

# 1  
  
(First Published in The Overbrook  
Citizen, January 6, 1949)

**ORDINANCE NO. 1**

**AN ORDINANCE PRESCRIBING  
WHEN REGULAR MEETINGS OF  
THE COUNCIL SHALL BE HELD**

Be it Ordained by the Governing  
Body of the City of Overbrook:

Section 1. The council shall have  
regular meetings on the First Wed-  
nesday of each month beginning at  
8:00 o'clock P. M.

Section 2. This ordinance shall take  
effect and be in force from and af-  
ter its publication in The Overbrook  
Citizen.

Passed by the City Council this  
5th day of January, 1949.

Approved by the Mayor this 5th  
day of January, 1949.

WILLARD COBB,  
Mayor

(SEAL)

Attest: WILLIAM JAMES  
City Clerk

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**ORDINANCE NO. 2**

**AN ORDINANCE PRESCRIBING LICENSE FEES FOR PARTIES SELLING CEREAL MALT BEVERAGES AT RETAIL WITHIN THE CITY OF OVERBROOK, KANSAS, UNDER THE PROVISIONS OF ARTICLE 27, CHAPTER 21 OF THE 1945 SUPPLEMENT TO THE GENERAL STATUTES OF 1935.**

Be it ordained by the governing body of the City of Overbrook:

Section 1. That the license fees of parties engaged in the retail of cereal malt beverages, under the provisions of Article 27, Chapter 21 of the 1945 Supplement to the General Statutes of 1935 within the City limits of Overbrook, Kansas, are hereby prescribed:

(A) For each place of business

selling at retail, cereal malt beverages, in original and unbroken case lots, and not consumed on the premises, a fee shall be charged of forty (\$40) dollars per calendar year.

(B) For each other place of business selling cereal malt beverages at retail a fee shall be charged of fifty (\$50) dollars per calendar year.

Section 2. The full amount of the license fee shall be required regardless of the time of year in which the application is made, and the licensee shall only be authorized to operate under the license for the remainder of the calendar year in which the license is issued.

Section 3. That the license shall be signed, attested and countersigned by the officers charged by law to issue other licenses under the general licensing power of the city and shall be by order of the governing body.

Section 4. This ordinance shall be effective and in full force from and after its publication in The Overbrook Citizen.

Passed this 5th day of January, 1949.

Approved this 5th day of January, 1949.

WILLARD COBB,  
Mayor

(SEAL)

Attest: WILLIAM JAMES,  
City Clerk

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Passed this 5th day of January, 1949.

Approved this 5th day of January, 1949.

WILLARD COBB,  
Mayor

(SEAL)

Attest: WILLIAM JAMES,  
City Clerk

#3

referred to

published in The Overbrook Citizen, March 3, 1949.)

**ORDINANCE NO. 3**

**ORDINANCE FIXING THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES.**

It is ordained by the Governing Body of the City of Overbrook:

Section 1. The following officers and employees of the City of Overbrook, hereinafter, shall receive the compensation for the period hereinafter set

Mayor—none.

Council Members—none.

City Clerk—(\$3) three dollars per month.

Treasurer—none.

Police Judge—No salary.

Marshal—No salary.

Street Commissioner—none.

Section 2. This ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Approved by the City Council this 2nd day of March.

Approved by the Mayor this 2nd day of March.

**WILLARD COBB,**  
Mayor.

Attest: **WILLIAM JAMES,**  
City Clerk.

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(First published in The Overbrook Citizen, March 3, 1949.)

#### ORDINANCE NO. 4

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF AND DEFINING THE DUTIES OF CERTAIN CITY OFFICERS.

Be it ordained by the Governing Body of the City of Overbrook.

OFFICERS APPOINTED; DATE OF APPOINTMENT. Section 1. That the mayor shall, at the first regular meeting of the city council in May of each year, by and with the consent of the council, appoint the following officers: City clerk, city treasurer, city marshal, and may in ad-

dition appoint an assistant marshal, policeman and street commissioner. The duties shall be as in this ordinance provided; or as provided by other ordinances of the city and the laws of the state.

DUTIES OF THE CITY CLERK. Section 2. That the city clerk shall attend all meetings of the council and make and keep a record of all proceedings and meetings of the council in a minute book. In the absence of the clerk the presiding officer shall appoint a member of the council to keep an account of the proceedings and report to the city clerk.

He shall carry on all the official correspondence of the city, giving the same prompt attention, and shall present for the consideration of the council all correspondence received, and replies given.

He shall have charge of the corporate seal of the city, and the power to administer oaths for all purposes pertaining to the business and affairs of the city.

He shall receive, and audit, all claims and shall present them for the consideration of the council at its next meeting. He shall prepare appropriation ordinances for the payment of claims.

He shall keep a separate account of each fund, whether the fund be derived from tax money or otherwise, and no money belonging to one fund shall be placed to the credit of another fund, or be transferred to another fund unless there is lawful authority for the same. Each separate tax levy shall constitute a separate fund, and money derived from other sources shall be credited to the proper fund.

He shall draw warrants only when appropriation to pay the same has been made by ordinance.

*It is Cont.*

He shall keep a warrant register in the manner provided by law.

He shall make a report to the council at its first regular meeting each month in regard to the financial condition of the city so that the governing body may not create debts nor authorize the issuance of warrants in violation of the cash basis or budget laws.

He shall keep such records as will enable him to prepare a preliminary budget to be presented to the governing body at its first regular meeting in June.

He shall perform such other and further duties as may be provided by law or ordinance.

**DUTIES OF CITY TREASURER.** Section 3. That the city treasurer shall receive and safely keep all moneys belonging to said city, (except when otherwise provided by law), giving his receipt therefor, and for all moneys received by him from any other source than the city clerk he shall give duplicate receipts, causing one of the two to be filed with the city clerk, and keeping a copy thereof in his own office. He shall keep proper records of the money received by funds and in no other way. He shall publish or cause to be published, quarterly statements of the financial records of the city in the manner and style provided by law.

He shall pay out of the funds of the city only upon warrants properly signed by the mayor and attested by the city clerk; he shall cancel all warrants as soon as paid, and in cancelling paid warrants he shall write across the face of such warrants the word "Paid" in red ink, and sign the same.

He shall keep a proper warrant register as required by law.

He shall perform such other duties as are required of him by law or ordinance.

**DUTIES OF CITY MARSHAL; ASSISTANT MARSHAL AND POLICEMEN.** Section 4. That it shall be the duty of the city marshal to act as chief of police; he shall, at all times, have power to make arrests with or without process (without process only when he sees the act committed) or to order the arrests of all offenders against the criminal laws of the State of Kansas, or of the city, by day or night; to keep all persons arrested in the city prison, county jail, or other places; to prevent their escape until trial can be had before the proper officer; and to execute all processes issued by the police judge and delivered to him for that purpose. The assistant marshal shall have the same power as the city marshal. Policemen shall have power to make arrests for the violations of city ordinances and the laws of the state in the same manner as the city marshal, and it shall be their duty to keep the peace of the city and be subject to the orders of the marshal.

**DUTIES OF STREET COMMISSIONER.** Section 5. That it shall be the duty of the street commissioner to supervise the keeping in repair of all streets, alleys, and other public thoroughfares of the city, in the performance of which duty he shall have charge of the cleaning of and removal of snow and ice from all crosswalks, sidewalks and gutters.

**VACANCIES IN OFFICE.** Section 6. That all vacancies in the offices provided for in this ordinance shall be filled by appointment by the mayor, by and with the consent of the city council. Every appointment to office and the date thereof shall be entered on the journal of proceedings of the council.

**TAKE EFFECT.** Section 7. That this ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Passed by the council this 2nd day of March, 1949.

Approved by the mayor this 2nd day of March, 1949.

(SEAL) WILLARD COBB,  
Mayor  
Attest: WILLIAM JAMES,  
City Clerk.

(First published in The Overbrook Citizen, March 3, 1949.)

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He shall keep a separate account of each fund, whether the fund be derived from tax money or otherwise, and no money belonging to one fund shall be placed to the credit of another fund, or be transferred to another fund unless there is lawful authority for the same. Each separate tax levy shall constitute a separate fund, and money derived from other sources shall be credited to the proper fund.

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He shall pay out of the funds of the city only upon warrants properly signed by the mayor and attested by the city clerk; he shall cancel all warrants as soon as paid, and in cancelling paid warrants he shall write across the face of such warrants the word "Paid" in red ink, and sign the same.

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**VACANCIES IN OFFICE.** Section 6. That all vacancies in the offices provided for in this ordinance shall be filled by appointment by the mayor, by and with the consent of the city council. Every appointment to office and the date thereof shall be entered on the journal of proceedings of the council.

**TAKE EFFECT.** Section 7. That this ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Passed by the council this 2nd day of March, 1949.

Approved by the mayor this 2nd day of March, 1949.

(SEAL) WILLARD COBB, Mayor  
Attest: WILLIAM JAMES, City Clerk.

ORDINANCE 5

AN ORDINANCE DECLARING CERTAIN ACTS TO BE UNLAWFUL AND OFFENSES PUNISHABLE AS HEREIN PROVIDED.

Be it ordained by the Governing Body of the City of Overbrook, Kansas:

Article 1. Acts Declared Unlawful

(1) UNLAWFUL ACTS. Section 1. It shall be unlawful for any person to do any of the acts or things hereinafter described in the City of Overbrook, and any person convicted of so doing shall be deemed guilty of an offense, a violator of this ordinance, and shall be punished as hereinafter set out and provided.

Article 2. General Provisions

(2) DEFINITION OF TERM "PERSON". Section 2. The term "person" as used in this ordinance shall include any firm, copartnership or corporation, and the plural as well as the singular.

(3) DEFENSES. Section 3. The provisions of the laws of the State of Kansas relating to misdemeanors in reference to defenses and construction of terms insofar as the same relate to and are applicable shall apply to this ordinance.

(4) AIDING AND ABETTING. Section 4. Every person who shall willfully assist or advise, aid or abet any other person in the commission of any of the offenses named in this ordinance shall upon conviction thereof be punished in the same manner as the principal offender.

(5) ENFORCEMENT. Section 5. This ordinance shall be enforced by the infliction of such fines, forfeitures and penalties for the violation thereof as shall be prescribed herein, not exceeding one hundred dollars (\$100) or imprisonment not exceeding three (3) months, or by both such fine and imprisonment, for any one offense (unless by law a greater fine or a longer imprisonment or both be permitted), recoverable with cost of suit, together with judgment of imprisonment until the fine costs be paid and satisfied.

(6) JURISDICTION AND PUNISHMENT. Section 6. That the police court of the City of Overbrook shall have exclusive original jurisdiction to hear and determine all offenses against this ordinance and the punishment therefore shall be by fine or imprisonment in jail or both as provided by ordinance, and it shall be a part of the judgment that the person convicted shall be imprisoned until the fine (if any) and the costs are paid and satisfied.

(7) PROCEEDINGS WHEN AN OFFENDER IS UNDER 16 YEARS. Section 7. When a child under the age of 16 years is arrested with or without a warrant for an offense under this ordinance, such child shall instead of being taken before the police court be taken before the juvenile court of Osage County; provided that if a child shall have been taken before the police court it shall be the duty of the police judge to transfer the case to such juvenile court and of the officer having the child in charge to take such child before said juvenile court. All punishments and penalties imposed upon persons by this ordinance in the case of delinquent children under the age of 16 years shall rest in the discretion of the judge of the juvenile court and execution of any sentence may be suspended or remitted by said court.

Article 3. Offenses Against Persons

(8) ASSAULT AND BATTERY. Section 8. Any person who shall assault, or beat or wound another under such circumstances as not to constitute any other offense herein defined, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 4. Offenses Against Property

(9) PETTY LARCENY. Section 9. Every person who shall steal, take and carry away any money or personal property or effects of another, under the value of twenty dollars, (not being the subject of grand larceny, without regard to value) shall be deemed guilty of petty larceny, and upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

#5 C.O.T.

(10) ENTERING ENCLOSURE CARRYING AWAY OR DESTROYING FRUIT. Section 10. Any person or persons who shall maliciously or mischievously enter the enclosure of any person and pick, destroy or carry away any apples, pears, peaches, plums, grapes or other fruit of an tree, shrub, bush or vine, shall be deemed guilty of petty larceny, and upon conviction thereof, shall be punished as provided in the preceding section.

(11) PICKING POCKETS OR TAKING PROPERTY FROM PERSON. Section 11. Whoever shall unlawfully pick the pockets of another or unlawfully take from the person of another any personal property, with intent to steal the same, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(12) PROPERTY DESTRUCTION. Section 12. Any person who shall cut down, injure or destroy or carry away any tree placed or growing for use, shade or ornament, or any timber, rails or wood standing, being growing on the land of any other person; or shall dig up, quarry or carry away stones, brick, mineral or ore, clay or mould, roots, fruit or plants; or cut down or carry away grass, grain, corn, flax or hemp in which he has no interest or right standing, lying, or being on land not his own; or shall knowingly break

glass, window, door, or any part of building not his own; upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three months, or both so fined and imprisoned.

(13) TAKING AND USING PROPERTY OF ANOTHER AGAINST OWNER'S WILL. Section 13. A person who shall take, carry away and use any horse or other domestic animal, or any automobile or other vehicle or conveyance or other personal property of any kind, with intent to deprive the owner of the temporary use thereof, against the owner's will but not with the intent of stealing or converting the same permanently to his own use, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three months, or both so fined and imprisoned.

(14) EMBEZZLEMENT. Section 14. Every person who, in the city of Westbrook, shall embezzle any money or personal property or effects of another, under the value of twenty dollars (\$20), (the same not being a felony without regard to value) shall be punished in the manner prescribed by this ordinance for stealing property of the nature or value of the article embezzled.

(15) RECEIVING STOLEN PROPERTY. Section 15. Every person who shall knowingly buy, or in any way receive any goods, money, rights of action, personal property, or any other valuable security or effects whatever, under the value of twenty dollars, (the same not being a felony without regard to value), that have been embezzled, taken or secreted or that shall have been stolen from another, knowing the same have been so embezzled, taken or secreted or stolen, upon conviction, shall be punished in the same manner to the same extent as for stealing the money, property or other thing so bought or received.

(16) CONVICTION OF PRINCIPAL NOT NECESSARY. Section 16. In any complaint for any offense specified in the last section, it shall be necessary to aver, nor on the trial to prove, that the principal who embezzled, took, secreted or stole the property has been convicted.

(17) OBTAINING PROPERTY BY FALSE PRETENSES. Section 17. Any person who, with intent to defraud another, shall obtain from any other person or persons any money, property or valuable thing of value of less than twenty dollars (the same not being a felony without regard to value), by means of the use of any trick or deception, false or fraudulent representation, statement or pretense, or by any other means, instrument, or device, by means of any check or by any written or printed or engraved instrument or spurious coin or metal, upon conviction, shall be punished in the same manner and to the same extent as for stealing property.

(18) MALICIOUS MISCHIEF. Section 18. Every person who shall willfully and maliciously remove, displace, deface, break, injure, damage, or destroy the property of another, either public or private, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(19) POSTING BILLS. Section 19. Any person who shall put up or attach any handbills, advertisements, posters, showbills, or other sign on any building, pole, or property not his own, without permission of the owner or person in control, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(20) DUMPING REFUSE ALONG STREETS. Section 20. Any person who shall throw, place, deposit or leave, or cause to be thrown, placed, deposited or left in or on any street or alley, any dirt, filth, sewage, sweepings, ashes, tin cans, bottles, glass or other refuse of any kind upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 5. Offenses Affecting the Administration of Justice.

(21) ASSAULTING OFFICER IN DISCHARGE OF DUTY. Section 21. Every person who shall knowingly and willfully assault, beat or wound any public officer, his deputy or lawful assistant, while in the discharge of an official duty, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(22) RESISTING ARREST. Section 22. Every person who shall knowingly and willfully resist, oppose or obstruct any public officer, his deputy or lawful assistant, while in the discharge of his duty, or in making any lawful arrest in this city, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months or both so fined and imprisoned.

(23) AIDING ESCAPE FROM OFFICER. Section 23. Every person who shall aid or assist any prisoner in escaping or attempting to escape from the custody of any officer, his deputy or lawful assistant who shall have the lawful charge of such prisoner, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 6. Offenses Against Public Morals and Decency.

(24) INDECENT EXPOSURE OF PERSON. Section 24. Any person who shall appear in any public place in a state of nudity or indecently clad, or make any indecent public exposure of his or her person, or behave in any indecent or lewd manner, or commit any indecent or lewd act of any kind, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(25) GAMBLING DEVICE. Section 25. Every person who shall set up or keep any table or gambling device, adapted, devised or designated for the purpose of playing any game of chance for money or property or shall

induce, entice or permit any person to bet or play at or upon such table or gambling device, or at or upon any game played at or by means of such table or gambling device, either on the side of or against the keeper thereof, or shall keep a place or room to be used as a place for playing any game of chance for money or property or keep a common gaming-house or keep a house, room or place to which persons are accustomed to resort for the purpose of gambling, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(26) GAMBLING TABLES, ETC., PROHIBITED. Section 26. Every person who shall knowingly permit any gambling table, bank or device, prohibited by this ordinance to be set or used or kept in any room, building, shelter, enclosure or premises belonging to him, or occupied by him, or of which he has possession or control, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(27) COMMON NUISANCE: DESTRUCTION. Section 27. All places used for any of the unlawful purposes as mentioned in the preceding Sections 25-26 of this ordinance, are hereby declared to be common nuisances, and, upon the judgment of the police court of this city, finding such place to be a nuisance under this ordinance, the marshal or chief of police shall be directed to abate and shut up such places by taking possession of all devices and all other property used in keeping and maintaining such nuisance, and such personal property so taken shall forthwith be publicly destroyed by such officer.

(28) DISTURBING PEACE. Section 28. Every person who shall wilfully disturb the peace and quiet of any person, family or neighborhood, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 7. Offenses Against Peace and Order.

(29) DISORDERLY CONDUCT. Section 29. Every person who shall engage in any riot, or affray or act in a rude, boisterous, riotous or disorderly manner on any street, avenue, alley, public ground, place or building in this city, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(30) DISCHARGING EXPLOSIVES. Section 30. Every person who shall set off or discharge any blank cartridges, cannon crackers or dynamite or other dangerous explosive, except under authority of an ordinance permitting the same, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

Article 8. Miscellaneous Offenses

(31) BEGGING AND SOLICITING ALMS. Section 31. Any person who shall beg or solicit alms either directly or indirectly upon the public streets, or public places, or from house to house, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

(32) CHICKENS, FOWLS AT LARGE. Section 32. Any person, person, firm or corporation who shall permit or allow any chickens, ducks, brant, geese, turkeys or any fowl of any kind kept or harbored by any person, firm or corporation, to run at large within the corporate limits of the City of Overbrook, or to go upon the property or premises of any other person, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(33) DRUNKENNESS. Section 33. Any person who shall be drunk, upon conviction thereof, shall be fined not exceeding twenty-five dollars (\$25), or imprisoned not exceeding thirty days.

(34) DRIVING AUTOMOBILE WHILE INTOXICATED. Section 34. Any person under the influence of intoxicating liquor or any exhilarating or stupefying drug who shall drive, operate or have charge of the power or guidance of any automobile, motorcycle or any motor vehicle propelled by other than muscular power, upon any public street, avenue, alley or public place, within the City of Overbrook, (and the taking or use of any intoxicating liquor or exhilarating or stupefying drug by the person driving, operating or in charge of the power and guidance of any automobile, motorcycle or other vehicle or while operating such vehicle propelled by other than muscular power within a reasonable time prior to taking charge or guidance of such vehicle shall be construed as prima facie evidence that such person is under the influence thereof) upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(35) AIR GUNS AND RIFLES. Section 35. Any person who shall have, discharge or permit his child to have or discharge any air gun, air rifle, or slingshot, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

(36) OBSTRUCTING SIDEWALKS, STREETS OR ALLEYS. Section 36. Any person who shall place, leave or allow to be left any implements, vehicles, tools, boxes of merchandise, trash, cans, crates, corn popper, peanut roaster, ice cream containers or any other obstruction in any street, avenue or alley, sidewalk or public places for a longer time than is necessary for the loading of the same, upon the conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

TAKE EFFECT. Section 37. This ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Passed by the council this 2nd day of March, 1949.

Approved this 2nd day of March, 1949.

