

(Summary Published in the *Iola Register*, May 25, 2016)

GENERAL ORDINANCE 3462

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF IOLA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF IOLA, KANSAS THAT THE FOLLOWING SECTIONS OF THE IOLA MUNICIPAL CODE ARE AMENDED OR NEW SECTIONS ADDED AS NOTED TO READ AS FOLLOWS:

SECTION 1. The following chapters or sections have been added, amended, or deleted to read as follows:

Chapter 14, Article IV. Building Trades Board, Sections 14-151-156 are deleted. The building trades board has been discontinued.

Chapter 22 CEMETERIES

Section 22.1. Burials on private property.

No deceased person shall be buried within the city limits on private property.

Article II. City Cemeteries

Section 22-31. Control of Cemeteries.

The cemeteries owned and controlled by the City of Iola, Kansas, known as the Iola Cemetery and Highland Cemetery, or cemeteries that may be hereafter acquired by said City, shall be controlled as hereinafter designated. The general management and control of Iola cemeteries shall be under the supervision of the Cemetery Superintendent of the City of Iola, Kansas with the general daily maintenance and care under the supervision of cemetery staff as assigned. The Cemetery Superintendent shall formulate rules and regulations governing and relating to the operation, maintenance and improvement of such cemeteries, including the fixing of fees for maintenance, interments of remains or parts of remains of deceased persons and other fees to be approved by the governing body of the City of Iola. The City Administrator and/or Governing body of the City of Iola reserves the right to make any additional rules and regulations for the government and operation of the Iola cemeteries.

Section 22-32. Appeals.

Any person aggrieved by the decision of the Cemetery Superintendent is authorized by this article to appeal to the City administrator and / or the governing body of the City of Iola. The city administrator and /or the governing body shall hear and decide appeals when any person is aggrieved by any requirement, decision or determination made by the Cemetery Superintendent in the enforcement or administration of this article. The appeal shall be in writing by the

aggrieved person and shall be presented to the city administrator. If the city administrator is not able to resolve the appealed grievance with any individual after discussing the grievance with the Cemetery Superintendent it will then be forwarded to the governing body at the next regularly scheduled commission meeting. The governing body must make a decision on the appeal not later than its next regular scheduled commission meeting after the appeal is presented to them. Decisions by the Governing Body on any appeal shall be final.

Section 22-33. Fees and Charges.

The Cemetery Superintendent shall establish a schedule of fees and charges for the opening and closing of graves and for performance of other services in Iola cemeteries by city personnel. The schedule of fees shall be approved by the governing body of the City of Iola and a copy thereof kept permanently on file in the office of the city clerk for distribution to all interested persons at such times and in such manner as the city clerk deems appropriate. (See SECTION IV)

Section 22-34. Sale of lots / issuance and transfer of deeds.

(a) The lots in such cemeteries shall be sold at such price and on such terms as may from time to time be fixed by the Cemetery Superintendent. All lots so sold shall be transferred to the purchaser in writing, signed by the City Clerk and shall bear the seal of the City. The City Clerk shall make a record to be kept for the purpose of each sale and transfer, showing the name of the purchaser, the date of purchase, the consideration, and such other information as the Cemetery Superintendent may require, provided, however, that all such sales and transfers shall be subject to all rules and regulations and ordinances now in force or hereafter adopted, governing, restricting or regulating the use or control of said cemeteries and of the lots therein.

(b) All deeds for cemetery lots or individual burial spaces purchased shall be signed by the City of Iola, City Clerk under the seal of this city and the City Clerk shall keep a record of each and every lot or part of lots sold. No deed shall be delivered until the purchase price is paid in full. No transfer of any lot or part of lot by an individual purchaser, his or her heirs or assigns shall be valid until the city of Iola has been provided with all legal documentation they may deem necessary to prove said person or persons have acquired lawful claim to said property. All such sales and transfers shall be subject to all rules and regulations and ordinances now in force or hereafter adopted, governing, restricting or regulating the use or control of said cemeteries and of the lots therein.

Section 22-35. Failure to pay purchase price.

In case any lot or parts of a lot has been sold or conveyed to any purchaser and such purchaser shall fail to pay for a period of thirty days following the date of the agreement to pay the purchase price thereof, such agreement at the option of the city, shall be and remain canceled, void and of no effect. No burials will be permitted on any lot or parts of a lot until a funeral director has notified the City of Iola and agreed that the purchase price be billed to the funeral director's establishment for payment in full otherwise the purchase price must be paid in full and the city clerk must have issued a deed to the purchaser.

