenance Code* is hereby amended by adding Section 202.1, which reads as follows:**

**202.1 Additional Definitions.** For the purposes of this Article, the following terms shall be defined as follows:

- (a) **ACCESSORY STRUCTURE.** A secondary structure detached from the principal structure, but on the same premises, including but not limited to garages, sheds, barns, or outbuildings.
- (b) **ENCLOSED PORCH.** A structure, adjoining an entrance to a building, that is fully enclosed by permanent walls, windows, screens, or other similar material, and that cannot be accessed from the outside except through a door that is capable of being locked.
- (c) **EXTERIOR.** The exterior of any structure that is exposed to the weather or subject to and in contact with the elements, including, but not limited to sidings, facings, veneers, masonry, roofs, foundations, porches, decks, balconies, screens, shutters, windows, doors, or signs.
- (d) **GOVERNING BODY.** The City Commission of the City of Lawrence, Kansas.
- (e) **OUTDOOR FURNITURE.** Weather-resistant furniture designed and manufactured for outdoor use.
- (f) **PORCH.** A structure, adjoining an entrance to a building, that is not fully enclosed by permanent walls, windows, screens, or other similar material.
- (g) **TRASH RECEPTACLE.** A City issued Roll-out Cart or other trash receptacle, whether used to hold garbage, rubbish, yard waste, or recyclable materials, but excluding paper bags, shopping bags, cardboard boxes, paper boxes, pasteboard boxes, fiberboard boxes or barrels, or wicker baskets.

**SECTION 2.** Chapter IX, Article 6, Section 9-613 of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, is hereby amended to read as follows:

9-613 **The 2012 International Property Maintenance Code is hereby amended by adding Sections 302.10, 302.11, 302.12 and 302.13, which read as follows:**

**302.10 Exterior Conditions.** No person shall allow on any yard, porch, deck, balcony, or other exterior area of a premises, the accumulation of any of the following items: lumber, wire, metal, tires, concrete, masonry products, plastic products, supplies, equipment, machinery, auto parts, stoves, refrigerators, televisions, sinks, garbage, rubbish, refuse, junk, or the like.

**302.11 Furniture.** It shall be unlawful for any person to allow on any yard, or other exterior area of any premises, furniture, other than Outdoor Furniture, as that term is defined in this Chapter.

**302.12 Upholstered Furniture.** It shall be unlawful for any person to allow on any yard, unenclosed porch, deck, balcony, or other exterior area of any premises, upholstered furniture, including but not limited to upholstered chairs, upholstered couches, mattresses, or other similar items. This section does not apply to Outdoor Furniture or to Enclosed Porches, as those terms are defined in this Chapter.

**302.13 Trees.** No person shall allow in their yard any dead or substantially dead tree (other than trees with Dutch Elm Disease, which trees are addressed in Chapter 18, Section 18-113 *et seq.* of this Code, and amendments thereto) or dead or damaged tree limbs that create a hazardous or unsafe condition as determined by the Director of Parks and Recreation or his or her designee.

**SECTION 3.** Existing sections 9-610 and 9-613, Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, are hereby repealed in their entirety, it being the intent of the Governing Body that the provisions of this ordinance supersede them.

**SECTION 4.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 5.** This ordinance shall be in full force and effect from and after its adoption and publication as provided by law.

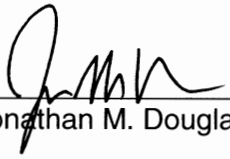
**PASSED** by the Governing Body of the City of Lawrence, Kansas, this 3<sup>rd</sup> day of September, 2013.

**APPROVED:**



Michael Dever, Mayor

**ATTEST:**

  
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Jonathan M. Douglass, City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

  
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Toni R. Wheeler, City Attorney