WILLARD COBB  
Mayor

(SEAL)  
Attest: WILLIAM JAMES,  
City Clerk

**ORDINANCE 5**

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CERTAIN ACTS TO BE UN-  
LAWFUL AND OFFENSES PUN-  
ISHABLE AS HEREIN PRO-  
VIDED.**

Be it ordained by the Governing  
Body of the City of Overbrook, Kan-  
sas:

**Article 1. Acts Declared Unlawful**

(1) **UNLAWFUL ACTS.** Section 1. It shall be unlawful for any person to do any of the acts or things hereinafter described in the City of Overbrook, and any person convicted of so doing shall be deemed guilty of an offense, a violator of this ordinance, and shall be punished as hereinafter set out and provided.

**Article 2. General Provisions**

(2) **DEFINITION OF TERM "PERSON"**. Section 2. The term "person" as used in this ordinance shall include any firm, copartnership or corporation, and the plural as well as the singular.

(3) **DEFENSES.** Section 3. The provisions of the laws of the State of Kansas relating to misdemeanors in reference to defenses and construction of terms insofar as the same relate to and are applicable shall apply to this ordinance.

(4) **AIDING AND ABETTING.** Section 4. Every person who shall willfully assist or advise, aid or abet any other person in the commission of any of the offenses named in this ordinance shall upon conviction thereof be punished in the same manner as the principal offender.

(5) **ENFORCEMENT.** Section 5. This ordinance shall be enforced by the infliction of such fines, forfeitures and penalties for the violation thereof as shall be prescribed herein, not exceeding one hundred dollars (\$100) or imprisonment not exceeding three (3) months, or by both such fine and imprisonment, for any one offense (unless by law a greater fine or a longer imprisonment or both be permitted), recoverable with cost of suit, together with judgment of imprisonment until the fine costs be paid and satisfied.

(6) **JURISDICTION AND PUNISHMENT.** Section 6. That the police court of the City of Overbrook shall have exclusive original jurisdiction to hear and determine all offenses against this ordinance and the punishment therefore shall be by fine or imprisonment in jail or both as provided by ordinance, and it shall be a part of the judgment that the person convicted shall be imprisoned until the fine (if any) and the costs are paid and satisfied.

(7) **PROCEEDINGS WHEN AN OFFENDER IS UNDER 16 YEARS.** Section 7. When a child under the age of 16 years is arrested with or without a warrant for an offense under this ordinance, such child shall instead of being taken before the police court be taken before the juvenile court of Osage County; provided that if a child shall have been taken before the police court it shall be the duty of the police judge to transfer the case to such juvenile court and of the officer having the child in charge to take such child before said juvenile court. All punishments and penalties imposed upon persons by this ordinance in the case of delinquent children under the age of 16 years shall rest in the discretion of the judge of the juvenile court and execution of any sentence may be suspended or remitted by said court.

**Article 3. Offenses Against Persons**

(8) **ASSAULT AND BATTERY.** Section 8. Any person who shall assault, or beat or wound another under such circumstances as not to constitute any other offense herein defined, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

**Article 4. Offenses Against Property**

(9) **PETTY LARCENY.** Section 9. Every person who shall steal, take and carry away any money or personal property or effects of another, under the value of twenty dollars, (not being the subject of grand larceny, without regard to value) shall be deemed guilty of petty larceny, and upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

#5 C. O. T.

(10) ENTERING ENCLOSURE CARRYING AWAY OR DESTROYING FRUIT. Section 10. Any person or persons who shall maliciously or mischievously enter the enclosure of any person and pick, destroy or carry away any apples, pears, peaches, plums, grapes or other fruit of an tree, shrub, bush or vine, shall be deemed guilty of petty larceny, and upon conviction thereof, shall be punished as provided in the preceding section.

(11) PICKING POCKETS OR TAKING PROPERTY FROM PERSON. Section 11. Whoever shall unlawfully pick the pockets of another or unlawfully take from the person of another any personal property, with intent to steal the same, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(12) PROPERTY DESTRUCTION. Section 12. Any person who shall cut down, injure or destroy or carry away any tree planted or growing for use, shade or ornament, or any timber, rails or wood standing, being growing on the land of any other person; or shall dig up, quarry or carry away stones, brick, mineral or ore, clay or mould, roots, fruit or plants; or cut down or carry away grass, grain, corn, flax or hemp in which he has no interest or right standing, lying, or being on land not his own; or shall knowingly break

glass, window, door, or any part of building not his own; upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three months, or both so fined and imprisoned.

(13) TAKING AND USING PROPERTY OF ANOTHER AGAINST OWNER'S WILL. Section 13. A person who shall take, carry away and use any horse or other domestic animal, or any automobile or other vehicle or conveyance or other personal property of any kind, with intent to deprive the owner of the temporary use thereof, against the owner's will but not with the intent of stealing or converting the same permanently to his own use, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three months, or both so fined and imprisoned.

(14) EMBEZZLEMENT. Section 14. Every person who, in the city of New York, shall embezzle any money or personal property or effects of another, under the value of twenty dollars (\$20), (the same not being a felony without regard to value) shall be punished in the manner prescribed by this ordinance for stealing property of the nature or value of the article embezzled.

(15) RECEIVING STOLEN PROPERTY. Section 15. Every person who shall knowingly buy, or in any manner receive any goods, money, rights of action, personal property, or any other valuable security or effects whatsoever, under the value of twenty dollars, (the same not being a felony without regard to value), that have been embezzled, taken or secreted or that shall have been stolen from another, knowing the same have been so embezzled, taken or secreted or stolen, upon conviction, shall be punished in the same manner to the same extent as for stealing the money, property or other thing so bought or received.

(16) CONVICTION OF PRINCIPAL NOT NECESSARY. Section 16. In any complaint for any offense specified in the last section, it shall be necessary to aver, nor on the part of the principal who embezzled, took, secreted or stole property has been convicted.

(17) OBTAINING PROPERTY BY FALSE PRETENSES. Section 17. Any person who, with intent to cheat or defraud another, shall obtain from any other person or persons any money, property or valuable thing of value of less than twenty dollars (the same not being a felony without regard to value), by means of the use of any trick or deception, false or fraudulent representation, statement or pretense, or by any other means, instrument, or device, written or printed or engraved in metal or spurious coin or metal, upon conviction, shall be punished in the same manner and to the same extent as for stealing property.

(18) MALICIOUS MISCHIEF. Section 18. Every person who shall wilfully and maliciously remove, displace, deface, break, injure, damage, or destroy the property of another, either public or private, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(19) POSTING BILLS. Section 19. Any person who shall put up or attach any handbills, advertisements, posters, showbills, or other sign on any building, pole, or property not his own, without permission of the owner or person in control, upon conviction hereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(20) DUMPING REFUSE ALONG STREETS. Section 20. Any person who shall throw, place, deposit or leave, or cause to be thrown, placed, deposited or left in or on any street or alley, any dirt, filth, sewage, sweepings, ashes, tin cans, bottles, glass or other refuse of any kind upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100) or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 5. Offenses Affecting the Administration of Justice.

(21) ASSAULTING OFFICER IN DISCHARGE OF DUTY. Section 21. Every person who shall knowingly and wilfully assault, beat or wound any public officer, his deputy or lawful assistant, while in the discharge of an official duty, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(22) RESISTING ARREST. Section 22. Every person who shall knowingly and wilfully resist, oppose or obstruct any public officer, his deputy or lawful assistant, while in the discharge of his duty, or in making any lawful arrest in this city, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months or both so fined and imprisoned.

(23) AIDING ESCAPE FROM OFFICER. Section 23. Every person who shall aid or assist any prisoner in escaping or attempting to escape from the custody of any officer, his deputy or lawful assistant who shall have the lawful charge of such prisoner, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 6. Offenses Against Public Morals and Decency.

(24) INDECENT EXPOSURE OF PERSON. Section 24. Any person who shall appear in any public place in a state of nudity or indecently clad, or make any indecent public exposure of his or her person, or behave in any indecent or lewd manner, or commit any indecent or lewd act of any kind, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(25) GAMBLING DEVICE. Section 25. Every person who shall set up or keep any table or gambling device, adapted, devised or designated for the purpose of playing any game of chance for money or property or shall

induce, entice or permit any person to bet or play at or upon such table or gambling device, or at or upon any game played at or by means of such table or gambling device, either on the side of or against the keeper thereof, or shall keep a place or room to be used as a place for playing any game of chance for money or property or keep a common gaming-house or keep a house, room or place to which persons are accustomed to resort for the purpose of gambling, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(26) GAMBLING TABLES, ETC., PROHIBITED. Section 26. Every person who shall knowingly permit any gambling table, bank or device, prohibited by this ordinance to be set or used or kept in any room, building, shelter, enclosure or premises belonging to him, or occupied by him, or of which he has possession or control, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.



(27) COMMON NUISANCE: DESTRUCTION. Section 27. All places used for any of the unlawful purposes as mentioned in the preceding Sections 25-26 of this ordinance, are hereby declared to be common nuisances, and, upon the judgment of the police court of this city, finding such place to be a nuisance under this ordinance, the marshal or chief of police shall be directed to abate and shut up such places by taking possession of all devices and all other property used in keeping and maintaining such nuisance, and such personal property so taken shall forthwith be publicly destroyed by such officer.

(28) DISTURBING PEACE. Section 28. Every person who shall wilfully disturb the peace and quiet of any person, family or neighborhood, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

Article 7. Offenses Against Peace and Order.

(29) DISORDERLY CONDUCT. Section 29. Every person who shall engage in any riot, or affray or act in a rude, boisterous, riotous or disorderly manner on any street, avenue, alley, public ground, place or building in this city, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(30) DISCHARGING EXPLOSIVES. Section 30. Every person who shall set off or discharge any blank cartridges, cannon crackers or dynamite or other dangerous explosive, except under authority of an ordinance permitting the same, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

Article 8. Miscellaneous Offenses

(31) BEGGING AND SOLICITING ALMS. Section 31. Any person who shall beg or solicit alms either directly or indirectly upon the public streets, or public places, or from house to house, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

(32) CHICKENS, FOWLS AT LARGE. Section 32. Any person, person, firm or corporation who shall permit or allow any chickens, ducks, brant, geese, turkeys or any fowl of any kind kept or harbored by any person, firm or corporation, to run at large within the corporate limits of the City of Overbrook, or to go upon the property or premises of any other person, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(33) DRUNKENNESS. Section 33. Any person who shall be drunk, upon conviction thereof, shall be fined not exceeding twenty-five dollars (\$25), or imprisoned not exceeding thirty days.

(34) DRIVING AUTOMOBILE WHILE INTOXICATED. Section 34. Any person under the influence of intoxicating liquor or any exhilarating or stupefying drug who shall drive, operate or have charge of the power or guidance of any automobile, motorcycle or any motor vehicle propelled by other than muscular power, upon any public street, avenue, alley or public place, within the City of Overbrook, (and the taking or use of any intoxicating liquor or exhilarating or stupefying drug by the person driving, operating or in charge of the power and guidance of any automobile, motorcycle or other vehicle or while operating such vehicle propelled by other than muscular power within a reasonable time prior to taking charge or guidance of such vehicle shall be construed as prima facie evidence that such person is under the influence thereof) upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

(35) AIR GUNS AND RIFLES. Section 35. Any person who shall have, discharge or permit his child to have or discharge any air gun, air rifle, or slingshot, upon conviction thereof, shall be fined not exceeding one hundred dollars (\$100).

(36) OBSTRUCTING SIDEWALKS, STREETS OR ALLEYS. Section 36. Any person who shall place, leave or allow to be left any implements, vehicles, tools, boxes of merchandise, trash, cans, crates, corn popper, peanut roaster, ice cream containers or any other obstruction in any street, avenue or alley, sidewalk or public places for a longer time than is necessary for the loading of the same, upon the conviction thereof, shall be fined not exceeding one hundred dollars (\$100), or imprisoned not exceeding three (3) months, or both so fined and imprisoned.

TAKE EFFECT. Section 37. This ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Passed by the council this 2nd day of March, 1949.

Approved this 2nd day of March, 1949.

WILLARD COBB  
Mayor

(SEAL)  
Attest: WILLIAM JAMES,  
City Clerk

ORDINANCE NO. 6

AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF OVERBROOK, KANSAS.

Be it ordained by the governing body of the City of Overbrook, Kansas:

Section 1. DEFINITIONS. Words and phrases defined in the state traffic code and particularly in Section 8-501 of the 1945 Supplement to the General Statutes of 1935, when used in this ordinance shall have the meanings given in the state traffic code. The word "alley" is hereby defined to mean:

Sec. 2. REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE. It shall be unlawful for any person to do any act forbidden or fail to perform any act required in this ordinance.

Sec. 3. OBEDIENCE TO POLICE. No person shall wilfully fail or refuse to comply with any lawful order or direction of a police officer.

Sec. 4. EXEMPTIONS TO AUTHORIZED EMERGENCY VEHICLES. (a) The provisions of this ordinance regulating the operation, parking, and standing of vehicles shall apply to authorized emergency vehicles, as defined in this ordinance, except as follows:

A driver when operating any such vehicle in an emergency, except when otherwise directed by a police officer, may—

(1) Park or stand notwithstanding the provisions of this ordinance;

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(3) Exceed the prima facie speed limits so long as he does not endanger life or property;

(4) Disregard regulations governing direction of movement or turning in specified directions so long as he does not endanger life or property.

(b) The foregoing exemptions shall not, however, protect the driver of any such vehicle from the consequences of his reckless disregard of the safety of others.

Sec. 5. PERSONS PROPELLING PUSH CARTS OR RIDING BICYCLES OR ANIMALS TO OBEY TRAFFIC REGULATIONS. Every person propelling any push cart or riding a bicycle or an animal upon roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this ordinance applicable to the driver of any vehicle, except those provisions of this ordinance which by their very nature can have no application.

Sec. 6. TRAFFIC CONTROL DEVICES. (a) It shall be the general duty of the governing body to determine the installation and proper timing and maintenance of traffic control devices.

(b) The governing body shall place and maintain traffic control devices when and as required under this and other traffic ordinances of this city to make effective the provisions of such ordinances, and may place and maintain such additional traffic control devices as they may deem necessary to regulate traffic under the traffic ordinances of this city or under state law, or to guide or warn traffic.

(c) All traffic control devices hereafter installed shall conform to the manual and specifications approved by the State Highway Commission. All traffic control devices so erected and not inconsistent with the provisions of state law or this ordinance shall be official traffic control devices.

(d) In placing and maintaining traffic control devices to indicate and carry out the provisions of state law or city ordinance, or to regulate, warn, or guide traffic on streets which are connecting links in the state highway system, the governing body and city officers and employees shall be subject to the direction and control of the State Highway Commission.

(e) Whenever, by this or any other ordinance, a one-way street is described or any time-light parking is imposed, it shall be the duty of the governing body to erect appropriate signs giving notice thereof, and no such regulation shall be effective until said signs are erected.

(f) The governing body is hereby authorized: (1) to designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks and intersections where in their opinion there is particular danger to pedestrians crossing the roadway, and at such other places as may be deemed necessary; (2) to establish safety zones of such kind and character and at such places as they may deem necessary for the protection of pedestrians; (3) and to mark lanes for traffic on street pavements at such places as they may deem advisable consistent with this ordinance and other traffic ordinances of this city.

Sec. 7. OBEDIENCE TO OFFICIAL TRAFFIC CONTROL DEVICES. (a) The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic ordinances of this city, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

(b) No provision of this ordinance for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficient legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being erected to give notice thereof.

Sec. 8. OBEDIENCE TO NO-TURN SIGNS AND TURNING MARKERS.

(a) Whenever authorized signs are erected indicating that no right or left or "U" turn is permitted no driver of a vehicle shall disobey the

directions of any such sign, and when authorized marks, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

(b) The governing body is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left, or "U" turn, and shall place proper signs at such intersections.

(c) The governing body is authorized to place markers, buttons, or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law or ordinance.

Sec. 9. ZONE OF QUIET. Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within such zone shall sound the horn or other warning advice of said vehicle except in an emergency.

Sec. 10. PARKING PROHIBITED ON NARROW STREETS. When signs prohibiting parking are erected on narrow streets no person shall park a vehicle in any such designated place.

Sec. 11. NO STOPPING OR PARKING NEAR HAZARDOUS OR CONGESTED PLACES. When signs are erected upon approach to hazardous or congested places no person shall stop, stand, or park a vehicle in any such designated place.

Sec. 12. PARKING ADJACENT TO SCHOOLS. When signs are erected indicating no parking upon that side of the street adjacent to any school property, no person shall park in any such designated place.

Sec. 13. PARKING PROHIBITED IN CERTAIN PLACES. (a) No person shall stop, stand, or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

(b) No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic.

Sec. 14. PARKING PROHIBITED AT ALL TIMES IN DESIGNATED PLACES. When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the following streets:

Sec. 15. LIMITATIONS ON TURNING AROUND. The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in a business district and shall not upon any other street so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

Sec. 16. LIMITATIONS ON BACKING. The driver of a vehicle shall not back the same into an intersection or over a crosswalk and shall not back a vehicle unless such movement can be made in safety.

Sec. 17. EMERGING FROM ALLEY OR PRIVATE DRIVEWAY. The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

Sec. 18. VEHICLES SHALL NOT BE DRIVEN ON THE SIDEWALK. The driver of a vehicle shall not drive within any sidewalk area except at a permanent or temporary driveway.

Sec. 19. **CLINGING TO MOVING VEHICLES.** Any person riding upon any bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle shall not attach<sup>h</sup> the same or himself to any moving vehicle upon any roadway.

Sec. 20. **SPEED RESTRICTIONS.**  
(a) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions then existing.

(b) Where no special hazard exists, the following speeds shall be lawful, but any speed in excess of said limits shall be prima facie evidence that the speed is not reasonable or prudent and is unlawful:

1. Twenty miles per hour in any business district;

2. Thirty miles per hour in any residence district.

(c) The fact that the speed of a vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow, winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(d) In every charge of violation of this section, the complaint, also the warrant (if any), shall specify the speed at which the defendant is alleged to have driven, also the prima facie speed applicable within the district or at the location.

(e) The foregoing provisions of this section shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence upon the part of the defendant as the proximate cause of an accident.

Sec. 21. **PENALTIES.** Unless another penalty is expressly provided herein or by law, every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than One Hundred Dollars (\$100) or by imprisonment for not more than Three (3) months or by both such fine and imprisonment.

Sec. 22. **EFFECT OF ORDINANCE.** If any part or parts of this ordinance are for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of this ordinance.

Sec. 23. **SHORT TITLE.** This ordinance may be known and cited as the Traffic Ordinance.

Sec. 24. **EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in The Overbrook Citizen.

Passed by the council this 2nd day of March, 1949.

Approved this 2nd day of March, 1949.

WILLARD COBB

(SEAL)

Mayor

Attest: WILLIAM JAMES  
City Clerk

# 7

(Published in The Overbrook Citizen,  
March 10, 1949)

**ORDINANCE NO. 7**

**AN ORDINANCE PROVIDING FOR  
THE REGULAR CITY ELECTION.**

**BE IT ORDAINED** by the govern-  
ing body of the City of Overbrook,  
Kansas:

Section 1. That the regular city  
election of the City of Overbrook,  
Kansas, shall be held on Tuesday  
the fifth day of April, 1949, from the  
hours of 8 o'clock A. M., and to  
6 o'clock P. M., in the Kansas State  
Bank, for the purpose of electing a  
Mayor, a Police Judge and five  
Councilmen.

Section 2. That Delbert English,  
Mrs. Irving Haas and L. D. Coffman  
are hereby designated by the Mayor  
with the approval of the Council  
to act as Judges of said election, and  
Mrs. Ethel Atchison and Mrs. Ed-  
gar Finley are hereby designated by  
the Council to act as Clerks of said  
election.

Section 3. This ordinance shall take  
effect and be in force from and  
after its publication in The Over-  
brook Citizen, the official City paper.

Passed and approved this 8th day  
of March, 1949.

WILLARD COBB,  
Mayor.

Attest: WILLIAM JAMES,  
City Clerk.

#8

First Published in The Overbrook Citizen, March 17, 1949)

ORDINANCE NO. 4

AN ORDINANCE PRESCRIBING FIRE LIMITS AND RELATING TO THE CONSTRUCTION OF BUILDINGS THEREIN, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

Be it ordained by the Mayor and Councilmen of the City of Overbrook, Kansas.