ARTICLE III. LOT SALES

Section 22-36. Superintendent to report sales.

The superintendent of Iola cemeteries shall report all sales and entombment, burials, staking fees, and disinterment charges on a regular monthly report to the City Clerk. The superintendent of Iola cemeteries shall inform the City Clerk of any agreement made by an individual to purchase any lot or parts of a lot in Iola cemeteries and must also maintain records with the pertinent information relative to all of the above.

Section 22-37. Record of funds.

(a) The City Clerk shall keep suitable records of funds collected and expended, invested funds and various other monies received and disbursed in conjunction with Iola Cemeteries. The City Clerk shall as often as said governing body may direct invest trust funds or other funds accumulating in reserves, etc. of the City of Iola or any portion thereof as designated by the governing body.

(b) The Cemetery Superintendent shall propose annual budget funds needed for cemeteries operations to be approved by the governing body of the city of Iola, Kansas. Following the annual approval by the governing body the Cemetery Superintendent will then have full authority to administer these funds.

ARTICLE IV. MONUMENTS AND MARKERS

Section 22-38. Monuments and markers.

(a) All monuments and markers at or above the surface of the ground shall be of granite, marble or granite and marble composition of approved standard quality. Rubbing of stones with abrasive materials is prohibited.

(b) Only one family monument shall be erected upon a lot except that where a lot is divided into separate burial plots under separate ownership's, in which case additional monuments may be erected. All monuments erected and located on burial plots shall be in accordance with the regulations of the City of Iola. A flange six inches wide on markers and monuments, together with a uniform foundation extending to the outside width of the flange, shall be placed on all settings.

(c) Only one above ground monument, marker, mausoleum or ledger permitted per individual burial space. Family lots or parts of lots may use a monument or marker to be designed for an entire family or more than one individual as long as all other markers or monuments for these individuals are placed flush with surface and do not extend above the surface of the ground. All foot markers and markers designating the corners or boundaries of lots shall be placed flush with surface and shall not extend above the surface of the ground. No permanent decorations will be permitted in the front or rear of monuments. Cemetery personnel

will pick up all temporary markers placed in Iola cemeteries if markers are left in place after two years from date of placement.

Section 22-39. Mausoleums, ledgers and foundations.

(a) All individual surface mausoleums and ledgers are required to have a six-inch concrete ribbon along the outer borders. Where two are placed on burial spaces side by side, the area between the two must be filled with concrete. No individual mausoleums, building mausoleums or ledgers permitted in blocks # 15, 16, 17, 25, 26 and 27 as of July 11, 1985. All other areas within the cemeteries will be at the discretion of the Cemetery Superintendent and must not interfere with access to future burial sites.

(b) Wire or rebar must be used in all concrete foundations with a gravel and sand concrete mixture. No sand caps will be allowed. All footings must be one continuous piece of concrete and concrete may not be added to the end of any existing footings. Cemetery personnel will check all prefabricated concrete slabs used for this purpose with a metal detector to verify that wire or rebar has been installed. Any prefabricated concrete slabs constructed without rebar or wire will not be allowed.

Section 22-40. Individual vaults.

All individual vaults must comply with the requirements of the laws of Kansas, and shall be placed in the ground so that no part of the vault or attachment thereto shall be above the natural surface of the ground. An individual may use an approved sectional concrete box in place of a vault. No wooden boxes will be allowed for burials as of February 7, 1974.

Section 22-41. Commercial and other uses prohibited.

No person or persons with refreshments, merchandise for sale, firearms, or dogs not on a leash, shall be permitted to enter any cemetery or to be therein.

Section 22-42. Staking fees.

Before any monument, marker or foundation for the same shall be placed in any cemetery belonging to the City of Iola, Kansas, all persons are required to pay a staking fee. Individuals must contact the cemetery superintendent or his assistant who will locate the line along which monument or foundation shall be erected, showing the lot where such monument or marker or foundation for the same is to be erected and along what boundary line of such lot such monument or foundation shall be erected. Monuments should be in line with four space lots on the east one-half or the west one-half, but not in the center. No monument or foundation shall be erected without prior approval and at no time may a monument or foundation be erected at a different place on said lot.

