

ORDINANCE NO. 1777

AN ORDINANCE PROHIBITING CERTAIN USES OF COUNCIL GROVE LAKE PARK PROPERTY; PROVIDING DEFINITIONS; PROVIDING FOR PENALTIES FOR VIOLATIONS; REPEALING ANY AND ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS:

Section 1. Ownership. The City of Council Grove is the owner of the real estate known and designated as the Council Grove Lake Park located in Morris County, Kansas.

Section 2. Primary Purpose. The primary purpose for the Council Grove Lake Park is to provide water for the City of Council Grove, Kansas.

Section 3. Permissive Leases. The City of Council Grove does hereby authorize the leasing of a portion of the Council Grove Lake Park for the purpose of providing residences or cabin locations upon the Council Grove Lake Park property and providing for payment of lease rentals.

Section 4. Prohibited uses. No leasee of the Council Grove Lake Park is authorized or permitted to use any property to conduct any type of "retail sales".

Section 5. Retail Sales Defined. The definition of "retail sales" as used for this ordinance means all sales at retail. Any person, firm or coporation who offers merchandise for sale to the general public, either directly or indirectly invited the general public to visit the premises for the purpose of purchasing merchandise is a "retail sale". The term "retail sales" does not include telephone calls received by persons living and residing at the Council Grove Lake Park requesting services to be performed other than at the Council Grove Lake Park. The term "retail sales" does not include incidental sales on the Council Grove sales Lake Park property.

Section 6. Cancellation Of Lease. Any person who violates the terms and conditions of this ordinance shall be subject to having his lease at the Council Grove Lake Park cancelled. In the event of a cancellation of a lease then notice of the cancellation of the lease and the rights of the lessor and lessee will be as provided by the City Ordinance of the City of Council Grove.

Section 7. Penalties. In addition to the cancellation of the lease at the Council Grove City Lake Park any person who violates the terms and conditions of this ordinance shall be subject to prosecution in the Municipal Court of the City of Council Grove, Morris County, Kansas, and for each day of which there is a violation the same shall constitute a separate offense for each and every day the violation occurs.

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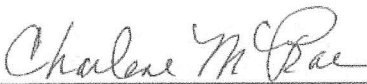
Any person found guilty of the violation of this ordinance shall be fined not less than \$50.00 nor more than \$500.00, or imprisonment in the County jail for not more than 10 days or by both fine and imprisonment.

Section 8. Repeal. This ordinance hereby repeals any and all ordinances of the City of Council Grove in conflict herewith. ;

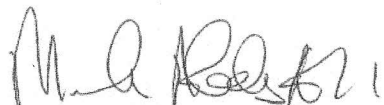
Section 9. Effective Date. This ordinance shall take effect and be in full force from and after its publication in the Council Grove Republican, the official City newspaper.

PASSED AND APPROVED BY THE CITY COUNCIL this 4 day of ~~March~~, 1994.

^{April}
APPROVED BY THE MAYOR this 4 day of ~~March~~^{April}, 1994.


Charlene McRae, Mayor

Attest:


Mark Abeles-Allison, City Clerk