Section 1. The following shall be and are hereby declared to be the fire limits:

Beginning at the northeast (NE) corner of lot 8, block 2, Coffman's First Addition, thence south to First Street, thence west to Maple Street, thence south to city limits, then west to city limits, thence north to the northeast (NE) corner of lot 19, block 13, of the original town, thence east to the alley at northeast (NE) corner of lot 20, block 14 of the original town, thence north to the northeast corner of lot 10, block 3 of the original town, thence east to the northeast (NE) corner of lot 9, block 3, of the original town, thence north to the northeast (NE) corner of lot 7, block 3, of the original town, thence east to the beginning point.

Section 2. Every building hereafter erected or enlarged within the fire limits shall be inclosed on all sides with walls constructed of stone, brick, tile, terra cotta, concrete, or cement block, except as otherwise provided by this ordinance.

Section 3. Small frame outhouses not exceeding 150 square feet in area and 8 feet in height and temporary one-story frame buildings for use of builders may be built within the fire limits, provided, however, that such buildings shall not be located within 20 feet of any other building.

Section 4. No frame building shall be moved from without to within the fire limits. For the purpose of this ordinance a building shall be classed as frame when the exterior walls or portions thereof are of wood; also, a building with wooden framework veneered with brick, stone, terra cotta, tile or concrete, or wood covered with plaster, stucco or sheet metal shall be classed as a frame building.

Sec. 5. Any frame building within the fire limits, which may hereafter be damaged by fire, decay or otherwise to an amount greater than 50 per cent, exclusive of its foundation, shall not be repaired or rebuilt, but shall be removed.

Section 6. All buildings hereafter erected within the fire limits shall have the roof, top and sides of all roof structures, including dormer windows and mansard roofs, covered with incombustible material. No existing wooden shingle roof within the fire limits shall be renewed or repaired with other than incombustible roof covering.

Section 7. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than five dollars (\$5) nor more than twenty-five (\$25) for each offense. Each day that any of the provisions of this ordinance shall be violated shall constitute a separate offense.

Section 8. This ordinance shall take effect and be in force from and after its passage and publication in the official city paper.

Passed by the council this 9th day of March, 1949.

Approved this 9th day of March, 1949.

WILLARD COBB  
Mayor

(SEAL)  
ATTEST: WILLIAM JAMES  
City Clerk.

**NOTICE**

Notice is hereby given to the legal electors of the City of Overbrook, Kansas, that the governing body of said city proposes to pass an ordinance granting an electric franchise to The Kansas Power and Light Company, said ordinance being in form as follows:

**ORDINANCE NO. 9**

AN ORDINANCE, granting to The Kansas Power and Light Company, a Kansas corporation, its successors and assigns, an electric franchise, prescribing the terms thereof and relating thereto, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

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

Section 1. That in consideration of the benefits to be derived by the City of Overbrook, Kansas, and its inhabitants, there is hereby granted The Kansas Power and Light Company, a Kansas corporation, herein-after sometimes designated as "Company", said Company being a corporation operating a system for the transmission of electric current between two or more incorporated cities in the State of Kansas, into and through which it has built transmission lines, the right, privilege and authority for a period of twen-

(20) years from the \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_, to occupy and use the several streets, avenues, alleys, bridges, parks, parkings and public places of said City, for the placing and maintaining of equipment and property necessary to carry on the business of selling and distributing electricity for all purposes to the City of Overbrook, Kansas, and its inhabitants, and through said City and beyond the limits thereof; to obtain said electricity from any source available; and to do all things necessary or proper to carry on said business in the City of Overbrook, Kansas.

Section 2. As consideration for the granting of this franchise, and in lieu of any occupation tax, license or rental charge by the City of Overbrook, Kansas, the Company shall furnish without cost to the said City an overhead series street lighting service of 22 - 250 candle power lamps burning approximately 4,000 hours per year. The said free street lighting shall begin upon completion of the street lighting system in said City, and continue throughout the remaining term of this franchise.

Section 3. That the Company, its successors and assigns, in the construction, maintenance, and operation of its electric transmission, distribution, and street lighting system, shall use all reasonable and proper precaution to avoid damage

or injury to persons or property, and shall hold and save harmless the City of Overbrook, Kansas, from any and all damage, injury and expense caused by the sole negligence of said Company, its successors and assigns, or its or their agents or servants.

Section 4. That within sixty (60) days from and after the passage and approval of this ordinance, said Company shall file with the City Clerk of said City of Overbrook, Kansas, its unconditioned written acceptance of this ordinance.

Section 5. That any and all ordinances in conflict with the terms hereof are hereby repealed.

Section 6. That this ordinance shall become effective and be in force and shall be and become a binding contract between the parties hereto, their successors and assigns, from and after its passage, approval, publication as required by law, and acceptance by Company.

Section 7. This franchise is granted pursuant to the provisions of Section 12-824 G. S. Kansas 1935.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 194\_\_\_\_.

Mayor

Attest:

City Clerk

This notice executed at the City of Overbrook, Kansas, this 6th day of April, 1949.

WILLARD COBB

Mayor  
(14,15,16,17)

# 10

(First Published in the Overbrook  
Citizen, May 5, 1949)  
Ordinance No. 10

AN ORDINANCE PROVIDING FOR  
THE CALLING AND HOLDING OF  
A SPECIAL ELECTION TO SUBMIT  
TO THE QUALIFIED ELECTORS  
OF THE CITY OF OVERBROOK,  
OSAGE COUNTY, KANSAS, THE  
PROPOSITION OF LICENSING THE  
RETAIL SALE OF ALCOHOLIC  
LIQUORS BY THE PACKAGE IN  
THE CITY OF OVERBROOK.

WHEREAS, a petition, having placed  
at the top of each sheet, the propo-  
sition, "Shall the sale of alcoholic  
liquors by the package be licensed in  
the city of Overbrook, Osage County,  
Kansas?" and,

WHEREAS, said petition having  
been properly signed by at least For-  
ty per cent (40%) of the qualified  
electors of the City of Overbrook,  
Kansas, voting at the last General  
Election. and said petition having  
been properly signed and acknowl-  
edged and filed with the City Clerk  
of said city; and,

WHEREAS, the governing body  
having determined that said peti-  
tion was sufficient for the purpose  
of having said proposition submitted  
to all of the qualified electors of  
said city:

NOW, THEREFORE, BE IT OR-  
DAINED BY THE GOVERNING  
BODY OF THE CITY OF OVER-  
BROOK, OSAGE COUNTY, KANSAS:

SECTION 1. That the proposition,  
"Shall the sale of alcoholic liquors  
by the package be licensed in the  
City of Overbrook, Kansas?" shall  
be submitted to all qualified electors  
of the City of Overbrook, Osage Coun-  
ty, Kansas, at a special Election.

SECTION 2. Said Election to be  
held on the 27th day of May, 1949,

SECTION 3. The Ballot to be used  
in said election shall be substantially  
in the following form:

OFFICIAL CITY BALLOT

Voters desiring to vote in favor of  
the sale of alcoholic liquors by the  
package shall place a cross (X) in  
the square opposite the word "Yes",  
and those desiring to vote against  
the sale of alcoholic liquors by the  
package shall place a cross (X) in  
the square opposite the word "No".

SECTION 4. All qualified electors  
residing in the City of Overbrook  
shall be entitled to vote at said  
election.

SECTION 5. This ordinance shall  
take effect and be in full force from  
and after its passage, approval and  
publication.

Passed and approved this 4th day  
of May, 1949.

WILLARD COBB, Mayor

(seal) Attest:

WILLIAM E. JAMES, City Clerk



## ORDINANCE NO. 11

An ordinance relating to dogs.

Be it ordained by the governing body of the City of Overbrook:

Section 1. An annual tax of one dollar (\$1.00) for each male dog and spayed female dog, and two dollars (\$2.00) for each unspayed female dog, irrespective of age, is hereby levied upon the person, firm, or corporation owning or harboring such dog within the limits of this city; Provided, that when ownership or possession is acquired or residence is established after December 1 the tax shall be one-half the annual tax. The tax year shall be from June 1 to June 1.

Section 2. It shall be the duty of

the owner or harborer of a dog to pay the tax imposed in Section 1 hereof to the city clerk for the general revenue fund of the city on or before the first day of June in each and every year, or upon acquiring ownership or possession of any dog or upon establishing residence in Overbrook. It shall be unlawful for the owner or harborer of a dog to fail to pay the tax when due.

Before the city clerk shall accept any money proffered in payment of the tax on a spayed female dog, the person proffering the tax shall present to the city clerk the certificate of a veterinarian showing that such female dog has been spayed.

The city clerk shall publish a notice of the time of paying such tax in the official paper one time before the first day of June in each year.

Section 3. The owner or harborer of a dog, shall at the time of paying the tax, register the dog by giving the name and address of the owner or harborer, and the name, breed, color and sex of the dog and such other information as the city clerk may request to the city clerk. When the certificate of spaying is presented, the tax paid, and registration information given, the city clerk shall execute a duplicate receipt and deliver the original receipt to the taxpayer and retain the duplicate. He shall also deliver to the taxpayer a suitable metallic or other permanent tag.

The City Clerk shall keep proper record of the required information.

Section 4. The owner or harborer shall cause the tag to be affixed to the collar of the dog upon which the tax is paid in such manner that the tags can be easily seen by the officers of the city, and the owner or harborer shall see that the tags are constantly worn by the dog.

Section 5. The city marshal and other police officers shall take up and impound any dog running at large in the city without a tag: Provided, that if a dog running at large appears to have rabies and such dog cannot be captured with safety such dog may be killed.

Section 6. In case any dog tag is lost, one duplicate may be issued by the city clerk upon presentation of receipt showing the payment of the tax for the current year. A charge of twenty-five cents (25c) shall be made

for a duplicate tag.

Section 7. Dog tags shall not be transferable and no refund of tax shall be made.

Section 8. It shall be unlawful for any person to keep or harbor any vicious or dangerous dog, knowing it to be such, within the city.

Section 9. Any person, firm or corporation convicted of violating any of the provisions of Sections 2, 4, and 8 of this ordinance shall be punished by a fine of not less than one dollar (\$1.00) and not more than one hundred dollars (\$100.00) and costs.

Section 10. This ordinance shall take effect and be in force from and after its publication in the Overbrook Citizen.

Passed by the council the fourth day of April, 1950.

Approved the fourth day of April, 1950.

Carl Coffman, Mayor

(SEAL)  
Attest: Willard Krouse  
City Clerk

first procure a license from the City Clerk for the operation of said machine or machines.

Section Two:

That each and every person, firm or corporation shall pay a license of \$10.00 per year or any part thereof for every marble machine, game of chance or coin operated music machine in operation.

Section Three:

That any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be adjudged to pay a fine of not less than \$10.00 nor more than \$50.00.

Section Four:

That this ordinance shall take effect from and after its publication in The Overbrook Citizen, the official city paper.

Passed by the City Council and approved by the Mayor this 6th day of December, A. D. 1950.

CARL C. COFFMAN,  
Mayor

Attest: TED VANVALKENBURG  
City Clerk.

(Seal)

Published in the Overbrook Citizen December 7, 1950.

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Ordinance No. 12

AN ORDINANCE PROVIDING  
FOR OCCUPATION LICENSES  
ON MARBLE MACHINES,  
GAMES OF CHANCE AND  
COIN OPERATED MUSIC MA-  
CHINES IN THE CITY OF  
OVERBROOK

Be it ordained by the Govern-  
ing Body of the City of Over-  
brook, Kansas,

Section One:

That any person, firm or cor-  
poration who owns or operates  
marble machines, games of  
chance and coin operated music  
machines within the limits of the  
City of Overbrook, Kansas, shall

(First published in the Overbrook  
Citizen, January 4, 1951)

**ORDINANCE NO. 13**

**NOTICE OF AMENDMENT  
TO ORDINANCE NO. 12, DA-  
TED DECEMBER 7, 1950.**

Being an amendment by the  
City Council repealing Sections  
1 and 2 of Ordinance No. 12  
dated December 7, 1950, pertain-  
ing to the license fee for marble  
machines, games of chance and  
coin operated music machines in  
the City of Overbrook, Kansas  
and substituting therein Sections  
1 and 2 reading as follows:

Section 1—Any person or per-  
sons, firms or corporations own-  
ing or operating any coin or non-  
coin operated machines constitu-  
ting amusement, entertainment or  
games of chance or skill shall  
first procure a license from the  
city clerk of the City of Over-  
brook.

Section 2—That each and ev-  
ery person, firm or corporation  
shall pay a license fee of \$10.00  
per machine per year. The Over-  
brook Fair Association, carnivals  
and civic organizations operating  
on a temporary basis are exclud-  
ed.

Passed by the City Council and  
approved by the Mayor this 3rd  
day of January, 1951.

(SEAL)

Carl C. Coffman, Mayor

Attest:

Theo. VanValkenburg, City Clerk

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**LEGAL NOTICE**

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(First Published in The Overbrook  
Citizen, January 10, 1952.)

**ORDINANCE NO. 14**

An ordinance making the following described real estate a part of the corporate limits of the City of Overbrook, Kansas.

**BE IT ORDAINED BY THE GOV-  
ERNING BODY OF THE CITY OF  
OVERBROOK, KANSAS:**

Section 1: That the following described tract of real estate be made a part of the corporate limits of the

city of Overbrook, Kansas, said real estate being described as follows to-wit:

Beginning 36½ rods east of the SW corner of the SW¼ of Section 32, Township 14, Range 17; thence north 13.6 rods; thence west 5 rods; thence south 13.6 rods; thence east 5 rods to the point of beginning, all in Osage County, Kansas.

Section 2: This ordinance to be in full force and effect from and after its passage and publication in the official city paper.

Carl C. Coffman, Mayor  
Passed the council December 5, 1951  
Approved by the Mayor December  
5, 1951  
Published in the Overbrook Citizen  
January 10, 1952

Attest: Theo VanValkenburg, City  
Clerk  
(Seal)

LEGAL NOTICE

(Published in the Overbrook Citizen, Thursday, August 7, 1952)

ORDINANCE NO. 15

An Ordinance for abandonment of 3 alleyways in the City of Overbrook.

The City Council, meeting in regular session August 6, 1952, voted to vacate the alleyways described as the east and west alley in Woods Addition, block 1; north and south alley in Fairchild's Addition, block 1; and the north and south alley of the Original Town of Overbrook, block 14.

Therefore be it ordained that said alleys be declared vacated following publication of this ordinance in The Overbrook Citizen.

Signed: MAYOR AND  
COUNCIL OF OVERBROOK

# COPY OF NOTICE

## LEGAL NOTICE

(Published in The Overbrook Citizen,  
August 21, 1952)

### ORDINANCE NO. 16

AN ORDINANCE AUTHORIZING AND DIRECTING THE CALLING OF A SPECIAL ELECTION IN THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID CITY A PROPOSITION TO ISSUE AND SELL GENERAL OBLIGATION BONDS OF SAID CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$143,000.00, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CONSTRUCTING A WATER WORKS SYSTEM FOR THE PURPOSE OF SUPPLYING THE SAID CITY AND THE INHABITANTS THEREOF WITH WATER.

WHEREAS, The Governing Body of the City of Overbrook, Osage County, Kansas deems it necessary and advisable to construct a Water Works System for the purpose of supplying the said City and the inhabitants thereof with water.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS:

Section 1. That the Governing Body, or a majority of them, are hereby authorized and directed to call a special election for the purpose of submitting to the qualified electors of the City of Overbrook, Osage County, Kansas, a proposition to issue and sell General Obligation Bonds of said City in the aggregate principal amount of not exceeding \$143,000.00, for the purpose of providing funds to pay the cost of constructing a Water Works System for the purpose of supplying said City and the inhabitants thereof with water.

Section 2. That said election shall be held on the 19th day of September, 1952, and the polling places at

said election shall be the usual places of holding elections in said City, to-wit:

City Library

Section 3. The ballots to be used at said election shall be in substantially the following form:

#### OFFICIAL BALLOT

"SHALL the City of Overbrook, Osage County, Kansas, issue and sell General Obligation Bonds of said City in the aggregate principal amount of not exceeding One Hundred Forty-three Thousand Dollars. (\$143,000.00), for the purpose of providing funds to pay the cost of constructing a Water Works System for the purpose of supplying said City, and the inhabitants thereof, with water, under the provisions of Sections 12-804 and 12-801 to 12-803, both inclusive, and Article 1 of Chapter 10, of the General Statutes of Kansas for 1949, and all amendments thereto?"

To vote in favor of the bonds make a cross X mark in the square after the word "YES"

To vote against the bonds make a cross X mark in the square after the word "NO"

YES

NO

Section 4. Notice of said election shall be given in the manner provided by law. Such notice shall set forth the time and place of holding the election, and the purpose for which the bonds are to be issued, shall be signed by the Mayor and City Council, or a majority of them, and shall be published in a newspaper of general circulation in said City once each week for three consecutive weeks, the first publication to be not less than twenty-one (21) days prior to said election.

Section 5. All qualified electors residing in the City of Overbrook, Osage County, Kansas, shall be entitled to vote at said election. The City Clerk is hereby authorized and directed to prepare and cause to be printed ballots substantially in the form hereinbefore provided and also to

procure the necessary tally sheets, and poll books for use at said election, and said election shall be held in all respects according to the rules and regulations provided by law for holding elections in said City.

Section 6. This ordinance shall be in force and effect from and after its adoption, approval and publication in the official paper of said City. ADOPTED and approved this 19th day of August, 1952.

CARL C. COFFMAN

Mayor of the City of Overbrook, Osage County, Kansas

Attest: Theo VanValkenburg  
City Clerk (24)

(Seal)

**LEGAL NOTICE**

(First Published in The Overbrook Citizen, Thursday, October 9, 1952)

**ORDINANCE NO. 17**

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A WATER SYSTEM FOR THE PURPOSE OF SUPPLYING THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, AND THE INHABITANTS THEREOF, WITH WATER, UNDER THE AUTHORITY OF SECTIONS 12-834 AND 12-803, BOTH INCLUSIVE, AND ARTICLE I OF CHAPTER 12 OF THE GENERAL STATUTES OF KANSAS FOR 1949, AND ALL AMENDMENTS THERETO, AND PROVIDING FOR THE ISSUANCE OF \$143,000.00 IN GENERAL OBLIGATION BONDS OF SAID CITY TO PAY THE COST OF THE SAME.

WHEREAS, The Governing Body of the City of Overbrook, Osage County, Kansas, has heretofore, by ordinance duly and regularly passed on August 19, 1952, authorized the Mayor of said City to call a special election for the purpose of providing funds to pay the cost of constructing a Water Works System for the purpose of supplying said City, and the inhabitants thereof, with water; and,

WHEREAS, Notice of said special election for that purpose, stating the purpose for which the election was called, the amount of bonds to be voted on, and the purpose for which the bonds were to be used, and the time when, and the place where, and the voting places where said election was to be held, was given by the Mayor, which notice, signed by the Mayor and City Clerk, was duly and regularly published in three consecutive issues of THE OVERBROOK CITIZEN, the official paper of the City of Overbrook, Osage County, Kansas, the first publication of which was on August 21, 1952, which was at least twenty-one days prior to the date fixed for such election; and,

WHEREAS, Said election was held on the 19th day of September, 1952, and the Governing Body did on October 1st, 1952, canvass the vote thereon, and declare that a majority of the electors voting voted in favor of the proposition of issuing said bonds; and,

WHEREAS, All other legal requirements, as provided in the statutes of the State of Kansas, have been fully complied with, with reference to the making of said improvements, and the issuance of bonds to pay for the cost thereof;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS:

Section 1. That the City of Overbrook, Osage County, Kansas construct a Water Works System for the purpose of supplying said City, and the inhabitants thereof, with water.