Section 22-43. Planting on lots.

No trees, shrubs, vines or flowers shall be planted on burial lots or any place within the cemeteries of the city and no trees shall be cut down or trimmed except by direction of the Cemetery Superintendent or his assistant.

Section 22-44. Care of lots.

(a) All graves and lots shall be kept clean and free from rubbish and waste matter and shall as nearly as possible be kept level with the general contour of the ground. Grading up or filling of lots is prohibited. No fence, curb, hedge, flower border or enclosure of any kind will be permitted on burial lots. Boxes, shells, toys, glass items and similar articles placed upon graves or lots are inconsistent with proper keeping of the grounds, and will not be permitted. No wild daisies or other flowers having seed thereon that may become scattered about the cemeteries shall be used for decorative purposes or placed upon any grave or lot.

(b) Urns and vases shall be set on continuous footings with a minimum of four inches of the footing extending past said item in each direction. Shepherd hooks placed on burial plots may not interfere with the ongoing maintenance of the cemetery grounds. Any such urn, vase or shepherd hook installed improperly shall be picked up by cemetery personnel until corrective action has been taken by the owner.

Section 22-45. Trespassing.

It shall be unlawful for any person other than an officer in the performance of his or her duties, to discharge any firearms or other explosive; or to in any way disturb the peace and quiet; or to mutilate, injure, deface or remove any grave, mound, gravestone or other monument, cornerstone, stake, post, ornament, tree, shrub, plant, flower, enclosure, railing or vault, within any burying ground owned by the City of Iola, Kansas, or to take or carry away therefrom, or from their place therein, any of the things of value left therein, or to dig up and disturb the soil therein, or to break or injure or remove the fence inclosing same or any part thereof. Provided that nothing in this section shall be so construed as to in any way interfere with the officers, or owners of the lots therein or their employees from exercising reasonable care and control over said cemetery or the lots therein, in such a manner as shall not unnecessarily interfere with others or the rights of the public.

Section 22-46. Immoral practices.

It shall be unlawful for any person, male or female, to resort to said cemetery for any immoral or indecent purposes or practice or to indulge therein in any immoral, indecent or lewd act or practice, or to assume any lewd, immoral or indecent position, or to make any lewd, immoral or indecent exposure of their person or of the person of another therein. Any person violating any of the provisions of this section shall be deemed guilty of a trespass therein.

Section 22-47. Sunday funerals.

Sunday burials will not be permitted in the Iola Cemetery or the Highland Cemetery of Iola, Kansas, except in cases where a funeral on said day is necessary because of a death from

contagious disease or where the deceased person specifically requested a Sunday funeral, or for bodies shipped to the City of Iola for a Sunday burial or funeral. Before approval from the Cemetery Superintendent, all individual requests must be made in writing, under oath, providing the City of Iola with all legal documentation they may deem necessary to prove that such burial comes under the provisions of this section.

Section 22-48. Restricting use of cemetery streets.

No person shall use any road or street in any Iola cemetery except for lawful purposes and uses directly pertaining to said cemetery. All persons are hereby forbidden to ride or drive through either of the said cemeteries or the roads or streets thereof faster than at a rate of fifteen miles per hour. It shall be unlawful to park vehicles on, drive upon, or over, or across any cemetery lot or other place in said cemetery (except by authorized city personnel in the performance of their duties) other than upon the streets and roads laid out and established for that purpose. The Governing body of the City of Iola reserves the right to close any walkway, street or driveway now existing in Iola cemeteries providing sufficient access is left to all lots.

Section 22-49. Penalty for violations.

Any person, firm, or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and shall be fined in a sum not exceeding \$100.00 plus costs and confinement in the City jail until such fine and costs are paid and each day's continuance of a violation shall constitute a separate offense hereunder.

Section 34-221. Cemetery Fees and Charges.

PURCHASE PRICE OF INDIVIDUAL BURIAL SPACES

Individual burial space in the designated Cremation Section at Highland Cemetery	\$100.00
Individual burial space in the designated Baby Section at Highland Cemetery	\$100.00
All other individual spaces in Highland and Iola Cemetery	\$300.00

CHARGES FOR OPENING AND CLOSING OF BURIAL SPACES

All individuals are required to contact the Cemetery Superintendent before scheduling a burial in Iola Cemetery, Highland Cemetery or cemeteries that may be hereafter acquired by the city of Iola, no later than 8:30 A.M. on the calendar day prior to the scheduled burial date.

