

RESOLUTION NO. 10-20-04 (b)

A RESOLUTION OF THE BOARD OF THE OAKLAWN IMPROVEMENT DISTRICT PERTAINING TO SETTING COST FOR ABATEMENT OF NUISANCE AND REPEALING RESOLUTION 10-01-03.

WITNESSETH:

WHEREAS, the Board of Directors of the Oaklawn Improvement District pursuant To authority granted by the State Legislature at K.S.A. 19-2765, as amended, has authority to abate nuisances and charge the costs thereof against the property where the nuisance was found to exist; and

WHEREAS, the Board of Directors of the Oaklawn Improvement District, by this Resolution, is setting the costs for abatement of nuisances that are abated pursuant to authority granted by the State Legislature under K.S.A. 19-2765 and authority under Oaklawn Improvement District Resolution No. 10-20-04 (a).

NOW, THEREFORE, be it resolved by the Board of Directors of the Oaklawn Improvement District, as follows:

Section 1. Costs.

- (a) If a nuisance is abated in accordance with authority set forth in Resolution No. 10-20-04 (a) by Oaklawn Improvement District employees, then the cost assessed shall be \$75.00 per hour with a minimum of two (2) hours or \$150.00 per lot, whichever is greater, plus any additional costs such as, but not limited to, rental of equipment, the cost of disposing of items being abated, etc.
- (b) If an injunction is brought to enforce removal of a nuisance then attorney fees incurred by the District in connection with bringing the injunction at a rate not to exceed \$160.00 per hour shall be assessed as costs.
- (c) The actual costs incurred by the District if the District uses a third party to abate the nuisance or to assist in abating the nuisance.

Section 2. Administrative Fee. In addition, an administrative fee in the amount \$100.00 shall be assessed against any property where the District's employees or third parties hired by the District have abated a nuisance on the property in an amount to be determined upon completion of the abatement.

Section 3. Repeal. Resolution 10-01-03 is hereby repealed.

ADOPTED AND APPROVED by the Board of Directors of the Oaklawn Improvement District on this 20<sup>th</sup> day of October, 2004.

OAKLAWN IMPROVEMENT DISTRICT

Andree Sisco - President

Don Winton - Secretary

Dwight Ritter - Treasurer