Section 2. That for the purpose of paying the cost thereof there shall be issued General Obligations Bonds (Water Works), of the City of Overbrook, Osage County, Kansas, in the amount of \$143,000.00, which said bonds shall be in the denomination of \$1000.00 each, numbered from 1 to 143, both inclusive, be dated October 1, 1952, and bear interest as follows, to-wit: — Bonds numbered 1 to 31, maturing October 1, 1953 to October 1, 1956, both inclusive, bearing interest at the rate of 2 1/2% per annum; bonds numbered 32 to 101, maturing October 1, 1957 to October 1, 1966, both inclusive, bearing interest at the rate of 3 1/2% per annum; and bonds numbered 102 to 143, maturing October 1, 1967 to October 1, 1972, both inclusive, bearing interest at the rate of 3 3/4% per annum—payable April 1, 1953, and semi-annually thereafter on the first days of October and April of each year, and said bonds maturing in the following amounts, upon the following dates, to-wit:

NUMBERS	MATURITY	AMOUNT
1 to 8	October 1, 1953	\$8,000.00
9 to 16	October 1, 1954	8,000.00
17 to 24	October 1, 1955	8,000.00
25 to 31	October 1, 1956	7,000.00
32 to 38	October 1, 1957	7,000.00
39 to 45	October 1, 1958	7,000.00
46 to 52	October 1, 1959	7,000.00
53 to 59	October 1, 1960	7,000.00
60 to 66	October 1, 1961	7,000.00
67 to 73	October 1, 1962	7,000.00
74 to 80	October 1, 1963	7,000.00
81 to 87	October 1, 1964	7,000.00
88 to 94	October 1, 1965	7,000.00
95 to 101	October 1, 1966	7,000.00
102 to 108	October 1, 1967	7,000.00
109 to 115	October 1, 1968	7,000.00
116 to 122	October 1, 1969	7,000.00
123 to 129	October 1, 1970	7,000.00
130 to 136	October 1, 1971	7,000.00
137 to 143	October 1, 1972	7,000.00

\$143,000.00

Section 3. Said bonds and coupons shall contain recitals, and be in the form and of the size as provided by the statutes of the State of Kansas.

Section 4. That said bonds shall be signed by the Mayor and attested by the Clerk of said City, and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signature of said Mayor and City Clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5. That the Mayor and City Clerk are hereby authorized to prepare and execute said bonds, and coupons, and when so executed, said bonds shall be registered as required by law, and the Governing Body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said City.

Section 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. That this ordinance shall be in full force and take effect from and after its publication in THE OVERBROOK CITIZEN, the official City paper, as provided by law.

PASSED and approved this 7th day of October, 1952.

CARE C. COFFMAN  
Mayor of the City of Overbrook, Osage County, Kansas

Attest: Theo. Van Valkenburg,  
City Clerk

(SEAL)

ORDINANCE NO. 18

An Ordinance Fixing Water Rates and Fees

Be it Ordained, by the governing body of the City of Overbrook, Kansas:

Section 1. For Water Rates within the City limits of Overbrook the following rates shall be charged monthly:

First 1000 Gallons — \$2.25  
Second 1000 Gallons — 1.00  
Third 1000 Gallons — .50  
Fourth 1000 Gallons — .50  
Fifth 1000 Gallons — .50  
All over 5000 Gallons — .35 per 1000  
The minimum monthly bill shall be \$2.25.

Section 2. For water outside the City Limits of Overbrook the following water rates shall be charged:

First 1000 Gallons — \$3.25  
Second 1000 Gallons — 1.00  
Third 1000 Gallons — .50  
Fourth 1000 Gallons — .50  
Fifth 1000 Gallons — .50  
All over 5000 Gallons — .35 per 1000  
Rates for Rural High and Grade Schools shall be established on a flat rate basis. Rates to be established at a later date.

Section 3. The rates shown in section 1 and 2 shall be charged for all water service except as otherwise stated in contracts or pipeline easements. No consumer shall resell water without the written consent of the City Council.

Section 4. PAYMENT OF WATER BILLS. All water bills shall be paid at the Kansas State Bank on or before the 10th of the following month. On all such bills that are not paid on or before the 10th day of the following month a 10 per cent penalty shall be added to and become a part of such bill. When such delinquent bills remain unpaid the 15th day of the following month, service to the consumer shall be discontinued.

Section 5. While it is not the intention of the City Council to require a deposit on the meter to insure payment of water bills, the Council may at its option require such a deposit if it is deemed necessary in isolated cases.

Section 6. Service connections in the city limits shall be construed to mean: A corporation cock installed in the pipeline, a three fourths inch copper line from the corporation cock to the property line or sidewalk, and a meter and meter box at the property line or sidewalk. The consumer then making his own connection from the meter to his point of usage.

Service connections for consumers outside the city limits shall be construed to mean: a corporation cock installed in the pipeline, a three fourths inch copper line from the corporation cock to the meter, and a meter and meter box to be placed at the City's pipeline. The consumer then connects his line from the meter to the point of usage.

All such service connections shall be installed by the City and be the property of the City, but shall be paid for by the consumer at a cost of \$57.50 provided such installation is made at the time the water main is installed by the City. Charges for such service connections after the City main is laid and covered shall be not less than \$125.00. In either case no service connections shall be made by the city where customer does not agree to use city water for 1 year. At any time after the customer has used city water for 1 year he may request city to discontinue service on a temporary basis by paying a service charge of \$2.25. At the time he renews service an additional service charge will be made in the amount of \$2.25.

Section 7. Any meter may be tested for accuracy at any time. Such tests if desired by the City shall be made at the City's expense. If a meter test is desired by a consumer, he may file a written request with the City Clerk at any time, and the meter shall be tested by the City. If such test shows the meter to be registering fast, the City shall bear the expense of the test and shall make adjustment with the consumer for overpayment as accurately as can be determined by the City Council. If such meter test shows the meter to be registering slow, the consumer who has requested the test, shall bear the expense of the test by paying to the City Clerk the sum of \$2.50.

Provided: A meter that shows a test of not more than 3 per cent inaccuracy shall be deemed to be accurate.

CARL C. COFFMAN, Mayor  
THEO. VANVALKENBURG,  
City Clerk



LEGAL NOTICE

(First Published in The Overbrook Citizen June 3, 1953.)  
ORDINANCE NO. 19

AN ORDINANCE RELATING TO THE WATERWORKS SYSTEM AND FIXING RATES AND CHARGES FOR THE CONNECTION WITH AND USE OF WATER FROM THE SAME AND FOR THE MANNER OF MAKING OF AND COLLECTION OF SUCH CHARGES AND REPEALING ORDINANCE NO. 18.

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

SECTION 1. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied within the city limits of Overbrook, Kansas:

First 1,000 gallons	\$2.25
Second 1,000 gallons	1.00
Third 1,000 gallons	.50
Fourth 1,000 gallons	.50
Fifth 1,000 gallons	.50
All over 5,000 gallons	\$0.35 per 1,000 gallons

The minimum monthly charge shall be \$2.25.  
For use and supply to school buildings, fixed charge \$50.00 per month.

SECTION 2. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied outside the city limits of Overbrook, Kansas:

First 1,000 gallons	\$3.25
Second 1,000 gallons	1.00
Third 1,000 gallons	.50
Fourth 1,000 gallons	.50
Fifth 1,000 gallons	.50
All over 5,000 gallons	\$0.35 per 1,000 gallons

The minimum monthly charge shall be \$3.25.

SECTION 3. That where easement grants have made provision for rates and charges, the same shall be given force and effect and prevail over the rates provided for herein.

SECTION 4. No user of water shall resell the same without written consent of the governing body of the City.

SECTION 5. All charges for the supplying of water by the City shall be paid to the City Clerk on or before the 10th day of the month following the month of such service. On all such bills that are not paid on or before the 10th day of the following month a 10 per cent penalty shall be added to and become a part of such charge. When such delinquent bill remains unpaid the 15th day of the following month, service to the consumer shall be discontinued.

SECTION 6. The governing body shall have authority to require a deposit to insure payment of water bills when it finds and deems the same is necessary in any case.

SECTION 7. Service connections in the city limits shall be construed to mean: A corporation cock installed in the pipeline, a three-fourth inch copper line from the corporation cock to the property line, sidewalk and a meter and meter box at the property line or sidewalk. The consumer shall then make his own connection from the meter to his point of usage.

Service connections for consumers outside the city limits shall be construed to mean: A corporation cock installed in the pipeline, a three-fourths inch copper line from the corporation cock to the meter, and a meter and meter box to be placed at the City's pipeline. The consumer shall then make his own connection from the meter to his point of usage.

All such service connections shall be installed by the City and be the property of the City, but shall be paid for by the consumer at the cost of \$57.50 provided such installation is made at the time that water main is installed by the City. Charges for such service connections after the City main is laid and covered shall not be less than \$125.00. In either case no service connections shall be made by the City where customer does not agree to use city water for one year. At any time after the customer has used city water for one year, he may request City to discontinue service on a temporary basis by paying a service charge of \$2.25. At the time he renews service an additional service charge will be made in the amount of \$2.25.

SECTION 8. Any meter may be tested for accuracy at any time.

At the City's expense, desired by a consumer by a written request

with the City Clerk at any time and the meter shall be tested by the City. If such test shows the meter to be registering fast, the City shall bear the expense of the test; if slow, the consumer shall make adjustment with the consumer for overpayment as accurate as can be determined by the Governing Body. If such meter test shows the meter to be registering slow, the consumer who has requested the test, shall bear the expense of the test by paying to the City Clerk a sum of \$2.50.

PROVIDED: A meter that shows test of not more than 3 per cent accuracy shall be deemed to be accurate.

SECTION 9. All rates and charges provided for herein shall be paid to the City Clerk, who shall maintain proper record and account of the same and be by him paid at regular intervals of not less than once each month to the City Treasurer. The City Treasurer shall make proper record and account of the same and shall place such sums in a fund to be known as "Waterworks Fund" and shall not be commingled with other funds of said City and shall only be used for the purposes authorized by law including the operation and maintenance of said utility.

SECTION 10. That Ordinance No. 18 be and the same is hereby repealed.

SECTION 11. That this Ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen as provided by law.

PASSED AND APPROVED this 3rd day of June, 1953.

CARL C. COFFMAN  
Mayor

ATTEST:  
THEO. VAN VALKENBURG  
City Clerk.  
(SEAL)

## LEGAL NOTICE

(First Published in the Overbrook Citizen, Thursday, July 16, 1953.)

### ORDINANCE NO. 20

AN ORDINANCE VACATING ALLEY IN BLOCK ONE, IN HIGH SCHOOL ADDITION TO OVERBROOK, KANSAS, SUBJECT TO CERTAIN RESTRICTIONS.

BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas:

SECTION 1. That the north and south alley in Block One, High School Addition to Overbrook, Kansas, the same lying between Fourth Street and Market Street, be and the same is hereby vacated and title thereto relinquished to the owners of real estate thereto adjacent on each side in porportion to the frontage of such real estate subject to and excepting and reserving the right to use the same for the location and maintenance of public utility lines and said vacation is made subject to such use.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen as provided by law.

Passed and approved, this 1st day of July, 1953.

CARL C. COFFMAN, Mayor.

Attest:

THEO. VAN VALKENBERG  
City Clerk

**LEGAL NOTICE**

(First Published in the Overbrook Citizen Thursday, July 16, 1953)

**ORDINANCE NO. 21**  
**AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE OF WATERWORKS SYSTEM IMPROVEMENT REVENUE BONDS; SERIES B, OF THE CITY OF OVERBROOK, KANSAS, IN THE PRINCIPAL AMOUNT OF \$3,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COST OF CONSTRUCTION OF REPAIR, ALTERATION, EXTENSION, RECONSTRUCTION, ENLARGEMENT AND IMPROVEMENT OF THE WATERWORKS SYSTEM OF SAID CITY, AND PROVIDING FOR THE COLLECTION AND DISTRIBUTION OF FUNDS FROM SAID WATERWORKS SYSTEM.**

WHEREAS, The City of Overbrook, Kansas, is a municipality having a population of less than 100,000 inhabitants and is authorized by the Laws of the State of Kansas to issue general obligation bonds for the acquisition or construction of any municipal utility, and

WHEREAS, No water utility service is being furnished in said City by private utility, and

WHEREAS, Pursuant to the provisions of G.S. 1949, 10-1210, the Governing Body of said City caused to be published, commencing June 18, 1953, in The Overbrook Citizen, the official paper of said City, and of general circulation in said municipality, a notice of its intention to enter into a contract for the making of repair, alteration, extension, reconstruction, enlargement, and improvement of the waterworks system owned by the said City, the nature of the same being construction of approximately three-fourths mile of supply pipe line to connect with wells and such other incidental and necessary work, equipment, and labor to make the same operative in the waterworks system and to issue revenue bonds of said City in the amount of \$3,000 for the payment of the cost thereof;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas:

**SECTION 1.** That for the purpose of providing funds to pay the cost of making of repair, alteration, extension, reconstruction, enlargement, and improvement of the waterworks system owned by said City, the nature of the same being construction of approximately three-fourths mile of supply pipe line to connect with wells and such other incidental and necessary work, equipment, and labor to make the same operative in the waterworks system, there is hereby authorized and directed to be issued an issue of Waterworks System Improvement Revenue Bonds, Series B, of the City of Overbrook, Kansas, in the principal amount of \$3,000.

**SECTION 2.** Said issue of Waterworks System Improvement Revenue Bonds, Series B, shall consist of eight bonds numbering from one to eight, inclusive, each of said bonds being in the denomination of \$1,000. All of said bonds shall be dated August 1, 1953, and said bonds shall be numbered and shall become due serially on February 1 and August 1 in each year as follows:

Number	Maturity Date
1	February 1, 1954
2	August 1, 1954
3	February 1, 1955
4	August 1, 1955
5	February 1, 1956
6	August 1, 1956
7	February 1, 1957
8	August 1, 1957

Said bonds shall bear interest at the rate of 4 per cent per annum. The first interest on all bonds shall be payable February 1, 1954, and thereafter interest on all bonds shall be payable semi-annually on the 1st day of August and the 1st day of February in each year.

**SECTION 3.** Said bonds and coupons shall contain recitals and be in the form and of the size as provided by the Statutes of the State of Kansas and substantially as adopted by the Governing Body of said City.

tem of said City, including extensions and improvements there-to, which rates, fees, or charges shall be sufficient to pay the cost of operation, improvement and maintenance of said utility, provide an adequate depreciation fund, and pay the principal of and interest upon said bonds as and when the same become due, that none of the facilities or services afforded by the waterworks system of said City will be furnished to any user without a reasonable charge being made therefor.

(b) That if hereafter the City of Overbrook, Kansas, shall issue any bonds, whether general obligation or revenue bonds, against its waterworks system, the bonds herein authorized shall have preference in payment both as to principal and interest out of the revenues of the waterworks system of said City over any and all subsequent bonds issued by said City against said utility.

(c) The City of Overbrook, Kansas, will maintain in good repair and working order the waterworks system of said City and will operate the same in an efficient manner at reasonable cost provided, however that said City may abandon or cease to operate any portion of the property which has become non-productive or otherwise unusable to the advantage of the City.

(d) The City of Overbrook, Kansas, will not mortgage, pledge, or otherwise encumber its waterworks system or any part thereof for any extension or improvement thereto, nor will it sell, lease, or otherwise dispose of said waterworks system or any material parts thereof.

(e) The City of Overbrook, Kansas, shall cause annually an audit to be made by competent firm of independent auditors of the operation of said waterworks utility, and, if said audit shall disclose that proper provision has not been made for all of the requirements of law and of this ordinance, then the Governing Body shall properly proceed to cause to be charged for the utility service rendered rates which will adequately provide for such requirements. Within 30 days after the completion of said audit, a copy of the same shall be filed with the Clerk of the City and shall be open to public inspection. The City shall keep proper books, records and accounts separate from all other records and accounts in which complete and correct entries will be made of all transactions relating to the waterworks system of said City, which said books shall be kept by the City according to standard accounting practices as applicable to the operation of waterworks systems by municipalities.

**SECTION 8.** The provisions of this ordinance shall constitute a contrast between the City of Overbrook, Kansas, and the holders of the Waterworks System Improvement Revenue Bonds, Series B, authorized herein, and the holder of any one or more of said bonds may by suit, action, mandamus, injunction, or other remedy enforce or compel the performance of all duties and obligations required by this ordinance to be done or performed by said City. Nothing contained in this ordinance, however, shall be construed as imposing on said City any duty or obligation to levy any taxes either to meet any obligation contained herein or to pay the principal of or interest on the bonds authorized by this ordinance.

**SECTION 9.** That this ordinance shall take effect and be in force from and after its passage, approval, and publication in the Overbrook Citizen as provided by law.

**PASSED AND APPROVED,** this 13th day of July, 1953.

ATTEST:  
 Theo Van Valkenberg, (Seal)  
 City Clerk

**SECTION 4.** Said bonds shall be signed by the Mayor and attested by the City Clerk of said City and shall have the corporate seal of the City affixed thereto. Interest coupons shall be attached to said bonds representing the interest to mature thereon and said interest coupons shall bear the facsimile signature of the Mayor and the City Clerk of said City, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

**SECTION 5.** The Mayor and City Clerk are hereby authorized and directed to prepare and execute the bonds hereinbefore described and when duly executed and registered shall be sold and proceeds thereof shall be used for the purpose of payment of the cost of such repair, alteration, extension, re-construction, enlargement and improvement as provided herein.

**SECTION 6.** There is hereby created in the Treasury of the City a separate fund to be known as "Waterworks Fund" and all the revenues derived from the operation of the waterworks system of said City shall be paid into such fund and the same shall not be commingled with the other funds of the City. Said fund shall be used only for the purposes authorized by law including the cost of operation and maintenance of said utility providing an adequate depreciation fund and paying the principal of and interest upon the revenue bonds herein authorized, which are hereby found and declared to be the only bonds of said City issued as revenue bonds and for paying the principal of and interest upon all prior existing general obligation bonds or other liens or indebtedness against such utility as provided by law and such revenue bonds are hereby made and declared a lien on the revenues produced from such utility, subject only to the unpaid balance of any prior existing general obligation bonds of said City.

**SECTION 7.** The City of Overbrook, Kansas, covenants with each of the purchasers and owners of any of the Waterworks Systems Improvement Revenue Bonds, Series B, of said City, dated August 1, 1953, hereinauthorized, that so long as any of said bonds remaining outstanding and unpaid

(a) The City of Overbrook, Kansas will fix, establish, maintain, and collect such rates, fees, or charges for the use of or services rendered by the waterworks sys-

## LEGAL NOTICE

(Published in The Overbrook Citizen,  
Thursday, March 4, 1954)

### ORDINANCE NO. 22

AN ORDINANCE VACATING A  
PORTION OF MARKET STREET IN  
HIGH SCHOOL ADDITION TO OV-  
ERBROOK, KANSAS

BE IT ORDAINED by the Govern-  
ing Body of the City of Overbrook,  
Kansas:

SECTION ONE: That the South  
15 feet of Market Street between  
the East line of Cedar Street and a  
point 140 feet East thereof be and  
the same is hereby vacated and title  
thereto relinquished to the owner  
of real estate thereto adjacent in  
proportion to the frontage of such  
real estate, subject to and except-  
ing and reserving the right to use  
the same for the location and main-  
tenance of public utility lines and  
said vacation is made subject to  
such use.

SECTION TWO: That this ordi-  
nance shall take effect and be in  
force from and after its passage, ap-  
proval and publication in The Over-  
brook Citizen as provided by law.

PASSED AND APPROVED this  
3rd day of MARCH, 1954.

CARL C. COFFMAN,  
Mayor.

Attest:  
Theo VanValkenburg,  
City Clerk.

## LEGAL NOTICE

(Published in The Overbrook Citizen, Thursday, April 8, 1954).

### ORDINANCE NO. 23

**AN ORDINANCE VACATING A PORTION OF COFFMANS SECOND WEST ADDITION DEDICATED AS A PUBLIC STREET IN OVERBROOK, KANSAS.**

BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas:

**SECTION ONE:** That Tract of land in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 6, Township 15 South, Range 17 East of the Sixth P.M., described as follows:

Beginning at a point on the south line of the right-of-way of Highway U.S. 50-N 50 feet south of the North line of said quarter section and 350 feet west of the West line of Block 2 of Fairchild's Addition to the City of Overbrook, Kansas, thence West along said right-of-way 25 feet, thence South 135 feet, thence East 25 feet, thence North 135 feet to the place of beginning,

heretofore dedicated as a street in the plat and dedication of Coffmans Second West Addition to the Town of Overbrook, Kansas, be and the same is hereby vacated and title thereto relinquished to the owner of real estate thereto adjacent in proportion to the frontage of such real estate, subject to and excepting and reserving the right to use the same for the location and maintenance of public utility lines and said vacation is made subject to such use.

