

Legion celebrates birthday, game feed



The Norton American Legion, Post 63, held a birthday and wild game feed Sunday night. Pheasant, deer, elk, turkey and ham were available.

—Telegram photo by Erica Bradley

State park fees to go up April 1

Visitors to Kansas state parks can save money by purchasing many permits before the prime park season begins on April 1. Permits purchased in the off-season — Oct. 1-March 31 — are valid for the remainder of the calendar year, and they are cheaper if purchased during this period.

For 2010, state park vehicle entrance permit fees include the following:

- Off-Season (through March 31)
 - Daily vehicle permit — \$3.70 (senior/disabled: \$2.60)
 - Annual vehicle permit — \$19.70 (senior/disabled: \$11.10)
 - Additional annual vehicle permit — \$12.20 (senior/disabled: \$7.35)
- Prime Season (April 1-Sept. 30)
 - Daily vehicle permit — \$4.20 (senior/disabled: \$2.85)
 - Annual vehicle permit — \$24.70 (senior/disabled: \$13.60)
 - Additional annual vehicle permit — \$14.70 (senior/disabled: \$8.60)

Costs listed include applicable service fees, except online purchase convenience fee. Annual permits are valid for the remainder of the calendar year whether purchased in the off-season or the prime season.

Most state parks provide utility

and primitive camping, as well as cabins, and are located adjacent to lakes or reservoirs. Most camping and utility fees remain unchanged, but daily and 14-day camping permits are cheaper if purchased in the off-season. In addition to camping facilities, parks offer boat ramps, courtesy docks, shelter houses, swimming beaches, trails, and a variety of other amenities.

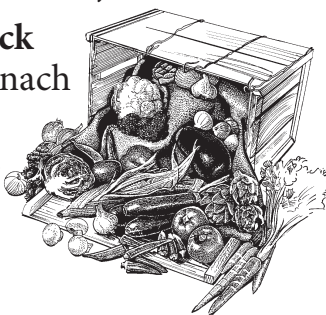
Police Log

- March 19
6:29 p.m. to 9:06 p.m. Six calls dealing with problems at 500 block W. Wilton
- March 20**
12:02 a.m. Request to speak to officer, 500 block W. Wilton
3:18 a.m. 911 lifeline requesting assistance
5:43 a.m. One vehicle accident, Armory
6:27 a.m. EMS assist, 500 block W. Wilton
11:10 p.m. Report of harassing text messages
- March 21**
12:46 p.m. Activated alarm, J&R Liquors
1:05 p.m. Welfare check, 300 block S. 1st
4:00 p.m. Report of sign knocked down
4:35 p.m. Report of individual driving with out license
4:52 p.m. Report of missing dog, 1000 block N. Norton
5:30 p.m. Two vehicle accident, Stoplight
6:35 p.m. Request for DL information
6:43 p.m. Request to burn yard waste in town, request denied
- March 22**
7:54 a.m. Hit and run accident, 400 block W. Wilberforce
12:35 p.m. Keys locked in vehicle, Subway
2:19 p.m. Report of vehicle driving without tag
3:00 p.m. Report of magazine scam
3:20 p.m. Motorist assist, 100 block E. Main
3:56 p.m. Report of dog running loose, 100 block Wabash
6:25 p.m. Report of two dogs left inside vehicle with windows up
7:17 p.m. Two vehicle accident, Grant & Wilton
7:33 p.m. Report of two dogs running loose, 400 block Pearl
8:27 p.m. Keys locked in vehicle, O'Briens
9:01 p.m. Report of threatening text messages
11:38 p.m. Report of fight, 400 block W. Washington
- March 23**
1:23 a.m. Request to speak to officer concerning protection order
7:01 a.m. Report of dogs barking, 300 block W. Wilton
1:00 p.m. Keys locked in vehicle, 1st Stop
1:05 p.m. Report of individual causing problems
2:40 p.m. Request for information concerning accident
4:46 p.m. Report of dead opossum and raccoon at residence, 300 block W. Wabash
- 6:21 p.m. Activated alarm, Kellie's
6:24 p.m. Keys locked in vehicle, Town & Country
6:27 p.m. Motorist assist, W. Hwy. 36
- March 24**
7:57 a.m. Report of missing dog
8:36 a.m. EMS assist
8:39 a.m. Keys locked in vehicle, Andbe Home
10:51 a.m. Traffic control, stoplight
3:55 p.m. Barking dog complaint, 300 block W. Washington
4:41 p.m. Motorist assist, 300 block North
- March 25**
7:38 a.m. Request to speak to officer concerning ongoing case
4:38 p.m. Keys locked in vehicle, Pamida
5:55 p.m. Report of child lost at Jamboree
9:57 p.m. Intoxicated individual requesting a ride home

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• PUBLIC NOTICE •

Published in the Norton Telegram on Tuesday, March 23, and Tuesday, March 30, 2010

(2T)

ORDINANCE NO. 258

AN ORDINANCE DECLARING CERTAIN MATTERS AS MOTOR VEHICLE NUISANCES WITHIN THE CITY OF NORCATUR, KANSAS; PROVIDING FOR THE REMOVAL OR ABATEMENT OF MOTOR VEHICLE NUISANCES; AUTHORIZING THE ASSESSMENT OF COSTS; PROVIDING FOR PENALTIES

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NORCATUR, KANSAS:
SECTION 1. FINDINGS OF GOVERNING BODY. The Governing Body finds that junked, wrecked, dismantled, inoperative, or abandoned vehicles affect the health, safety, and general welfare of citizens of the City because they:

- Service as a breeding ground for flies, mosquitoes, rats, and other insects and rodents;
- Are a danger to person, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks, or other support;
- Are a ready source of fire and explosion;
- Encourage pilfering and theft;
- Constitute a blighting influence upon the area in which they are located;
- Constitute a fire hazard because they frequently block access for fire equipment to adjacent buildings and structures.