*Infant to 18 months and Cremation Burials (Excluding urn vault burials)	
Weekday from 8:00 A.M. and graveside service must be concluded by 2:30 P.M.	\$ 110.00
Saturday from 8:00 A.M. and graveside service must be concluded by 11:30 A.M.	\$185.00
Designated City Holidays and approved Sunday Burials	\$220.00
*All other burials and Urn Vault burials	
Weekday from 8:00 A.M. and graveside service must be concluded by 2:30 P.M.	\$300.00
Saturday from 8:00 A.M. and graveside service must be concluded by 11:30 A.M.	\$400.00
Designated City Holiday Burials and approved Sunday Burials	\$600.00
Disinterment	\$800.00
*Late Surcharges	

Late Weekday Surcharge for graveside service concluding or commencing after 2:30 P.M. \$80.00
 Late Saturday Surcharge for graveside service concluding or commencing after 11:30 A.M. \$80.00

STAKING FEE FOR MONUMENTS
 Staking for placement of each monument \$30.00

Chapter 26 COURTS

Section 26-34 Court fines.

- (a) Standard fine schedule
 Iola Municipal Court Standard Fine Schedule
- (b) Court costs of \$60.00 shall be added to all misdemeanor code violations, infractions and traffic violation fines, with the exception of fines for limited time parking zones.

Chapter 38 FIRE PREVENTION AND PROTECTION

Section 38-66. International Fire Code adopted.

The 2012 edition of the International Fire Code (IFC) is hereby adopted by reference, excluding sections 603.8, 603.8.1, 903.3.1.3, 903.3.1.2.1, and 903.3.2.

Sec. 38-67. Life Safety Code; adoption.

- (a) There is hereby incorporated by reference for the purpose of fire prevention within the corporate limits of the City National Fire Protection Association Pamphlet No. 101 (Life Safety Code), all chapters, including all appendices, 2012 edition, except chapter 24.
- (b) The fire department, police department, municipal judge and all administrative departments of the city charged with enforcement of such code shall be supplied, at the cost of the city, such number of official copies of the National Fire Protection Association Pamphlet No. 101, 2012 Edition, similarly marked, as may be deemed expedient.

Sec. 38-71. - Burning within corporate limits, categories of fires.

- (a) All open burning or fires are prohibited except as allowed by permit written by the Fire Chief or as defined below. Reference: IFC 105.1 Prohibited Fires IFC 307.1.1 General.
- (b) Burning that is offensive or objectionable because of smoke is prohibited.
 Reference IFC 307.5 Extinguishment and Attendance
- (c) All fires shall be constantly attended by a responsible party until the fire is fully extinguished. A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck shall be available for immediate use.

(d) Prohibited Materials (all types of burning):

- (1) Plastics
- (2) Garbage & construction waste
- (3) Wire insulation
- (4) Rubber (tires) etc.
- (5) All petroleum based products
- (6) Animal waste
- (7) Food service & industrial waste
- (8) Yard vegetation and debris

(e) Recreational Fires (IFC 307.4.2)

(1) Definition: A recreational fire is an outdoor fire burning materials other than yard debris, rubbish and prohibited materials where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

(2) A Fire Department permit IS NOT required.

(3) Recreational fires shall not be conducted within 25 feet of a structure or combustible material.

(4) Natural untreated wood is allowed for burning. Prohibited materials shall not be used as a fuel. (See paragraph (d))

(5) Recreational fires are permitted after dark.

(6) If a county burn ban is in effect no open burning or fires will be permitted.

(f) Recreational Fires (IFC 307.4.2)

(1) Definition: A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material.

(2) A Fire Department permit IS NOT required.

(3) Example Units: Gas fired fireplaces, metal or stone chimaneas and commercial fire pits; may be of open top design, may be equipped with a small hearth and may have a short chimney or similar products.

(4) The use of Portable Outdoor Fire Places may be used when the following precautions are taken.

(5) All manufactures' suggestions, instructions and safety precautions are taken to ensure the unit operates as intended.

(6) If equipped, use with a screen to contain sparks and embers.

(7) Portable Outdoor Fireplaces shall not be operated within 15 feet of a structure or combustible material. (Exception: One & two family dwellings).