**SECTION TWO:** That this ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen as provided by law.

**PASSED AND APPROVED** this 7th day of April 1954.

Carl C. Coffman, Mayor.

Attest:

Theo Van Valkenburg,  
City Clerk

ORDINANCE NO. 24

AN ORDINANCE RELATING TO THE REMOVAL OF BUILDING IN THE CITY OF  
OVERBROOK, PRESCRIBING OFFENSES AND PROVIDING PENALTIES FOR THE  
VIOLATION THEREOF.

BE IT ENACTED by the Governing Body of the City of Overbrook,  
Kansas:

SECTION 1: That the Governing Body find that the building located  
on the following-described real estate in Osage County, Kansas, to-wit:

~~Lot 15 and so much of Lot 13 as lies South of center of stone  
wall erected near the South line of said Lot 13 (being approx-  
imately the South 1 feet of said lot), all in Block 6, in the  
Original Town of Overbrook,~~

has become dangerous and a threat to the public safety and that the wel-  
fare of the citizens of said City and the public generally requires its  
removal.

SECTION 2: That within 60 days from the effective date of  
this ordinance the owners of said building be and they are hereby com-  
pelled to remove the same or to render the same secure and safe.

SECTION 3: That within five days from the effective date of this  
ordinance the City Clerk be and he is hereby authorized, empowered and  
directed to post a certified copy thereof in a conspicuous place on the  
front side of said building.

SECTION 4: That each and every day that said building may remain  
unremoved from said real estate or be insecure and unsafe shall consti-  
tute a separate and distinct offense hereunder.

SECTION 5: That any person violating the provisions of this ordi-  
nance shall on conviction thereof be punished by a fine of not exceeding  
One Hundred Dollars (\$100).

SECTION 6: That this ordinance shall take effect and be in force  
from and after its passage, approval and publication in The Overbrook  
Citizen, the official newspaper of said City, as provided by law.

PASSED AND APPROVED, This 7<sup>th</sup> day of ~~February~~ <sup>MARCH</sup>, 1956.

Attest:

J. H. Boyd  
Mayor.

Shirley C. Montgomery  
City Clerk

(11)

## LEGAL NOTICE

(First Published in The Overbrook Citizen, April 5, 1956)

### ORDINANCE NO. 25

AN ORDINANCE GRANTING THE FRANCHISE, PRIVILEGES AND RIGHTS TO W.E.G. DIAL TELEPHONE, INC., ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT ACQUIRE, OPERATE AND MAINTAIN A TELEPHONE SYSTEM IN THE CITY OF OVERBROOK, KANSAS, AND TO USE THE STREETS, ROADS, ALLEYS, AND OTHER PUBLIC PLACES WITHIN SAID CITY FOR SUCH PURPOSES.

Be it Ordained by the Governing Body of the City of Overbrook of the State of Kansas that:

SECTION 1. W.E.G. DIAL TELEPHONE, INC. its successors and assigns (herein referred to as "Telephone Company") shall continue to operate its telephone system and all business incidental to or connected with the conducting of a telephone business and system in the City of Overbrook, State of Kansas, (herein referred to as "City"). The plant construction and appurtenances used in or incident to the giving of telephone service and to the maintenance of a telephone business and system by the Telephone Company in said City shall remain as now planned or constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Telephone Company in the conduct of its business, and said Telephone Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its said plant and appurtenances as the business and purposes for which it is or may be incorporated may from time to time require along, across, on, over, through, above and under all the public streets, avenues, alleys, bridges, and the public grounds and places within the limits of said City as the same from time to time may be established.

SECTION 2. The Telephone Company on the request of any person shall remove or raise or lower its wires temporarily to permit the moving of houses or other structures. The expense of such temporary removal, raising or lowering of wires shall be paid by the party or parties requesting the same, and the Telephone Company may require such payment in advance. The Telephone Company shall be given not less than forty-eight hours advance notice to arrange for such temporary wire changes.

SECTION 3. Permission is hereby granted to the Telephone Company to trim trees upon and overhanging streets, alleys, sidewalks and public places of said City so as to prevent the branches of such trees from coming in contact with the wires and cables of the Telephone Com-

pany, all the said trimming to be done under the supervision and direction of any City official to whom said duties have been or may be delegated.

SECTION 4. Permission is hereby granted to the Telephone Company to make all necessary excavations in the public streets, roads, alleys, sidewalks or other public places, all in accordance with the ordinances applicable to such excavations by public utilities or others securing such permission.

SECTION 5. In consideration for the franchise, privileges and rights granted herein, the Telephone Company agrees to make available at a cost of not more than \$3.50 (Three Dollars and fifty cents) per month a fire warning service, which the City agrees to accept as adequate compensation for the said franchise, privileges and rights.

SECTION 6. Nothing in this ordinance shall be construed to require or permit any telephone, electric light, or power wire attachments by either the City or the Telephone Company, on the poles of the other. If such attachments are desired by the City or the Telephone Company, then a separate non-contingent agreement shall be a prerequisite to such attachments.

SECTION 7. Nothing herein contained shall be construed as giving to the Telephone Company any exclusive privileges, nor shall it affect any prior or existing rights of the Telephone Company to maintain a telephone system within the City.

SECTION 8. All other ordinances and agreements relating to the operation of a telephone system within said City are hereby repealed.

SECTION 9. The said Telephone Company shall have sixty (60) days from and after its passage and approval to file its written acceptance of this ordinance with the City Clerk, and upon such acceptance being filed, this ordinance shall be considered as taking effect and being in force from and after the date of its passage and approval by the Mayor, for a period of twenty years.

Approved this 4th day of April, 1956.

D. W. HOYT, Mayor

ATTEST:  
THEO. VANVALKENBURG,  
City Clerk.

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## LEGAL NOTICE

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(First Published in The Overbrook Citizen, July 12, 1956.)

### ORDINANCE NO. 26

AN ORDINANCE RELATING TO SALARIES OF THE OFFICERS AND EMPLOYEES OF THE CITY OF OVERBROOK AND REPEALING

### ORDINANCE NO. 3.

BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas:

SECTION 1: That salaries shall be paid to the officers and employees of the City, as follows:

Mayor, none.

Council Members, none.

City Clerk, Six Dollars (\$6) per month.

City Treasurer, Six Dollars (\$6) per month.

Police Judge, none.

Marshal and Utility Man, Two Hundred Dollars (\$200) per month, Seventy-Five Dollars (\$75) from the general fund and

One Hundred Twenty-Five Dollars (\$125) from the water fund.

SECTION 2: That Ordinance No. 3 be and the same is hereby repealed.

SECTION 3: That this ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen, the official newspaper of said City, as provided by law.

PASSED AND APPROVED, This 5th day of July, 1956.

D. W. Hoyt  
Mayor

Attest  
Theo VanValkenberg  
City Clerk.  
(Seal)



## LEGAL NOTICE

### ORDINANCE NO. 27

An Ordinance repealing and renumbering the ordinance published in the Overbrook Citizen in the issue of September 6, 1956.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF OVERBROOK, KANSAS:

That all of the Ordinance published as Number 29 be repealed and renumbered in its proper sequence as No. 27, to read as follows:

**AN ORDINANCE RELATING TO STREETS AND ALLEYS IN THE CITY OF OVERBROOK, KANSAS, REGULATING AND PROHIBITING CERTAIN USES THEREOF AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.**

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

**SECTION 1:** No person shall operate or propel a motor vehicle on the streets or alleys of the City of Overbrook unless such motor vehicle shall at all times be equipped with a muffler in good working order in constant operation, and no person shall use a muffler cut-out, by-pass or similar device upon such motor vehicle.

**SECTION 2:** No person shall operate or propel a motor vehicle on the streets or alleys of the City of Overbrook in a manner causing excessive or unusual noise and shall not cause squealing tires, exhaust noises, or constant horn sounding.

**SECTION 3:** That any person violating any of the provisions of this ordinance shall, on conviction, be adjudged guilty of a misdemeanor and be punished by a fine of not exceeding One Hundred Dollars (\$100).

**SECTION 4:** That this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

**PASSED AND APPROVED,** This 3rd day of October, 1956.

**D. W. HOYT**  
Mayor

Theo. Van Valkenburg  
Attest:  
City Clerk  
(SEAL)

## LEGAL NOTICE

(First Published in The Overbrook Citizen, November 29, 1956.)

### ORDINANCE NO. 28

AN ORDINANCE RELATING TO THE WATERWORKS SYSTEM AND FIXING RATES AND CHARGES FOR THE CONNECTION WITH AND USE OF WATER FOR THE SAME, AND FOR THE MANNER OF MAKING OF AND COLLECTION OF SUCH CHARGES, AMENDING SECTIONS 1 AND 2 OF ORDINANCE NO. 19, AND REPEALING SAID ORIGINAL SECTIONS.

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

SECTION 1. Section 1 of Ordinance No. 19 is hereby amended to read, as follows:

"SECTION 1. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied within the city limits of Overbrook, Kansas:

First 1,000 gallons \$2.25

Second 1,000 gallons \$1.00

All over 2,000 gallons \$0.50 per 1,000 gallons.

The minimum monthly charge shall be \$2.25.

For use and supply to school building during school term.

fixed charge \$50.00

SECTION 2. of Ordinance No. 19 is hereby amended to read, as follows:

"SECTION 2. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied outside the city limits of Overbrook, Kansas:

First 1,000 gallons \$3.25

Second 1,000 gallons \$1.00

All over 2,000 gallons \$0.50 per 1,000 gallons.

The minimum monthly charge shall be \$3.25.

SECTION 3. That Sections 1 and 2 of Ordinance No. 19 be and the same are hereby repealed.

SECTION 4. That this ordinance shall take effect and be in force from and after its passage, approval, and publication in The Overbrook Citizen, as provided by law.

PASSED AND APPROVED, This 7th day of November, 1956.

(SEAL)

Don Hoyt, Mayor.

Attest: Theo Van Valkenburg,  
City Clerk.

## LEGAL NOTICE

(First Published in The Overbrook Citizen, November 29, 1956.)

### ORDINANCE NO. 29

AN ORDINANCE RELATING TO THE WATERWORKS SYSTEM, FIXING RATES AND CHARGES FOR THE CONNECTION WITH AND USE OF WATER FROM THE SAME, AND FOR THE MANNER OF MAKING OF AND COLLECTION OF SUCH CHARGES, AMENDING SECTION 4 OF ORDINANCE NO. 19, AND REPEALING SAID ORIGINAL SECTION.

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

SECTION 1. Section 4 of Ordinance No. 19 is hereby amended to read, as follows:

"SECTION 4. The service furnished is for the sole use of the customer and the customer shall not resell or redeliver water to any other person without the written consent of the Governing Body of the City. Only one dwelling house or customer location and its necessary appurtenances shall be supplied through a single service connection and meter, provided however, that a trailer house or other similar temporarily located dwelling structure may be served in connection with a dwelling house or customer location service connection and meter at the additional fixed monthly rate and charge of \$2.25 for 1,000 gallons within the city and \$3.25 for 1,000 gallons outside the city. In case water supplied by the waterworks system of the City to the customer is resold without the consent of the Governing Body of the City, service shall be discontinued after two days' notice and shall not be restored until customer has arranged to discontinue the reselling or redelivery of the service. If service is required to be disconnected for this cause, a reconnection charge of \$1.00 shall be required to be paid before service is restored."

SECTION 2 That Section 4 of Ordinance No. 19 be and the same is hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen, as provided by law.

PASSED AND APPROVED, This 7th day of November, 1956.

(SEAL)

Don Hoyt, Mayor.

Attest: Theo VanValkenburg,  
City Clerk

AN ORDINANCE RELATING TO ADDITION TO THE CITY OF OVERBROOK, KANSAS,  
ENLARGING THE TERRITORIAL LIMITS OF SAID CITY AND DECLARING THE  
ENTIRE BOUNDARY OF THE SAME.

WHEREAS, The owner of the real estate next hereinafter described  
has consented in writing to its addition to the City of Overbrook and  
has requested that the Governing Body add such territory to said City  
by ordinance as provided by law, NOW, THEREFORE;

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

SECTION 1. That the following-described territory in Osage County,  
Kansas, to-wit:

Commencing at a point on the East line of the West Half of the  
Northwest Quarter of Section 5, Township 15, Range 17, inter-  
sected by the South line of Market Street of the City of  
Overbrook, thence West along the South line of said Market  
Street to a point where the extended West line of Ash Street of  
the City of Overbrook intersects said South line of Market Street,  
thence South 300 feet, thence East to the East line of the West  
Half of said Northwest Quarter, thence North along said East line  
of said Northwest Quarter to the place of beginning,

be and the same is hereby added to the City of Overbrook, Kansas.

SECTION 2. That the entire boundary of the City of Overbrook as  
changed be and the same is hereby declared as follows, to-wit:

Commencing at the Northeast corner of the West Half of the North-  
west Quarter of Section 5, Township 15, Range 17, in Osage County,  
Kansas, thence South to a point 300 feet <sup>South</sup> South line of Market  
Street; thence West to a point 300 feet East of the East line of  
Cedar Street; thence South to the South line of said Quarter Sec-  
tion; thence West to the East line of Walnut Street; thence South  
300 feet; thence West to the West line of Oak Street extended;  
thence North to the South line of the Northeast Quarter of Sec-  
tion 6, Township 15, Range 17; thence West to a point 677 feet  
East of the West line of said Northeast Quarter; thence North to  
the North line of Fifth Street extended; thence East to the West  
line of Sycamore Street extended; thence North to the North line  
of Sixth Street extended; thence East to a point 325 feet West  
of the West line of Elm Street; thence North to the North line of  
Section 6, Township 15, Range 17; thence East to point of  
beginning.

SECTION 3. That this ordinance shall take effect and be in force  
from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 1st day of July, 1957.

Attest:

R. E. Fitcher  
Mayor.

J. Fisher  
City Clerk

ORDINANCE NO. 31

AN ORDINANCE EXTENDING ASH STREET IN THE CITY OF OVERBROOK, KANSAS.

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

SECTION 1. That it be and is hereby found and deemed necessary and expedient to extend Ash Street as hereinafter provided and that said Ash Street be and the same is hereby extended 50 feet in width from the intersection of said Ash Street with the North line of Market Street south 400 feet.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED, this 1st day of July, 1957.

R. E. Inteker

Mayor.

Attest:

J. Fisher  
City Clerk.

AN ORDINANCE EXTENDING ASH STREET IN THE CITY OF OVERBROOK, KANSAS.

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

SECTION 1. That it be and is hereby found and deemed necessary and expedient to extend Ash Street as hereinafter provided and that said Ash Street be and the same is hereby extended 50 feet in width from the intersection of said Ash Street with the North line of Market Street south 400 feet.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED, this 1st day of July, 1957.

R. E. Fitcher  
Mayor.

Attest:

J. Fisher  
City Clerk.

**LEGAL NOTICE**

(First published in The Overbrook  
Citizen, October 3, 1957.)

**ORDINANCE NO. 32**

**AN ORDINANCE RELATING TO  
REGULAR MEETING OF THE GOV-  
ERNING BODY OF THE CITY OF  
OVERBROOK, KANSAS, AND RE-  
PEALING ORDINANCE NO. 1.**

**BE IT ORDAINED BY THE GOV-  
ERNING BODY OF THE CITY OF  
OVERBROOK, KANSAS:**

**SECTION 1:** That the regular  
meeting of the Governing Body of  
the City of Overbrook, Kansas, shall  
be held on the second Wednesday of  
each month, commencing at 8 p.m.

**SECTION 2.** That Ordinance No. 1  
be and the same is hereby repealed.

**SECTION 3.** That this ordinance  
shall take effect and be in force  
from and after its passage, approval  
and publication as provided by law.

**PASSED AND APPROVED,** this  
1st day of October, 1957.

**R. E. TUTCHER,** Mayor

Attest:  
**J. FISHER,** City Clerk. **1T**  
(SEAL)

ORDINANCE NO. 33

AN ORDINANCE RELATING TO ADDITION TO THE CITY OF OVERBROOK, KANSAS,  
AND ENLARGING THE TERRITORIAL LIMITS OF SAID CITY.

WHEREAS, The owners of the real estate hereinafter described have consented in writing to its addition to the City of Overbrook and have requested that the Governing Body add such territory to said city by ordinance as provided by law, NOW, THEREFORE:

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

SECTION 1: That the following-described territory in Osage County, Kansas, to-wit:

- Tract 1: Commencing at a point 421 feet ~~North~~<sup>west</sup> of the Southeast corner of the Southeast Quarter of Section 31, Township 14, Range 17, thence North 218 feet, thence East 171 feet, thence South 21 feet, thence East 100 feet, thence South 197 feet, thence West 271 feet to the point of beginning.
- Tract 2: Commencing at the Southeast corner of the Southeast Quarter of Section 31, Township 14, Range 17, thence West 150 feet, thence North 197 feet, thence West 100 feet, thence North 90 feet, thence East 250 feet, thence South ~~250~~<sup>292</sup> feet to point of beginning.
- Tract 3: Beginning at a point being the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence East 13 rods, thence North 13 rods, thence West 13 rods, thence South 13 rods to the place of beginning.
- Tract 4: Beginning at a point 13 rods North of the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence North 26 rods, thence East 13 rods, thence South 26 rods, thence West 13 rods to place of beginning.
- Tract 5: Beginning at a point 39 rods North of the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence North 13 rods, thence East 13 rods, thence South 13 rods, thence West 13 rods to place of beginning.
- Tract 6: Beginning at a point 13 rods East of the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence extending East on Section Line 262.75 feet, thence North 13.61 rods, thence West 262.75 feet, thence South 13.61 rods to point of beginning.



Tract 7: Beginning at a point  $36\frac{1}{2}$  rods East of the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence East on Section Line 5 rods, thence North 13.61 rods, thence West 5 rods, thence South 13.61 rods to the point of beginning.

Tract 8: Beginning at a point  $36\frac{1}{2}$  rods East of the corner stone at the Southwest corner of the West Half of the Southwest Quarter of Section 32, Township 14, Range 17, thence North 13.61 rods, thence West 50 feet, thence South 13.61 rods, thence East 50 feet to place of beginning.

be and the same is hereby added to the City of Overbrook, Kansas.

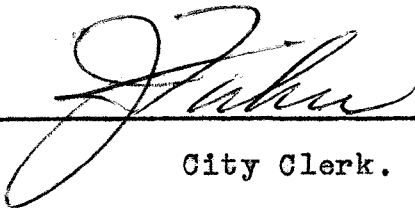
SECTION 2: That this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED, This 14th day of January, 1959.



Mayor.

Attest:



City Clerk.

ORDINANCE NO. 34

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF ACQUIRING THE NECESSARY LAND AND EASEMENT, AND ERECTING AND EQUIPPING A PLANT FOR THE DISPOSAL OF THE SEWAGE OF THE CITY OF OVERBROOK, KANSAS, TOGETHER WITH NECESSARY APPURTENANCES BY THE LAST ISSUANCE OF BONDS, UNDER THE AUTHORITY OF SECTION 10.123 OF 1957 SUPPLEMENT TO THE GENERAL STATUTES OF KANSAS FOR 1949.

WHEREAS, It is necessary to acquire the necessary land and easements, and erect and equip a plant for the disposal of the sewage of the City of Overbrook, Kansas, together with all necessary appurtenances there to; and,

WHEREAS, The City has no funds to finance the acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the swage of the City of Overbrook, Kansas, together with all necessary appurtenances thereto until bonds are issued; and,

WHEREAS, The cost of acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the swage of the City of Overbrook, Kansas, together with all necessary appurtenances thereto is authorized to be paid for in whole or in part by the issuance of bonds; and,

WHEREAS, Bonds will be issued under authority of Section 12-621 of the 1957 Supplement of the General Statutes of Kansas for 1949, and amendments thereto, to pay the cost of acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the sewage of the City of Overbrook, Kansas, together with all necessary appurtenances thereto; and,

WHEREAS, Under the authority of Section 10.123 of the 1957 Supplement to the General Statutes of Kansas for 1949, proper and full authority is conferred upon the City of Overbrook, Kansas, to issue its Temporary Notes for the purpose of financing the acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the sewage of the City of Overbrook, Kansas, together with all necessary appurtenances thereto, until bonds are issued; and,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS:

Section 1. That for the purpose of providing funds to pay the cost of acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the sewage of the City of Overbrook, Kansas, together with all necessary appurtenances thereto, until bonds can be issued therefor, the Mayor and City Clerk be, and they are hereby authorized to issue Temporary Notes, of the City of Overbrook, Kansas, not to exceed the aggregate of \$75,000. The notes of which issue shall be consecutively numbered, bear interest at the rate of four and three-fourths percent (4-3/4%) per annum, payable semi-annually, all of said notes maturing within four (4) years from the date of said notes, or no later than the due date of the first installment of bonds issued by said city to pay the cost of acquiring the necessary land and easements, and erecting and equipping a plant for the disposal of the sewage of the City of Overbrook,

Kansas, together with all necessary appurtenances thereto, and said Temporary Notes shall be redeemable and cancellable at the time permanent bonds are issued in lieu thereof. Said Temporary Notes shall be issued from time to time as required during the progress of the work, and shall not exceed in the aggregate the amount of bonds which are to be issued, and are unissued, as shown by the approved estimates on file.