SECTION 2. DEFINITIONS. As used in this Ordinance, unless the context clearly indicated otherwise:

- INOPERABLE** means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned, or unable to perform the function or purpose for which it was originally constructed;
- VEHICLE** means, without limitation, any automobile, truck, tractor, or motorcycle which as originally built contained an engine, regardless of whether it contains an engine at any other time.

SECTION 3. NUISANCES UNLAWFUL: DEFINED: EXCEPTIONS. It shall be unlawful for by person to maintain or permit any motor vehicle nuisance within the city.

A. A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive as amended; or parked in violation of City Ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked, or inoperable:

- Absence of a current registration plate upon the vehicle;
 - Placement of the vehicle or parts thereof upon jack, blocks, or other support;
 - Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.
- B. The provisions of this section shall not apply to:
- Any motor vehicle which is enclosed in a garage or other building;
 - To the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less, or
 - To any person who places such vehicles behind solid fencing of sufficient size, strength, and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. Such solid fencing shall be made of new material composed of vinyl, metal or wood and shall extend completely to the ground and shall be at least 6 feet high. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

SECTION 4. PUBLIC OFFICER. The Code Enforcement Officer shall be the public officer charged with the administration and enforcement of this article.

SECTION 5. COMPLAINTS, INQUIRY AND INSPECTION. The public officer shall make inquiry and inspection of premises upon receiving a complaint or complaints in writing signed by three or more persons stating that a nuisance exist and describing the same and where located or is informed that a nuisance may exist by the Board of Health, Chief of Police or the Fire Chief. The public officer may also make such inquiry and inspection when he or she observe conditions which appear to constitute a nuisance. Upon making any inquiry and inspection, the public officer shall make a written report of findings.

SECTION 6. RIGHT OF ENTRY. It shall be a violation of this Ordinance to deny the public officer the right of access and entry upon private property at any reasonable time for the purpose of making inquiry and inspection to determine if a nuisance exists.

SECTION 7. NOTICE. Any person found by the public officer to be in violation of Section 3 shall be served a notice of such violation. The notice shall be personally served by the public officer or a law enforcement officer, or served by restricted mail, postage prepaid, return receipt requested.

SECTION 8. SAME; CONTENTS. The notice shall state the condition(s) which is (are) in violation of Section 3. The notice

shall also inform the person that:

- He, she, or they shall have ten (10) days from the date of serving notice to abate the condition(s) in violation of Section 3; or
- He, she, or they have ten (10) days from the date of serving the notice to request a hearing before the Governing body of the matter as provided by Section 12;
- Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by Section 9 and/or abatement of the condition(s) by the City as provided by Section 10.

SECTION 9. FAILURE TO COMPLY: PENALTY. Should the person fail to comply with the notice to abate the nuisance or request a hearing, the public officer may file a complaint in the municipal court of the City against such person and upon conviction of any violation of provisions of Section 3, be fined in an amount not to exceed one hundred dollars (\$100) or be imprisoned not to exceed thirty (30) days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

SECTION 10. ABATEMENT. In addition to, or as an alternative to prosecution as provided in Section 9, the public officer may seek to remedy violations of this article in the following manner: If a person to whom a notice has been sent pursuant to Section 7 has neither alleviated the conditions causing the alleged violation nor requested a hearing before the Governing Body within the time period specified in Section 8, the public officer may present a resolution to the Governing Body for adoption authorizing the public officer or other agents of the City to abate the conditions causing the violation at the end of ten (10) days after passage of the resolution.

The resolution shall further provide that the costs incurred by the City shall be charged against the lot or parcel of ground on which the nuisance was located as provided in Section 13. A copy of the resolution shall be served upon the person in violation in one of the following ways:

- Personal service upon the person in violation;
- Service by restricted mail, postage prepaid, return receipt requested or
- In the event the whereabouts of such person(s) are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premise where such condition exists.

SECTION 11. DISPOSITION OF VEHICLE. Disposition of any motor vehicle removed and abated from private property pursuant to this Ordinance shall be as provided by K.S.A. Supp. 81102, as amended. As an alternate method of sale, vehicles may be disposed of by private sale.

SECTION 12. HEARINGS. If a hearing is requested within the 10-day period as provided in Section 8, such request shall be made in writing to the Governing Body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer before the Governing Body as soon as possible after the filing of the request therefore, and the person shall be advised by the City of the time and place of the hearing at least five (5) days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the City may introduce such witnesses and evidence as is deemed necessary and proper by the Governing Body. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the Governing Body shall record its determination of the matter by means of adopting a resolution and serving the resolution upon the person(s) in the matter provided in Section 10.

SECTION 13. COSTS ASSESSED. If the City abated the nuisance pursuant to Section 10, the cost of abatement shall be charged against the lot or parcel of ground on which the nuisance was located. The City Clerk shall, at the time of certifying other taxes to the County Clerk, certify the costs as provided in this section. The County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City as other City taxes are collected and paid.

SECTION 14. This Ordinance shall be in full force and effect from and after its adoption and publication in the official City newspaper. All ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED by the Governing Body, this 15 day of March, 2010.

Carl Lyon, Mayor

ATTEST:
Chris Dempewolf, City Clerk

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Ron Briery
Councilman, Ward 3

Paid for by Ron Briery

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