(8) Natural untreated wood is allowed for burning. Prohibited materials shall not be used as fuel. (See paragraph (d)).

(g) Portable Outdoor Fire Places (Recreational Fires) IFC 307.4.3

(1) Definition: A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material.

(2) A Fire Department Permit IS NOT Required.

- (3) Example Units: Gas fired fireplaces, metal or stone chiminea's and commercial fire pits; may be of open top design, may be equipped with a small hearth, may have a short chimney or similar products.
 - (4) The use of Portable Outdoor Fire Places may be used when the following precautions are taken.
 - i. All manufactures' suggestions, instructions and safety precautions are taken to ensure the unit operates as intended.
 - ii. If equipped, use with a screen to contain sparks and embers.
 - iii. Portable Outdoor Fireplaces shall not be operated within 15 feet of a structure or combustible material. (Exception: One & two family dwellings).
 - iv. Natural untreated wood is allowed burning. Prohibited materials shall not be used as fuel. (See paragraph (d)).
 - v. Fires shall be attended and supervised at all times until fully extinguished.
- (h) Open Flame (Outdoors) IFC 308.3
- (1) Definition: Open flames such as citronella candles, lanterns, kerosene heaters, tiki torches and gas fired heaters shall not be located on or near decorative material or similar combustible materials. Burning devices shall be attended until extinguished.
 - (2) A Fire Department Permit IS NOT Required.
- (i) Open-Flame Cooking Devices IFC 308.3.1
- (1) Definition: Used for cooking food
 - (2) A Fire Department Permit IS NOT Required
 - (3) Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or with-in 10 feet of combustible construction.
 - (4) Exceptions: One- and two family dwellings or where buildings, balconies and decks are protected by an automatic sprinkler system.
- (j) Liquefied-Petroleum-Gas-Fueled Cooking Devices IFC 308.3.1.1
- (1) Definition: Used for cooking food
 - (2) A Fire Department Permit IS NOT Required
 - (3) LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds shall not be located on combustible balconies or within 10 feet of combustible construction.
 - (4) Exception: One- and two family dwellings.
- (k) Bonfires IFC 307.4.1
- (1) Definition: A Bonfire is an outdoor fire used for ceremonial purposes.
 - (2) A Fire Department Permit IS Required
 - (3) Bonfires shall be inspected and approved by the Fire Chief.
 - (4) A permit from the Fire Chief shall be obtained prior to igniting.
 - (5) Bonfires shall not be located within 50 feet of a structure or combustible material unless the fire is contained in a barbecue pit.
 - (6) Natural untreated wood is allowed for burning. Prohibited materials shall not be used as a fuel. (See paragraph (h)).
 - (7) Bonfires shall be no greater than 3 feet in diameter and 2 feet in height.

- (8) Bonfires shall be attended and supervised at all times until fully extinguished.
- (l) Barbecue Pits IFC 307.4.1
- (1) Definition: Used for cooking food
 - (2) A Fire Department Permit IS NOT Required.
 - (3) Barbecue pits outdoors shall be constructed of noncombustible materials or approved in-ground locations.
 - (4) Barbecue pits shall not be located within 50 feet of combustible structures or combustible material.
 - (5) Barbecue pits shall be no greater than 3 feet in diameter and 2 feet in height.
 - (6) Barbecue pits shall be attended and supervised at all times until fully extinguished.
- (m) Sky Lanterns (Kongming Lanterns)
- (1) Sky lanterns are also known as Kongming lanterns, wish lanterns, Chinese lanterns, sky candles or fire balloons. Sky lanterns are air borne paper lanterns that are a tradition found in some Asian cultures. They are constructed from oiled rice paper on a bamboo frame, and contain a small candle or fuel cell composed of a waxy flammable material. When lit, the flame heats the air inside the lantern, thus lowering its density causing the lantern to rise into the air. They are known to travel significant distances from the point of release.
 - (2) These devices meet the definition of recreational fires, such as defined in IFC Section 302.1 of the Fire Code. These devices require constant attendance as required in Section 307.5 of the Fire Code which states “open burning, bon fires, recreational fires and the use of portable outdoor fire places shall be constantly attended until the fire is extinguished...”
 - (3) There is a serious fire and safety hazard associated with sky lanterns, which includes the potential to start an unattended fire on or off the property from which they are released. A sky lantern cannot be controlled once released. These devices can reach an altitude of 1,500 feet and travel up to 20 miles from the point of release on natural wind currents.
 - (4) Use of these devices in the city limits of Iola, Kansas is prohibited unless anchored or tethered.