Section 2. That said Temporary Notes shall be in the form prescribed by law.

Section 3. That said Temporary Notes shall be signed by the Mayor and attested by the City Clerk, under the corporate seal of the City, and shall be registered in the City Bond Register of the City of Overbrook, Osage County, Kansas, and in the office of the Auditor of the State of Kansas, at Topeka, Kansas, and said notes, and interest, shall be paid for in whole or in part by the issuance of bonds as provided for by law.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval, and publication in the official City paper.

PASSED and approved by the Governing Body of the City of Overbrook, Osage County, Kansas, this 16th day of July, 1959.

R. E. Tatcher  
Mayor of the City of Overbrook,  
Osage County, Kansas

Attest: J. Fisher  
City Clerk  
(Seal) 30L

ORDINANCE NO. 35.

AN ORDINANCE RELATING TO ADDITIONS AND ANNEXATIONS TO THE CITY OF OVERBROOK, KANSAS, ENLARGING THE TERRITORIAL LIMITS OF SAID CITY AND DECLARING THE ENTIRE BOUNDARY OF SAID CITY:

WHEREAS, the owners of the real estate next hereinafter described as Tracts 1, 2 and 3 have consented in writing to its annexation and addition to the City of Overbrook and have requested that the Governing Body add such territory to said City by ordinance as provided by law; and

WHEREAS, after petition, notice and hearing as provided by law the Board of County Commissioners of Osage County, Kansas, on 2 March 1959 made and entered an order approving the Petition To Enlarge The City Limits Of The City Of Overbrook, Kansas, filed before said County Commissioners by said City on 21 January 1959 and ordered the real estate therein described, and hereinafter described in Section 1 of this Ordinance as tracts 4 and 5, added to said City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OVERBROOK, KANSAS:

SECTION 1. That the following described territory in Osage County, Kansas, to-wit:

*Suburban*  
Tract 1: Commencing at a point 421 feet west of the southeast corner of the Southeast Quarter of Section 31, Township 14, Range 17, thence north 218 feet, thence east 171 feet, thence south 21 feet, thence east 100 feet, thence south 197 feet, thence west 271 feet to the point of beginning.

*W. Brook*  
Tract 2: Commencing at the southeast corner of the Southeast Quarter of Section 31, Township 14, Range 17, thence north 292 feet, thence west 250 feet, more or less, to a rock fence, thence south 90 feet, thence east 100 feet, thence south to the south line of said Southeast Quarter, thence east to the place of beginning.

*W. Brook*  
Tract 3: A tract in the Northeast Quarter of Section 6, Township 15, Range 17, beginning at a point on the north line of Sixth Street extended 490 feet west of the west line of Elm Street, thence north to the north line of said section; thence east 80 feet to the west line extended of the tract conveyed by Alfred Herlan to the State Highway Commission of Kansas; thence south 185 feet; thence east to a point 325 feet west of the west line of Elm Street; thence south to the north line of Sixth Street; thence west to the place of beginning.

*?*  
Tract 4: Beginning at a point 13 rods and 337.75 feet east of corner stone at the southwest corner of the West 1/2 of the Southwest 1/4 of Section 32, Township 14, Range 17, thence north 110 feet, thence west 75 feet, thence south 110 feet, thence east 75 feet to the point of beginning.

P  
C  
Tract 5: Beginning at a point 13 rods and 337.75 feet east and 110 feet north of corner stone at the southwest corner of the West 1/2 of the Southwest 1/4 of Section 32, Township 14, Range 17, thence north to a point 13.61 rods north of the south line of said quarter section, thence west 75 feet, thence south to a point 110 feet north of the south line of said quarter section, thence east to the point of beginning;

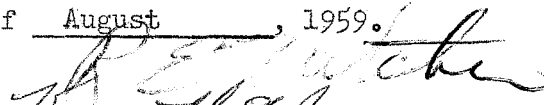
BE, AND THE SAME ARE HEREBY ADDED TO THE CITY OF OVERBROOK, KANSAS.

SECTION 2. That the entire boundary of the City of Overbrook, as changed be, and the same is hereby declared as follows, to-wit:

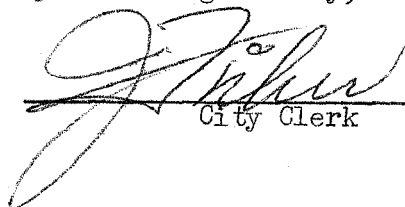
Commencing at the northeast corner of the West 1/2 of the Northwest 1/4 of Section 5, Township 15, Range 17, in Osage County, Kansas, thence south to a point 300 feet south of the south line of Market Street; thence west to a point 300 feet east of the east line of Cedar Street; thence south to the south line of said Quarter Section; thence west to the east line of Walnut Street; thence south 300 feet; thence west to the west line of Oak Street extended; thence north to the south line of the Northeast 1/4 of Section 6, Township 15, Range 17; thence west to a point 677 feet east of the west line of said Northeast 1/4; thence north to the north line of Fifth Street extended; thence east to the west line of Sycamore Street extended; thence north to the north line of Sixth Street extended; thence east to a point 490 feet west of the west line of Elm Street; thence north to the north line of said section 6; thence east 80 feet to the west line extended of the tract conveyed by Alfred Herlan to the State Highway Commission of Kansas; thence south 185 feet; thence east to a point 325 feet west of the west line of Elm Street; thence north to the north line of said section 6; thence east to a point 421 feet west of the northeast corner of said section 6; thence north 218 feet; thence east 171 feet; thence north 90 feet; thence east 250 feet to the west line of Section 32, Township 14, Range 17; thence north to a point 858 feet north of the southwest corner of said section; thence east 214.5 feet; thence south 643.5 feet; thence east 470.25 feet; thence south 224.56 feet; thence east to the place of beginning.

SECTION 3. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 19 day of August, 1959.

  
acting Mayor of the City of Overbrook,  
Osage County, Kansas

Attest:

  
City Clerk

(Seal)

**LEGAL NOTICE**

First published in The Citizen December 24, 1959.

**ORDINANCE NO. 36**

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A SEWER SYSTEM, CONSISTING OF MAIN, OUTFALL AND LATERAL SEWERS, AND THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT, FOR THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE SUM OF NOT EXCEEDING \$120,000.00, TO BE USED WITH A FEDERAL GRANT OF \$10,328.00, TO PAY THE COST OF THE CONSTRUCTION OF A SEWER SYSTEM, CONSISTING OF MAIN, OUTFALL AND LATERAL SEWERS, AND THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT, FOR THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, UNDER THE AUTHORITY OF SECTIONS 12-617 TO 12-629, BOTH INCLUSIVE AND ARTICLE 1 OF CHAPTER 10, OF THE GENERAL STATUTES OF KANSAS FOR 1949, AND ALL AMENDMENTS THERETO.

WHEREAS, The City of Overbrook, Osage County, Kansas has not been divided into sewer districts, but the entire City constitutes one sewage district; and,

WHEREAS, The Governing Body of the City of Overbrook, Osage County, Kansas deems it necessary for the health and welfare of the citizens of said City that a sewer system, together with a sewage disposal plant be constructed; and,

WHEREAS, The cost of constructing the sewer system, including outfall, main and lateral sewers, has been determined to be \$49,000.00; and,

WHEREAS, The cost of the sewage disposal plant has been ascertained to be \$71,000.00; and,

WHEREAS, The City of Overbrook, Osage County, Kansas is authorized under Sections 12-617 to 12-629, both inclusive, of the General Statutes of Kansas for 1949, and all amendments thereto, to issue general obligation bonds of said City in the amount of not exceeding \$120,000.00, to be used with a Federal grant of \$10,328.00, to pay the cost of constructing a sewer system consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant; and,

WHEREAS, All legal requirements, as provided in the statutes of the

State of Kansas, have been fully complied with, with reference to the construction of a sewer system, consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant, for the City of Overbrook, Osage County, Kansas, and the issuance of bonds in the amount of not exceeding \$120,000.00, to be used with a Federal grant of \$10,328.00, to pay the cost of the construction of a sewer system, consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS,

Section 1. That the City of Overbrook, Osage County, Kansas, construct a sewer system, consisting of main, outfall and lateral sewers, and construct a sewage disposal plant.

Section 2. That for the purpose of paying the cost of constructing a sewer system, consisting of main, outfall and lateral sewers, and constructing a sewage disposal plant, there shall be issued Sewage Disposal and Sewer Bonds, of the City of Overbrook, Osage County, Kansas, in the amount of \$120,000.00, to be used with a Federal grant of \$10,328.00, which bonds shall be in the denomination of \$1000.00 each, numbered from 1 to 120, both inclusive, dated January 1, 1960, and bearing interest as follows, to-wit: Bonds numbered 1 to 48, maturing September 1, 1961 to September 1, 1968, both inclusive, bearing interest at the rate of 4% per annum; bonds numbered 49 to 66, maturing September 1, 1969 to September 1, 1971, both inclusive, bearing interest at the rate of 4-1/2% per annum; and bonds numbered 67 to 120, maturing September 1, 1972 to September 1, 1980, both inclusive, bearing interest at the rate of 5% per annum-payable March 1, 1961, and semi-annually thereafter on the first days of September and March of each year until said principal sum shall have been paid, and said bonds maturing in the following amounts, upon the following dates, to-wit:

NUMBERS	MATURITY	AMOUNT
1 to 6	September 1, 1961	\$ 6,000.00
7 to 12	September 1, 1962	6,000.00
13 to 18	September 1, 1963	6,000.00
19 to 24	September 1, 1964	6,000.00
25 to 30	September 1, 1965	6,000.00
31 to 36	September 1, 1966	6,000.00
37 to 42	September 1, 1967	6,000.00
43 to 48	September 1, 1968	6,000.00
49 to 54	September 1, 1969	6,000.00
55 to 60	September 1, 1970	6,000.00
61 to 66	September 1, 1971	6,000.00

67 to 72	September 1, 1972	6,000.00
73 to 78	September 1, 1973	6,000.00
79 to 84	September 1, 1974	6,000.00
85 to 90	September 1, 1975	6,000.00
91 to 96	September 1, 1976	6,000.00
97 to 102	September 1, 1977	6,000.00
103 to 108	September 1, 1978	6,000.00
109 to 114	September 1, 1979	6,000.00
115 to 120	September 1, 1980	6,000.00
		\$120,000.00

Section 3. That said bonds and coupons shall contain recitals, and be in the form and of the size as provided by the status of the State of Kansas.

Section 4. That said bonds shall be signed by the Mayor and attested by the Clerk of said City, and shall have the corporate seal affixed, and the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5. That the Mayor and City Clerk are hereby authorized without unnecessary delay to prepare and execute said bonds and coupons, and when so executed said bonds shall be registered by the City Clerk of said City, and by the Auditor of the State of Kansas, as required by law, and shall have endorsed thereon certificates of such registration, and when so executed and registered, shall be sold according to law.

Section 6. That the Governing Body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said City.

Section 7. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. That this ordinance shall take effect and be in force from and after its publication in THE CITIZEN, the official City paper, as provided by law.

PASSE and approved this 16th day of December, 1959.

R. E. Tutcher

Mayor of the City of Overbrook, Osage County, Kansas

Attest:  
J. Maher  
City Clerk  
(Seal)

LEGAL NOTICE

(Published in the Citizen January 21, 1960.)

**ORDINANCE NO. 37**  
**AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A SEWER SYSTEM, CONSISTING OF MAIN, OUTFALL AND LATERAL SEWERS, AND THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT, FOR THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE SUM OF NOT EXCEEDING \$20,000.00, TO BE USED WITH A FEDERAL GRANT AND FUNDS TO BE AVAILABLE FROM CONNECTION CHARGES, TO PAY THE COST OF THE CONSTRUCTION OF A SEWER SYSTEM FOR**

**THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS, CONSISTING OF MAIN, OUTFALL AND LATERAL SEWERS, AND THE CONSTRUCTION OF A SEWAGE DISPOSAL PLANT, THE TOTAL COST OF SAID PROJECT BEING APPROXIMATELY \$141,974.00, UNDER THE AUTHORITY OF SECTIONS 12-617 TO 12-629, BOTH INCLUSIVE, AND ARTICLE I OF CHAPTER 10, OF THE GENERAL STATUTES OF KANSAS FOR 1949, AND ALL AMENDMENTS THERETO, AND REPEALING ORDINANCE NO. 36.**

WHEREAS, The City of Overbrook, Osage County, Kansas has not been divided into sewer districts, but the entire City constitutes one sewage district; and,

WHEREAS, The Governing Body of the City of Overbrook, Osage County, Kansas deems it necessary for the health and welfare of the citizens of said City that a sewer system, together with a sewage disposal plant be constructed; and,

WHEREAS, The cost of constructing the sewer system, including outfall, main and lateral sewers, has been determined to be approximately \$60,600.00; and,

WHEREAS, The cost of the sewage disposal plant has been ascertained to be approximately \$81,374.00; and,

WHEREAS, The City of Overbrook, Osage County, Kansas is authorized under Sections 12-617 to 12-629, both inclusive, of the General Statutes of Kansas for 1949, and all amendments thereto, to issue general obligation bonds of said City in the amount of not exceeding \$120,000.00, to be used with a Federal Grant and funds to be available from connection charges to pay the cost of constructing a sewer system for the City of Overbrook, Osage County, Kansas, consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant, the total cost of said project being approximately \$141,974.00; and,

WHEREAS, All legal requirements, as provided in the statutes of the State of Kansas, have been fully complied with, with reference to the construction of a sewer system, consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant, for the City of Overbrook, Osage County, Kansas, and the issuance of bonds in the amount of not exceeding \$120,000.00 to be used with a Federal Grant and funds to be available from connection charges, to pay the cost of the construction of a sewer system for the City of Overbrook, Osage County, Kansas, consisting of main, outfall and lateral sewers, and the construction of a sewage disposal plant, the total cost of said project being approximately \$141,974.00.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS:

Section 1. That the City of Overbrook, Osage County, Kansas, construct a sewer system, consisting of main, outfall and lateral sewers, and construct a sewage disposal plant.

Section 2. That for the purpose of paying the cost of constructing a sewer system, consisting of main, outfall and lateral sewers, and constructing a sewage disposal plant, there shall be issued Sewage Disposal and Sewer Bonds, of the City of Overbrook, Osage County, Kansas, in the amount of \$120,000.00, to be used with a Federal grant and funds to be available from connection charges, which bonds shall be in the denomination of \$1000.00 each, numbered from 1 to 120, both inclusive, dated January 1, 1960, and bearing interest as follows, to-wit: Bonds numbered 1 to 48, maturing September 1, 1961, to September 1, 1968, both inclusive, bearing interest at the rate of 4% per annum; bonds numbered 49 to 66, maturing September 1, 1969, to September 1, 1971, both inclusive, bearing interest at the rate of 4-1/4% per annum; and bonds numbered 67 to 120, maturing September 1, 1972, to September 1, 1980, both inclusive, bearing interest at the rate of 5% per annum-payable March 1, 1961, and semi-annually thereafter on the first days of September and March of each year until said principal sum shall have been paid, and said bonds maturing in the following amounts, upon the following dates, to-wit:

NUMBERS	MATURITY	AMOUNT
1 to 6	September 1, 1961	\$ 6,000.00
7 to 12	September 1, 1962	6,000.00
13 to 18	September 1, 1963	6,000.00
19 to 24	September 1, 1964	6,000.00
25 to 30	September 1, 1965	6,000.00
31 to 36	September 1, 1966	6,000.00
37 to 42	September 1, 1967	6,000.00
43 to 48	September 1, 1968	6,000.00
49 to 54	September 1, 1969	6,000.00
55 to 60	September 1, 1970	6,000.00
61 to 66	September 1, 1971	6,000.00
67 to 72	September 1, 1972	6,000.00
73 to 78	September 1, 1973	6,000.00
79 to 84	September 1, 1974	6,000.00
85 to 90	September 1, 1975	6,000.00
91 to 96	September 1, 1976	6,000.00
97 to 102	September 1, 1977	6,000.00
103 to 108	September 1, 1978	6,000.00
109 to 114	September 1, 1979	6,000.00
115 to 120	September 1, 1980	6,000.00
		\$120,000.00

Section 3. That said bonds and coupons shall contain recitals, and be in the form and of the size as provided by the statutes of the State of Kansas.

Section 4. That said bonds shall be signed by the Mayor and attested by the Clerk of said City, and shall have the corporate seal affixed, and

the interest coupons shall be signed with the facsimile signatures of said Mayor and City Clerk, and both principal and interest shall be payable at the office of the State Treasurer of the State of Kansas, in the City of Topeka, Kansas.

Section 5. That the Mayor and City Clerk are hereby authorized without unnecessary delay to prepare and execute said bonds and coupons, and, when so executed, said bonds shall be registered by the City Clerk of said City, and by the Auditor of the State of Kansas, as required by law, and shall have endorsed thereon certificates of such registration, and when so executed and registered, shall be sold according to law.

Section 6. That the Governing Body shall annually make provision for the payment of the principal and interest of said bonds as the same shall become due by levying a tax upon all the taxable property of said City.

Section 7. That Ordinance No. 36, of the City of Overbrook, Osage County, Kansas, passed and approved the 16th day of December, 1959, and published in The Citizen on December 24, 1959, is hereby repealed.

Section 8. That Ordinance No. 36, shall take effect as if it were in force from and after its publication in THE CITIZEN, the official newspaper, as provided by law.

PASSED AND approved this 13 day of, January, 1960.

R. E. Tatcher  
 Mayor of the City of Overbrook,  
 Osage County, Kansas

Attest:  
 J. Fisher  
 City Clerk  
 (Seal)

**ORDINANCE No. 38**

AN ORDINANCE RELATING TO THE SEWER SYSTEM, REGULATING THE USE THEREOF, FIXING RATES OF CHARGES FOR USE OF THE SAME, PRESCRIBING THE MANNER OF MAKING AND COLLECTING SUCH CHARGES, CREATING A SEWAGE DISPOSAL FUND AND PRESCRIBING ITS USE.

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

Section 1. That there is hereby assessed and fixed the following monthly rates of charges for the use of the sewer and sewer system of the City of Overbrook:

- (a) Single family dwelling houses and mobile homes within the corporate limits of the City—\$1.50 each for users using less than 1000 gallons of water monthly and \$2.25 per month for those using more than 1000 gallons of water monthly;
- (b) Single family dwelling houses and mobile homes situated outside the corporate limits of the city \$3.00 each;
- (c) Hotels, motels, apartments and multiple family dwellings \$3.00 each;
- (d) Schools—\$60.00 each;
- (e) Commercial and other public buildings—\$3.00 each; and
- (f) All others—\$1.50 each.

The word "family", as used in this section, shall mean one or more persons occupying a dwelling and having and using separate cooking and dining facilities.

Section 2. That all charges hereunder shall be for the calendar month, and in the event of service for less than a full calendar month, such rates shall apply for the major fraction of such month. Such charges shall be due and payable to the City Clerk on or before the 10th day of each month following the month of service and, if not paid on or before such date, there is hereby imposed thereon a penalty of 5 per centum thereof, which shall be added to and collected as a part of such charges.

