

**RESOLUTION NO. 13-2024**

**A RESOLUTION BY THE CHEROKEE COUNTY, KANSAS BOARD OF COMMISSIONERS  
ESTABLISHING FINES AND PENALTIES FOR CERTAIN VIOLATIONS OF THE CHEROKEE COUNTY  
ENVIRONMENTAL CODE**

**WHEREAS** the Cherokee County, Kansas Board of County Commissioners adopted a Sanitary Code on June 28, 1999.

**WHEREAS** the Sanitary Code prohibits certain practices and/or acts related to Private Wastewater Systems.

**WHEREAS** violations of the Sanitary Code are misdemeanors, punishable by a fine and/or incarceration.

**NOW THEREFORE** be it resolved by the Board of Commissioners of Cherokee County, Kansas:

**SECTION 1. Definitions.**

- (a) **Sanitary Code.** As used herein, "Sanitary Code" shall mean the Sanitary Code adopted by the Cherokee County, Kansas Board of County Commissioners on June 28, 1999 and any amendments or supplements thereto or any Sanitary Code adopted hereafter.
- (b) **Installer.** As used herein, "Installer" shall mean any person installing, constructing, repairing, maintaining, or modifying any Private Wastewater System.
- (c) **Owner.** As used herein, "Owner" shall mean any person owning, renting, leasing, or otherwise occupying any real property upon which a private wastewater system exists.
- (d) All other terms used herein shall be defined as defined in the Sanitary Code.

**SECTION 2. Violations by Installers.**

- (a) Any violation of the Sanitary Code by an Installer shall be subject to a fine of not less than \$500.
- (b) Each day a violation exists or continues shall constitute a separate violation.

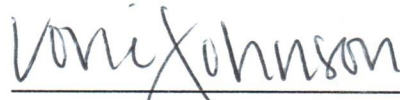
**SECTION 3. Violations by Owners.**

- (a) Any violation of the Sanitary Code by an Owner shall be subject to a fine of not less than \$250, nor more than \$500.
- (b) Each day a violation exists or continues shall constitute a separate violation.

**BE IT RESOLVED** this 13<sup>th</sup> day of May 2024 by the Cherokee County Board of Commissioners.

Approved:

  
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Myra Carlisle-Frazier  
County Commissioner

  
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Lorie Johnson  
County Commissioner

  
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Cory Moates  
County Commissioner

Attest

  
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Rebecca Brassart  
County Clerk