Chapter 46 HEALTH AND SANITATION

Section 46-32 Carcasses.

It shall be the duty of all persons to remove and bury beyond the city limits the carcasses of all dead animals, owned by them or within their enclosure, in their possession or under their control. Any person who shall suffer or allow the carcass of any animal belonging to such person which may have died from any cause to be unburied, or draw or deposit the carcass upon any other premises or in or upon any street, alley or other public place within the city, except in removing the carcass from the city limits, shall be deemed guilty of causing a nuisance and, upon conviction, shall be adjudged guilty of a misdemeanor.

Chapter 62 OFFENSES AND MISCELLANEOUS PROVISIONS

Section 62-3. Curfew for minors.

(b) (5) When a child is on the sidewalk abutting a child's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police about a child's presence;

Article II. COMMERCIAL VEHICLE SAFETY ACT

Sections 62-7 to 62-15. Sections deleted. Motor carrier inspections are conducted by the Highway Patrol or Sheriff's Department.

Chapter 66 PARKS AND RECREATION

Section 66-1 Loitering after certain hours.

It shall be unlawful for any person excepting a public officer in the discharge of the officer's duties to visit, loiter about or be found in Riverside Park between the hours of 11:00 p.m. and 6:00 a.m.; except in cases of public emergency or during the progress of any organized event scheduled and approved through the Parks and Recreation Department.

Chapter 78 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Section 78-8 Roller skating and playing in industrial or commercial areas.

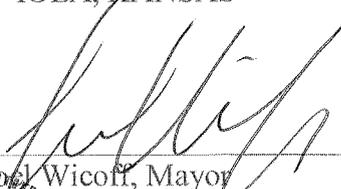
Roller skating and playing upon the roadway of any street or alley in any commercial or industrial area is forbidden, and it shall be unlawful for parents, or guardians or other persons having control over children to knowingly allow them to play or roller skate on any street or sidewalk in any industrial or commercial area.

SECTION 2. REPEAL. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

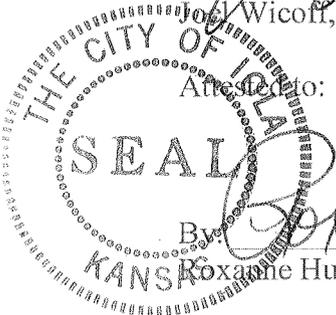
SECTION 3. EFFECTIVE DATE: This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the Council and **SIGNED** by the Mayor this 23rd day of May, 2016.

CITY OF IOLA, KANSAS

By: 
Joel Wicoff, Mayor

Attest to:



By: 
Roxanne Hutton, City Clerk

Ordinance No. 3462 Summary

Ordinance 3462 is the third portion of a major review of the entire Municipal Code book. This section makes major revisions to Chapter 22 Cemeteries and Chapter 38 Fire Prevention and Protection. Language has been modified to clarify intent, obsolete sections removed, and other sections updated. The cemetery section has been completed revised.

A complete copy of this ordinance is available at City Hall, 2 W. Jackson Ave., Iola, Kansas or may be viewed on the City's website at www.cityofiola.com. This summary has been certified by Robert E. Johnson II, Iola City Attorney.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ALLEN COUNTY, ss: Rick Danley, being first duly sworn,

deposes and says: That he is Legal Editor of The Iola Register, a daily newspaper printed in the state of Kansas, and published in and of general circulation in Allen County, Kansas, with a general paid circulation on a daily basis in Allen County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Iola, Kansas, in said county as second class matter.

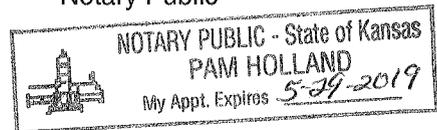
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 25th day of May, 2016 with subsequent publications made on _____, 20____.

x [Signature]

Subscribed and sworn before me this 25th day of May, 2016.

[Signature: Pam Holland]

Notary Public



Printer's fee \$ 25.85
Additional copies \$ _____
Affidavits \$ 10.00
Tax \$ _____
TOTAL \$ 35.85

This service by publication examined and approved this _____ day of _____, 20____

_____ Judge

(First published in The Iola Register, May 25, 2016)

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(5) 25