Section 3. That no permit shall be issued to any licensed sewer plumber to make connections with the mains or laterals and build the connections therewith until a written application signed by such plumber and the owner of the premises to be sewered, containing a clear description of the premises to be sewered and of the fixtures to be put in, has been presented to the City Clerk; and no permit shall be issued to make connections to any mains or laterals for any persons until such written application shall have been presented to the Mayor and Council and the payment of a fee of Fifty Dollars (\$50.00). That said property owner shall also be subject to all the provisions of ordinances relating to the placing of barricades and danger signals, backfilling and restoration of surface in any street or ally. That when such permit is requested for excavation in a street surfaced with bituminous mat or concrete, said property owner shall as a condition to receiving such permit deposit with the City Clerk cash bond in the sum of Fifty Dollars. (\$50.00) conditioned upon proper restoration of said street surface in as good condition as previous to such digging and to the satisfaction of the Street Commissioner.

Section 4. That the revenue derived from the making of connections to said sewer or sewer system and the rental for the use of said sewer and sewer system shall be placed in the City Treasury and credited to a separate sewage disposal fund and shall be used exclusively for the administration, operation, maintenance, repair, replacement, extension, enlargement, betterment, depreciation and obsolescence of the sewage disposal system and to pay the principal and interest of any bonds issued on account of the sewer system, either general obligation bonds or revenue bonds or both, except no part thereof shall be applied to construction or reconstruction of sewers the cost of which is provided by law to be paid from special assessments in a benefit district.

Section 5. That in the event any

person, firm or corporation using said sewer system shall neglect, fail or refuse to pay the rates and charges fixed herein when the same are due and payable, the City Clerk shall annually, on or before August 25 in each year, certify to the County Clerk, of Osage County, Kansas, the unpaid rates and charges due therefor to be placed on the tax roll for collection subject to the same penalties and collected in like manner as other taxes are by law collectible and shall become a lien upon the real property so served by said sewer connection.

Section 6. That this ordinance shall take effect and be in force from and after March 9 1960 and its passage, approval and publication as provided by law.

Passed and approved this 9th day of March 1960.

(Seal)

Mayor of the City of Overbrook,  
Kansas. R. E. Tutcher.

ATTEST:

City Clerk  
J. Fisher

Such hearing and special session may be adjourned from time to time and at the conclusion of the hearing the Governing Body may by resolution abandon the proposal, change said proposed ordinance and pass it as changed, or pass it without change.

R. E. TUTCHER  
Mayor of Overbrook, Kansas.

(Seal)

ATTEST: JACK FISHER  
City Clerk

ORDINANCE NO. ~~28~~ 29

AN ORDINANCE RELATING TO THE CONNECTING OF BUILDINGS TO AND THE USE OF PUBLIC SEWERS IN THE CITY OF OVERBROOK, KANSAS; PROVIDING CERTAIN RULES AND REGULATIONS PERTAINING THERETO; DEFINING CERTAIN PUBLIC OFFENSES; AND FIXING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK:

SECTION 1. Permits to Tap Sewers; Unlawful Acts. It shall be unlawful for any person, firm or corporation to make or cause to be made any connections with or to the main or lateral sewers of the city sewer system, or to build any sewer connection to or make any alteration therein without first having secured a permit therefor from the city granted by the authority of the City Council: PROVIDED, That before any such permit shall be issued, an application therefor shall be filed with the City Clerk in writing which shall contain the legal description of the premises to be connected, the owner thereof, and the description of the work to be done or installed. Such permit shall be issued upon the approval of the City Plumbing Inspector and the payment of an inspection fee of \$2.00 for the supervision and inspection of the connection: PROVIDED FURTHER, That no such connection shall be made unless the work is done by a qualified plumber and the connection shall be made subject to the supervision and approval of the Plumbing Inspector in accordance with the plumbing ordinance of the city.

SECTION 2. Connections to Sewer. All connections shall be made at a wye junction when one is available at the point of connection: PROVIDED, That when a wye junction is not available, the sanitary sewer may be tapped at the place approved for connection of the building sewer and the connection shall be made by insertion of a factory-made hub and saddle which shall be encased and made watertight and rootproof by a mixture of cement mortar. All such



house and building connections to the sewer system shall be constructed with properly sealed water-proof and root-proof joints, with vitrified clay or orangeburg sewer pipe or heavy cast iron soil pipe of standard or better quality not less than 4 inches inside diameter and constructed on grade not less than 1/4 inch per foot. All such connections shall be made at the expense of the permit holder. The connection shall be made in the presence of the Plumbing Inspector and subject to his inspection and approval.

SECTION 3. Sewers: Use of: Prohibited Discharges. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F.);

(b) Any water or waste which may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease;

(c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

(d) Any garbage that has not been properly shredded;

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, leathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;

(f) Any waters or wastes having a ph lower than five and five-tenths (5.5) or higher than nine (9.0), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;

(g) Any waters or wastes containing a toxic poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant;

(h) Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance; or

(j) Any wastes, sewage, liquids or other residue from a septic tank or cesspool.

SECTION 4. Certain Drainage Regulated or Prohibited: Roof, Yards, Air Cooling Devices. It shall be unlawful for any person, firm or corporation to connect downspouts from any roof area, any paved areas, yards or open courts, or any waste pipe from any air conditioning or cooling unit or device having a capacity in excess of one (1) ton per hour of water requirement or one (1) horsepower to any sanitary sewer lateral or main of the city, or to discharge any water or liquid wastes from any such place or device into said sewers: PROVIDED, That water or liquid wastes from any air conditioning unit or cooling device having a capacity in excess of one (1) ton per hour or one (1) horsepower may be discharged into the public sewer upon a special application to the City Governing Body showing the necessity therefor and by the issuance of a special permit specifying the conditions under which such cooling water may be discharged into the sewer during a period of time limited thereby, upon a finding that such cooling water cannot be recirculated and that such waste water does not overload the capacity of the sewer or interfere with the effective operation of the sewage disposal works of the city: PROVIDED FURTHER, That all such water or liquids may be discharged into the public gutter or storm drains but not into any open ditch or unpaved street or alley of the city where the same may become a nuisance.

SECTION 5. Traps or Interceptors Required: Wash Racks and Special Drains. All garages, filling stations, milk plants, cream stations, or other commercial or industrial plants or establishments connected to the public sewer shall construct and maintain proper and sufficient interceptors or traps to

prevent the escape and discharge of any sand, mud, sediment, litter, or waste products or liquids of any such place or any substance deleterious or harmful to the effective operation and maintenance of the city sewer system or sewage disposal works, into the building sewer drain. All such interceptors or traps shall be constructed and maintained according to plans and specifications designed by the city, and the operation of the same shall be subject to periodic inspection and approval by the City Plumbing Inspector.

SECTION 6. Property Connected To The Sewer, When: Board of Health Authority. All persons and property owners owning dwelling houses or buildings, including, but not limited to, outdoor toilet buildings, within the city, which building or buildings are, or shall be, located near a public sewer, or in a block within any sewer district in the city through which a sewer extends, shall make such connections with the sewer system of the city, as may be necessary in the judgment of the Board of Health for the protection of the health of the public, for the purpose of disposing of all substances from any such building affecting the public health which may be lawfully and properly disposed of by means of such sewer: PROVIDED, That such connection shall be made within six months of the availability of any public sewer to any dwelling or building in which a house plumbing system shall have been installed prior to the construction of such available public sewer: PROVIDED FURTHER, That the aforesaid connection to the public sewer shall be made by the owner of the dwelling or building within twelve months from the date of the completion of the public sewer available for the connection of any such building.

SECTION 7. City May Connect Property To Sewer: Board of Health Notice. If any person or persons shall fail, neglect or refuse to connect any dwelling or building with the sewer system of the city, as hereinbefore required, for more than ten (10) days after being notified to do so by the City Board of Health, the Governing Body may cause such buildings to be connected with the sewer system as authorized by law: PROVIDED, That the notice given by

the Board of Health shall require that the connection to the public sewer shall comply with the plumbing regulations of the city for the construction of plumbing and installation of plumbing fixtures within buildings and the laying of building sewer drains: PROVIDED FURTHER, That for the purpose of this ordinance a notice may require that not less than the following plumbing fixtures be installed and connected to the building drainage system: one (1) kitchen sink or slop sink, one (1) wash basin, or lavatory, and one (1) water closet: PROVIDED, That all such installations shall be made upon an application, the issuance of a plumbing permit and the payment of such inspection fees as may be required in other cases.

SECTION 8. Failure to Connect: Action by City: Contracts and Assessments. If any person or property owner refuses or fails to comply with the provisions of the foregoing section within ten (10) days after receiving the notice, the Governing Body may advertise for bids for the construction and installation of the necessary sewer connections and house plumbing hereinbefore required and contract with the lowest responsible bidder or bidders for the purpose of making such connection and installation and shall assess the cost and expenses thereof, including the inspection fees, against the property or premises so connected to the sewer as provided by law: PROVIDED, HOWEVER, That until such assessments shall have been collected and paid to the City Treasurer the cost of making such connection by the city may be paid from the General Operating Fund of the city.

SECTION 9. Rights Reserved by City: Service Charges. Nothing in this ordinance shall be construed to deny or limit the authority of the city to enter into special agreements with any class or category of commercial or industrial concerns to provide for disposal of or treatment of wastes or sewage of unusual strength or characteristics upon the basis of special charges for any such service rendered by the city. The city further reserves the right granted by the laws of Kansas to impose and collect service fees for the transportation, treatment and disposal of sewage and waste lawfully discharged into the sewage disposal system.

SECTION 10. Penalty. Any person, firm or corporation who shall violate any provisions of this ordinance shall, upon conviction, be fined an amount not exceeding One Hundred Dollars (\$100.00) for each such offense.

SECTION 11. This ordinance shall take effect and be in force from and after its publication as provided by law.

Passed by the Council May 11 1960, and approved by the Mayor May 11 1960.

R. E. Jutcher  
Mayor

(Seal)

ATTEST:

J. Fisher  
City Clerk

\* \* \*

State of Kansas, )  
County of Osage, ) ss.

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Overbrook, Kansas, that the above ordinance was passed on May 11 1960, that a record of the final vote on its passage is recorded in Journal \_\_\_\_\_, at page \_\_\_\_\_, and that the same was published in the \_\_\_\_\_, Overbrook, Kansas on \_\_\_\_\_ 1960.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this \_\_\_\_\_ day of \_\_\_\_\_ 1960.

(Seal)

\_\_\_\_\_  
City Clerk

LEGAL NOTICE

(Published in The Citizen Sept. 22, 1960)

#40

ORDINANCE NO. 40  
AN ORDINANCE RELATING TO THE FIRE DEPARTMENT OF THE CITY OF OVERBROOK, KANSAS, ITS ORGANIZATION, GOVERNMENT, AND REGULATION, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Be it Ordained by the Mayor and Councilmen of the City of Overbrook, Kansas.

Sec. 1. That there be and hereby is established a fire department in the City of Overbrook, Kansas, to consist of a chief, an assistant chief, and not less than 10 nor more than 15 men per company, who shall be appointed by the Mayor and confirmed by the Councilmen. There shall be a total of 2 companies as follows: City and Rural Departments.

Sec. 2. That members of the fire department shall all be volunteers. They shall meet at least once each month for practice and drill. The chief shall keep a record of attendance of such meetings. Any member failing to attend 6 consecutive months shall automatically become ineligible for membership.

Sec. 3. The chief of the fire department shall be under the supervision of the Mayor and shall have superintendency and control over and be responsible for the care and condition of the fire apparatus and equipment, and it shall be his duty to see that all such apparatus and equipment shall be at all times ready for immediate use, and shall submit a written report as to its condition to the Mayor and Council at their first meeting in October.

Sec. 4. The chief of the fire department shall be responsible for the discipline of members and is hereby given the authority to suspend or expel any member for the refusal to obey orders, or for misconduct or failure to do his duty at a fire. The chief shall also have the right to summon any and all persons present to aid in extinguishing a fire, or to aid in removing personal property from any building on fire or in danger thereof, and in guarding the same.

Sec. 5. The chief of the fire department shall have full power, control and command over all persons whomsoever present at fires, and he shall direct the use of all fire apparatus and equipment, and command all firemen in the discharge of their duties. He shall take such measures as he may deem necessary in the preservation and protection of property and the extinguishing of fires.

Sec. 6. The chief of the fire department shall keep in convenient form a complete record of all fires. Such information shall include the time and location, construction of building, owner, occupancy, how extinguished, value of building and contents, loss on building and contents, insurance on building and contents, members responding to the alarm, and any other information deemed advisable.

Sec. 7. It shall be the duty of the chief of the fire department to adopt all prudent measures for the prevention of fires and for this purpose he or his assistant under his direction may, upon request or whenever he has reason to believe that the safety of life and property demands it, and as often as he may deem necessary, enter any building, yard or premises in the city during reasonable hours for the purpose of inspection, and where dangerous, unsafe or hazardous conditions are found to exist he shall give such directions for the alteration, change or removal or better care or management of the same as he may deem proper, and such directions shall be obeyed and complied with by the person directed in that regard and at their expense.

Sec. 8. In the absence of the chief, the assistant chief shall perform all the duties and have all the authority and responsibility of the chief as conferred by this ordinance.

Sec. 9. All fire apparatus and equipment is hereby given and granted the exclusive right-of-way over and through all streets, avenues, alleys and public thoroughfares in said city while enroute to fires or in response to any alarm of fire, and no person or persons shall in any

manner obstruct or hinder said apparatus as aforesaid.

Sec. 10. It shall be unlawful for any person or persons to drive any wagon, carriage, automobile, truck, locomotive, railroad car or any other vehicle over any fire hose laid in any street, avenue, alley, bridge or public lot. Provided, that this section shall not apply to any apparatus or vehicle belonging to the fire department.

Sec. 11. No person shall place or cause to be placed upon or about any fire hydrant any rubbish, building material, fence, or other obstruction of any character whatsoever, in any manner to obstruct, hinder or delay the fire department in the performance of its duties in case of fire. Nor shall any person hitch or cause to be hitched to any fire hydrant, any animal or animals, nor fasten to same any guy rope or brace, nor back or stand any wagon, truck, automobile or any other vehicle within 15 feet of any such hydrant.

Sec. 12. It shall be unlawful for any person or persons to make any sound or cause to be made or sounded or by any other means any false alarm of fire without reasonable cause.

Sec. 13. No person or persons shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority remove, take away, keep or conceal any tool, appliance or other article used in any way by the fire department.

Sec. 14. Any person or persons violating any of the provisions of this ordinance or refusing or neglecting to comply with any of the requirements thereof, shall, upon conviction, be deemed guilty of a misdemeanor and fined not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars.

Sec. 15. This ordinance shall take effect and be in force from and after its passage and legal publication.

Passed by the Council September 14, 1960, and approved by the Mayor September 14, 1960.

R. E. Tutcher  
Mayor

(Seal)  
ATTEST:  
J. Fisher  
City Clerk

(Published in the Citizen, Overbrook,  
Kans., Oct. 11, 1962)

**ORDINANCE NO. 41**

**AN ORDINANCE PROHIBITING THE SHOOTING, FIRING AND OTHERWISE DISCHARGING OF B-B GUNS, AIR RIFLES, SLINGSHOTS, PISTOLS, REVOLVERS, RIFLES, SHOTGUNS OR ANY OTHER SIMILAR WEAPONS OR FIREARMS WITHIN THE BOUNDARY OF THE CITY OF OVERBROOK, KANSAS, AND REPEALING SECTION 35 OF ORDINANCE NO. 5.**

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

**SECTION 1.** It shall be unlawful for any person to shoot, fire or otherwise discharge any B-B gun, air rifle, slingshot, pistol, revolver, rifle, shotgun, or any other similar weapon or firearms, within the boundary of the City of Overbrook, Kansas; provided, that this Ordinance shall not apply to any person discharging firearms for the purpose of displaying marksmanship at a public exhibition, or to commemorate any special event at a public celebration or to any peace officer necessarily discharging firearms in the course of his duty.

**SECTION 2.** Any person violating the provisions of this Ordinance shall, upon conviction, be fined a sum not exceeding One Hundred Dollars (\$100.00).

**SECTION 3.** Section 35 of Ordinance No. 5 is hereby repealed.

**SECTION 4.** This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

**PASSED AND APPROVED** this 12 day of September 1962.

R. R. Atchison  
Mayor

Attest:  
J. Fisher  
City Clerk  
(Seal)

AN ORDINANCE ADDING CERTAIN REAL PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS.

WHEREAS, The owner of the real property hereinafter described in the enacting portion of this Ordinance has petitioned the Governing Body of said City to add said property to the City; and

WHEREAS, said Governing Body deems the addition of said property to be beneficial to said City;

Now, Therefore, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, KANSAS:

SECTION 1. The following described real property, to-wit:

A parcel of land lying in part of the Northeast Quarter of Section 6, Township 15 South, Range 17 East of the 6th P.M., in Osage County, Kansas, described as follows:

Beginning at a point 50.0 feet South and 638.25 feet East of the Northwest Corner of the said Quarter Section; thence North 90° 00' 00" East parallel and 50.0 feet from the North Line of the said Quarter Section, a distance of 743.75 feet; thence South 1° 01' 53" East 625.50 feet; thence North 90° 00' 00" West a distance of 160.0 feet; thence South 1° 01' 53" East a distance of 350.0 feet; thence North 90° 00' 00" West a distance of 20.0 feet; thence South 1° 01' 53" East a distance of 180.0 feet; thence North 90° 00' 00" West a distance of 495.70 feet; thence North 0° 00' 00" East a distance of 130.0 feet; thence North 90° 00' 00" West a distance of 260.0 feet; thence North 0° 00' 00" East a distance of 875.0 feet; thence North 90° 00' 00" East 170.0 feet; thence North 0° 00' 00" East a distance of 150.0 feet to the point of beginning, containing 21.42 acres, more or less;

is hereby added to the corporate limits of Overbrook, Osage County, Kansas.

SECTION 2. All ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its passage and approval and publication in The Citizen, the official newspaper of said City, as provided by law.

PASSED AND APPROVED this 10th day of October 1962.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor



PETITION TO ADD PROPERTY

Overbrook Enterprises, Inc., a corporation, being the sole owner of the following described real property in Osage County, Kansas, to-wit:

A parcel of land lying in part of the Northeast Quarter of Section 6, Township 15 South, Range 17 East of the 6th P.M., described as follows:

Beginning at a point 50.0 feet South and 638.25 feet East of the Northwest Corner of the said Quarter Section; thence North 90° 00' 00" East parallel and 50.0 feet from the North Line of the said Quarter Section, a distance of 743.75 feet; thence South 1° 01' 53" East 625.50 feet; thence North 90° 00' 00" West a distance of 160.0 feet; thence South 1° 01' 53" East a distance of 350.0 feet; thence North 90° 00' 00" West a distance of 20.0 feet; thence South 1° 01' 53" East a distance of 180.0 feet; thence North 90° 00' 00" West a distance of 495.70 feet; thence North 0° 00' 00" East a distance of 130.0 feet; thence North 90° 00' 00" West a distance of 260.0 feet; thence North 0° 00' 00" East a distance of 875.0 feet; thence North 90° 00' 00" East 170.0 feet; thence North 0° 00' 00" East a distance of 150.00 feet to the point of beginning, containing 21.42 acres, more or less;

hereby petitions the Governing Body of the City of Overbrook, Overbrook, Osage County, Kansas, to add said property to the corporate limits of said City and consents to the hearing and allowance of this Petition at any time and the addition of said property by an ordinance duly enacted by said Governing Body.

Dated this 10th day of October 1962.

OVERBROOK ENTERPRISES, INC.

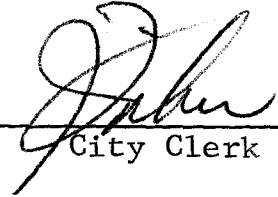
By Glen D. Norton  
Glen D. Norton, President

ATTEST:

Max Friesen  
Max Friesen, Secretary

(Corporate Seal)

I hereby certify that this is a true and correct copy of the original Ordinance; that said Ordinance was passed by the Governing Body and approved by the Mayor the 10 day of October 1962; that a record of the final vote on its passage is found on page 187 of the 10 October 1962 record of the proceedings of the Governing Body; and that it was published in The Citizen on the 17 day of October 1962.

  
\_\_\_\_\_  
City Clerk

(Seal)

# LEGAL NOTICE

(Published in The Citizen, Overbrook, Ks., Jan. 21, 1965)

## ORDINANCE NO. 43

AN ORDINANCE ADDING CERTAIN REAL PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF OVERBROOK, OSAGE COUNTY, KANSAS.

