



State of Kansas, Montgomery County
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Marilyn Calhoun

Marilyn Calhoun, Register of Deeds

ORDINANCE NO. 4479

AN ORDINANCE AMENDING ORDINANCE NO. 4466 HAVING TO DO WITH HARDSHIP EXEMPTIONS

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

Section 1. Section 42-86, Hardship Clause, (2) Application Process, as set forth in recently adopted ordinance 4466, is amended to read as follows in its entirety:

(2) Application Process:

- a. **Submission:** The applicant must submit a written request for a hardship exemption to the city clerk, including all relevant documentation and evidence supporting the claim of hardship.
- b. **Review:** The city manager, or designee, will review the application, consider the nature of the hardship, the applicant's efforts to comply, and the potential impact on the community.
- c. **Decision:** The city manager, or designee, shall make a determination on the hardship exemption within ten (10) days of the application. The decision may include specific conditions or limitations as deemed necessary to protect the public interest.
- d. **Appeal Process:** The applicant or any aggrieved party may appeal the decision of the city manager, or designee, to the governing body within two (2) days of the decision. The appeal must be in writing and must state the grounds for the appeal. The governing body shall have up to forty-five 45 days within which to schedule a date for the appeal to be heard at a public meeting of the governing body. During the appeal process, the initial hardship determination will remain in effect, and the applicant shall be required to continue working on the property as required by the city code within the applicable time frames. The decision of the

governing body shall be issued in writing, signed by the mayor and shall be final.

Section 2. Effective Date.


This ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the 13th day of February, 2025.



W.S. SMITH Mayor

ATTEST:



DAVID W. SCHWENKER, City Clerk