WHEREAS, The owner of the real property hereinafter described in the enacting portion of this Ordinance has petitioned the Governing Body of said City to add said property to the City; and

WHEREAS, Said Governing Body deems the addition of said property to be beneficial to said City;

Now, Therefore, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERBROOK, KANSAS:

SECTION 1. The following described real property to-wit:

Commencing at a point on the south line of the State Highway 50 feet south of the northwest corner of the Northeast Quarter of Section 6, Township 15, Range 17; thence east on the south line of said Highway 468.25 feet; thence south at right angles to the south line of said Highway, a distance of 1025 feet to the southwest corner of Lot B, in Western Heights Addition, to the City of Overbrook, Osage County, Kansas; thence west along the south line of said Lot B, extended a distance of 448.96 feet, more or less, to the west line of the Northeast Quarter of said Section 6; thence north along said west line 1025 feet, more or less, to the point of beginning;

is hereby added to the corporate limits of Overbrook, Osage County, Kansas.

SECTION 2. All ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its passage and approval and publication in The Citizen, the official newspaper of said City, as provided by law.

PASSED AND APPROVED this 13 day of January 1965.

George Branson,  
Mayor

ATTEST:  
J. Fisher  
City Clerk

## Legal Notice

(Published in The Citizen, Overbrook, Kans., June 17, 1965)

### ORDINANCE NO. 45

AN ORDINANCE FORBIDDING SOLICITORS, PEDDLERS, HAWKERS, ITINERANT MERCHANTS AND TRANSIENT VENDORS OF MERCHANDISE FROM TRESPASSING IN AND UPON PRIVATE RESIDENCES WHEN UNINVITED SO TO DO BY THE OWNERS AND OCCUPANTS OF SAID PRIVATE RESIDENCES IN SOLICITING AND ATTEMPTING TO SOLICIT ORDERS, OR IN SELLING AND EXPOSING FOR SALE WARES AND MERCHANDISE AND DECLARING SUCH SOLICITING TO BE A NUISANCE AND PROVIDING PENALTIES FOR COMMITTING SUCH NUISANCES.

Be it ordained by the governing body of the City of Overbrook, Kansas:

Section 1. The practice of going in and upon private residences in the City of Overbrook, Kansas, by solicitors, peddlers, hawkers, itinerant merchants, and transient vendors of merchandise, not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residences, for the purpose of soliciting orders for the sale of goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same, is hereby declared to be a nuisance, and punishable as such nuisance as a misdemeanor.

Section 2. That any person violating the provisions of this ordinance shall upon conviction thereof be fined not more than \$100.00 or imprisoned not more than 30 days or both fined and imprisoned in the discretion of the court.

Section 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That this ordinance shall take effect on the day of its publication, as provided by law, in The Citizen, the official City Paper.

PASSED BY the Council this 9th day of June, 1965, and approved by the Mayor this 9th day of June, 1965.

/s/ George Branson, Mayor  
(SEAL) Attested:  
/s/ J. Fisher, City Clerk

## Legal Notice

(Published in The Citizen, Overbrook, Kansas, Sept. 16, 1965)

### ORDINANCE NO. 46

AN ORDINANCE DECLARING THAT AN EMERGENCY EXISTS AND THAT IT IS NECESSARY TO REPLACE FIRE DEPARTMENT EQUIPMENT; STATING THE MAXIMUM AMOUNT TO BE EXPENDED THEREFOR: PROVIDING THAT APPLICATION BE MADE TO THE STATE BOARD OF TAX APPEALS FOR AUTHORITY TO EXPEND FUNDS FOR SUCH PURPOSE AND TO ISSUE NO-FUND WARRANTS UNDER THE PROVISIONS OF CHAPTER 70 OF THE LAWS OF 1963; AND PROVIDING FOR THE LEVY OF TAXES TO PAY THEREFOR.

Be it Ordained by the Governing Body of the City of Overbrook, Kansas:

Section 1: The governing body of the City of Overbrook, Kansas, deems that an emergency exists and that in order properly to protect and service or insure and provide for the health and convenience of the City and the public, it is necessary to replace Fire Department equipment for the Fire Department of the City.

Section 2: The city is without funds for such purpose and it is necessary to issue No-Fund Warrants in an amount not to exceed \$8,000.00 and to levy a tax in payment thereof.

Section 3: Notice is hereby given that the city will file an application with the state board of tax appeals asking for permission to make such expenditure and issue No-Fund Warrants in payment thereof in the manner provided by law and as authorized under the provisions of Chapter 70 of the Laws of 1963.

Section 4: This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the council this 8th day of September, 1965

/s/George Branson  
Mayor

Attest: /s/J. Fisher  
(Seal) City Clerk

ORDINANCE NO. 47

AN ORDINANCE DESIGNATING THE OFFICIAL NEWSPAPER OF THE CITY OF  
OVERBROOK, OSAGE COUNTY, KANSAS.

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

SECTION 1. The Citizen, a weekly newspaper  
printed in Overbrook, Kansas, and  
generally circulated in the City of Overbrook,  
Kansas, is hereby designated as the official  
newspaper of the City of Overbrook, Kansas.

SECTION 2. This ordinance shall be effective  
from and after its passage and  
approval and publication as provided by law.

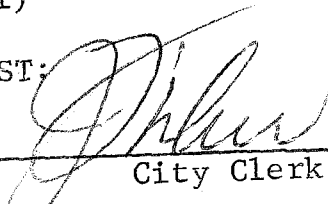
Passed by the Council this 11 May 1966.

Approved and signed by the Mayor.

(Seal)

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

## Legal Notice

(Published in The Citizen, Overbrook, Kans., May 19, 1966)

### ORDINANCE NO. 48

AN ORDINANCE DIRECTING THE IMPROVEMENT OF CERTAIN DESCRIBED STREETS IN THE CITY OF OVERBROOK, KANSAS, DESCRIBING THE IMPROVEMENTS TO BE MADE, DIRECTING THE ISSUANCE OF BONDS TO PAY FOR THE COSTS OF THE PROJECT, AND CALLING A SPECIAL ELECTION FOR THE SUBMISSION OF THE QUESTION OF THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY IN THE SUM OF NOT TO EXCEED EIGHTY THOUSAND DOLLARS FOR THE PURPOSE OF PAYING THE COSTS OF SUCH PROJECT.

Be It Ordained by the Governing Body of the City of Overbrook, Kansas That:

(1) Subject to the election hereinafter called, the City of Overbrook, Kansas shall grade and surface with sand, gravel, aggregate, or other suitable material, the following streets in said City:

First Street from the West line of Elm Street to the West line of Maple Street; Second Street from the East line of Locust Street to the West line of Maple Street and from the East line of Maple Street to the West line of Walnut Street; Market Street from the West line of Sycamore Street to the West line of Maple Street and from the East line of Maple Street to the West line of Ash Street; Fourth Street from 140 feet East of the East line of Pine Street to the West line of Maple Street and from the East line of Maple Street to the West line of Ash Street; Fifth Street from the East line of Western Heights Drive to the West line of Maple Street and from the East line of Maple Street to the West line of Ash Street; Sixth Street from the East line of Locust Street to the West line of Maple Street and from the East line of Maple Street to the West line of Cedar Street; Seventh Street from the West boundary line of Western Heights Addition to the West line of Western Heights Drive and from the East line of Locust Street to the West line of Maple Street and from the East line of Maple Street to the West line of Cedar Street; Ash Street from 300 feet south of the South line of Market Street to the North line of Fifth Street; Cedar Street from the North line of the railroad right-of-way line to the North line of Fifth Street; Walnut Street from the North line of the railroad right-of-way line to the South line of Eighth Street; Oak Street from the north line of First Street to the North line of Seventh Street; Elm Street from the North line of Second Street to the South line of Eighth Street; Locust Street from the North line of Market Street to the South line of Fourth Street; Sycamore Street from the North

line of Market Street to the South line of Fifth Street; and Western Heights Drive from the South boundary line of Western Heights Addition to the North boundary line of said addition, and shall issue its general obligation bonds, payable by the City at large, in an amount not to exceed \$80,000.00 for such street improvements, provided that if the above amount of bonds is not sufficient to complete the project, such part of the project shall be abandoned as will bring the cost within said amount.

(2) A special election be and hereby is called for the purpose of submitting to the qualified electors of the City of Overbrook, Kansas the following proposition:

"SHALL THE FOLLOWING BE APPROVED?"

A proposition to issue general obligation bonds of the City of Overbrook, Kansas in the total principal amount of not to exceed \$80,000.00, which bonds shall be payable by the City at large, shall be issued pursuant to K.S.A. 15-731, for the purpose of providing funds to pay the costs of improving certain streets within said City, provided that if said amount of bonds is not sufficient to complete the project, such part of the project as will bring the cost within said amount shall be abandoned."

Said election shall be held on the 10th day of June, 1966, at the City Library in said City, the usual voting place, as provided by law.

(3) Notice of such election shall be published in The Citizen once each week for three consecutive weeks, the first publication of such notice to be not less than twenty-one days prior to such election.

(4) This ordinance shall take effect upon its publication, pursuant to law.

Passed by the Council this 11th day of May, 1966.

Approved and signed by the Mayor.

GEORGE BRANSON  
(Seal) Mayor

ATTEST:

JACK FISHER

City Clerk

ORDINANCE NO. 49

AN ORDINANCE PRESCRIBING COMPREHENSIVE TRAFFIC CODE FOR THE CITY OF  
OVERBROOK, KANSAS.

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

SECTION 1. The 1965 edition of Standard Traffic  
Ordinance For Kansas Cities, published  
by The League of Kansas Municipalities, is adopted  
by the City of Overbrook, Kansas.

SECTION 2. This ordinance shall take effect and be  
in force from and after its publication.

Passed by the Council this June 8th 1966.

Approved and signed by the Mayor.

George Brunson  
Mayor

(Seal)

ATTEST:

[Signature]  
City Clerk



LEGAL

(Published in The Citizen, Overbrook, Kansas, July 21, 1966)  
ORDINANCE NO. 50

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$80,000.00 OF NEGOTIABLE GENERAL OBLIGATION BONDS OF SAID CITY FOR THE PURPOSE OF PROVIDING THE FUNDS TO PAY THE COSTS OF IMPROVEMENT OF STREETS WITHIN THE CITY OF OVERBROOK, KANSAS, PRESCRIBING THE DETAILS OF SAID BONDS, AND PROVIDING FOR A TAX LEVY TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THE SAME MATURE.

BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas that:

Section 1: For the purpose of paying the costs of the improvement of certain streets within the City of Overbrook, Kansas, as set forth in Ordinance No. 48 of said City, there hereby are authorized and shall be issued by the City of Overbrook, Kansas, the negotiable general obligation bonds of said City in the total amount of \$80,000.00.

Section 2: Said issue of bonds shall consist of 80 bonds, numbered from 1 to 80, inclusive, each being in the denomination of \$1,000.00. The bonds shall be dated July 1, 1966, shall bear interest at the rate of 4% per annum, and shall mature serially in numerical order at the rate of 6 bonds per year on November 1 of each of the years 1967 to 1969, inclusive, and thereafter at the rate of 7 bonds each year on November 1 of each of the years 1970 and 1971, and 8 bonds shall mature on November 1, 1972, and thereafter, at the rate of 10 bonds per year on November 1 of each of the years 1973 to 1976, inclusive; provided, however, that the City of Overbrook, Kansas, hereby reserves the right to call any or all of the bonds numbered from 51 to 80, inclusive, due serially from 1974 to 1976, inclusive, for payment on November 1, 1973, or on any interest payment date thereafter. Any bonds so called and redeemed prior to their stated maturity shall be redeemed at the principal amount thereof, together with the unpaid interest thereon accrued to the date of such payment and redemption, together with a premium of 1% of the principal amount thereof. In the event the City shall elect to call any of said bonds for payment and redemption prior to maturity, then all of the bonds so subject to redemption shall be called and redeemed prior to their stated maturity only in the inverse order of their serial numbers, the outstanding bond bearing the highest serial number being the first bond called for payment. In the event of any such redemption, the City shall publish once in the official state paper of the State of Kansas, not less than 30 days prior to the date for which said bonds

are called, a Notice of the City's intention to call and redeem said bonds, describing the same by date of issue, serial number and maturity dates, and interest upon called bonds shall cease from the date for which call is made. Interest shall be payable on May 1 and November 1 of each year, commencing May 1, 1967, said bonds and the interest coupons to be attached thereto shall be payable in lawful money of the United States of America at the office of the Treasurer of the State of Kansas in the City of Topeka, Kansas.

Section 3: Said bonds shall be signed by the Mayor and shall have the official seal of the City affixed thereto and shall be attested by the City Clerk. Interest coupons shall be attached to said bonds representing the interest to maturity thereon, and said interest coupons may bear the facsimile signatures of the Mayor and the City Clerk of said City.

Section 4: The form and con-

tents of said bonds shall be as hereafter provided by resolution of the Governing Body of the City of Overbrook, Kansas.

Section 5: The Mayor and the City Clerk of the City of Overbrook, Kansas are hereby authorized and directed to prepare and execute the bonds hereinbefore described and, when duly executed and registered, to deliver said bonds to the purchaser thereof upon the payment of the purchase price therefor. The proceeds of said bonds shall be used for the purpose as set forth above.

Section 6: There shall be levied annually, according to law, a tax upon all the taxable property within the City of Overbrook, Kansas, in an amount sufficient to pay such bonds and the interest thereon as the same becomes due.

Section 7: This ordinance shall take effect and be in force from and after its passage and approval and its publication in The Citizen, the official paper of the

City of Overbrook, Kansas.  
Passed and approved this 13th day of July, 1966.

George Branson  
MAYOR

(SEAL)

ATTEST: Jack Fisher  
CITY CLERK



# State Highway Commission of Kansas

HAROLD K. SNIDER, Lawrence  
ELMER F. ANDERSON, Hope

C. L. CUSHING, Downs  
J. R. CHENEY, Ottawa

KIRKE W. DALE, Arkansas City  
WILLIAM H. ADDINGTON, Elkhart

Topeka

March 13, 1956

Mr. Theo Van Valkenburg  
City Clerk  
Overbrook, Kansas

Dear Mr. Van Valkenburg:

It has been noted that Ordinance No. 14, enacted Dec. 5, 1951, as published in the Overbrook Citizen, contained an error which should have been corrected by a new ordinance repealing Ordinance No. 14 and containing the following description:

Beginning  $36\frac{1}{2}$  rods east of the <sup>Corner Stone of The</sup> southwest corner of the southwest quarter of Section 32, T 14, R 17; thence north 13.6 rods; thence east 5 rods; thence south 13.6 rods; thence west 5 rods to point of beginning, all in Osage County, Kansas.

①

If such an ordinance has been or will be passed, please send us a copy.

Very truly yours,

ROBERT WILLIS  
ENGINEER OF HIGHWAY PLANNING

RES/lt

FRED HALL, Governor

WALTER A. RUGAN, Director  
FRANK E. HARWI, JR., Assistant Director

WALTER JOHNSON  
State Highway Engineer



# State Highway Commission of Kansas

HAROLD K. SNIDER, Lawrence  
ELMER F. ANDERSON, Hope

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If such an ordinance has been or will be passed, please send us a copy.

Very truly yours,

A handwritten signature in cursive script that reads "Robert Willis".

ROBERT WILLIS  
ENGINEER OF HIGHWAY PLANNING

RES/lr

The Ordinance was read and considered by sections, after which  
Councimen D. W. Hoyt seconded the motion and on roll call  
Harry Schwanke, D. W. Hoyt, L. O. Wilson, Seldon Tucker and  
Fred Reed voted aye, none voted no, and the motion was declared  
carried and the Ordinance passed.

AND FOR THE MANNER OF MAKING OF AND COLLECTION OF SUCH CHARGES  
AND REPEALING ORDINANCE NO. 18.

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

SECTION 1. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied within the city limits of Overbrook, Kansas:

First 1,000 gallons	\$ 2.25
Second 1,000 gallons	1.00
Third 1,000 gallons	.50
Fourth 1,000 gallons	.50
Fifth 1,000 gallons	.50
All over 5,000 gallons	\$0.35 per 1,000 gallons.

The minimum monthly charge shall be \$2.25.

For use and supply to school  
buildings, fixed charge \$50.00.

SECTION 2. That there is hereby assessed and fixed the following monthly rates and charges for the use of water from the waterworks system supplied outside the city limits of Overbrook, Kansas:

First 1,000 gallons	\$ 3.25
Second 1,000 gallons	1.00
Third 1,000 gallons	.50
Fourth 1,000 gallons	.50
Fifth 1,000 gallons	.50
All over 5,000 gallons	\$0.35 per 1,000 gallons.

The minimum monthly charge shall be \$3.25.

SECTION 3. That where easement grants have made provision for rates and charges, the same shall be given force and effect and prevail over the rates provided for herein.

SECTION 4. No user of water shall resell the same without the written consent of the governing body of the City.

10 per cent penalty shall be added to and become a part of such charge. When such delinquent bill remains unpaid the 15th day of the following month, service to the consumer shall be discontinued.

SECTION 6. The governing body shall have authority to require a deposit to insure payment of water bills when it finds and deems the same is necessary in any case.

SECTION 7. Service connections in the city limits shall be construed to mean: A corporation cock installed in the pipeline, a three-fourths inch copper line from the corporation cock to the property line or sidewalk, and a meter and meter box at the property line or sidewalk. The consumer shall then make his own connection from the meter to his point of usage.

Service connections for consumers outside the city limits shall be construed to mean: A corporation cock installed in the pipeline, a three-fourths inch copper line from the corporation cock to the meter, and a meter and meter box to be placed at the City's pipeline. The consumer shall then make his own connection from the meter to his point of usage.

All such service connections shall be installed by the City and be the property of the City, but shall be paid for by the consumer at a cost of \$57.50 provided such installation is made at the time the water main is installed by the City. Charges for such service connections after the City main is laid and covered shall be not less than \$125.00. In either case no service connections shall be made by the City where customer does not agree to use city water for one year. At any time after the customer has used city water for one year, he may request City to discontinue service on a temporary basis by paying a service charge of \$2.25. At the time he renews service an additional service charge will be made in the amount of \$2.25.

by the City. If such test shows the meter to be registering fast, the City shall bear the expense of the test and shall make adjustment with the consumer for overpayment as accurately as can be determined by the Governing Body. If such meter test shows the meter to be registering slow, the consumer who has requested the test, shall bear the expense of the test by paying to the City Clerk the sum of \$2.50.

PROVIDED: A meter that shows a test of not more than 3 per cent inaccuracy shall be deemed to be accurate.

SECTION 9. All rates and charges provided for herein shall be paid to the City Clerk, who shall make proper record and account of the same and be by him paid at regular intervals of not less than once each month to the City Treasurer. The City Treasurer shall make proper record and account of the same and shall place such sums in a fund to be known as "Waterworks Fund" and shall not be commingled with the other funds of said City and shall only be used for the purposes authorized by law including the operation and maintenance of said utility.

SECTION 10. That Ordinance No. 18 be and the same is hereby repealed.

SECTION 11. That this Ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen as provided by law.

PASSED AND APPROVED this 3 day of June, 1952.

  
\_\_\_\_\_  
Mayor.

ATTEST:

  
\_\_\_\_\_  
City Clerk.

ORDINANCE NO. 20

AN ORDINANCE VACATING ALLEY IN BLOCK ONE, IN HIGH SCHOOL ADDITION TO OVERBROOK, KANSAS, SUBJECT TO CERTAIN RESTRICTIONS.

BE IT ORDAINED by the Governing Body of the City of Overbrook, Kansas:

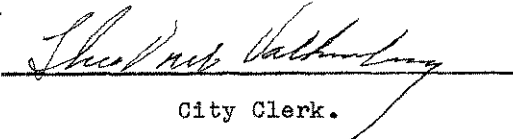
SECTION 1. That the north and south alley in Block One, High School Addition to Overbrook, Kansas, the same lying between Fourth Street and Market Street, be and the same is hereby vacated and title thereto relinquished to the owners of real estate thereto adjacent on each side in proportion to the frontage of such real estate subject to and excepting and reserving the right to use the same for the location and maintenance of public utility lines and said vacation is made subject to such use.

SECTION 2. That this ordinance shall take effect and be in force from and after its passage, approval and publication in The Overbrook Citizen as provided by law.

Passed and approved, this 1st day of July, 1953.

Attest:

\_\_\_\_\_  
Mayor.

  
\_\_\_\_\_  
City Clerk.