

**ORDINANCE NO. 1523**

**AN ORDINANCE AMENDING THE COLBY/THOMAS COUNTY METROPOLITAN AREA ZONING REGULATIONS (ADOPTED BY ORDINANCE NO. 1257 DATED APRIL 15, 1997), BY AMENDING THE DEFINITION FOR “BUILDING” IN ARTICLE 1. SECTION 21.102. DEFINITIONS.**

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

**SECTION 1:** The City of Colby, Kansas, has authority under K.S.A. 12-3009 through K.S.A. 12-3012, and K.S.A. 12-3301 and K.S.A. 12-3302, and any amendments thereto, to adopt and incorporate by reference Zoning Regulations in code form as prepared and published by the City of Colby, Kansas.

**SECTION 2:** A public hearing was held before the Colby/Thomas County Metropolitan Area Planning Commission on July 11, 2013, on a proposed amendment to the Colby/Thomas County Metropolitan Area Zoning Regulations to amend the definition of “Building” in **ARTICLE 1. Section 21-102. Definitions.**

**SECTION 3:** That **ARTICLE 1. Section 21-102. Definitions: 7. Building,** of the Colby/Thomas County Metropolitan Area Zoning Regulations is hereby repealed.

**SECTION 4:** That **ARTICLE 1. Section 21-102. Definitions: 7. Building,** of the Colby/Thomas County Metropolitan Area Zoning Regulations is hereby amended as follows:

**ARTICLE 1.**

**21-102. Definitions:**

- 7. Building:** A structure having a roof supported by columns or walls, creating an enclosure and providing shelter or protection for persons, animals, or property. No building will be constructed from materials or equipment originally designed for another use such as, but not limited to, trailers, semi-trailers, shipping (cargo) containers, motor vehicles, packing crates, parts of motor vehicles or trailers, van bodies, vehicle bodies, regardless if wheels, axles, etc., have been removed. Mobile homes, campers, and similar structures will not be considered as buildings for such purposes as an accessory building or uses other

than the uses they were originally designed for. "Building" shall also mean an addition to an existing structure provided the addition shares a common wall, footings, and roofline, or common footings and roofline, with no portion of the addition open to the sky.

**SECTION 5.** That this Ordinance shall be effective upon publication provided, however, as to any contract, lease or rental agreement in existence upon publication of the ordinance, the ordinance shall be effective and enforced at the expiration of said contract, lease or rental agreement or one (1) year from the publication date of the ordinance, whichever first occurs.

**PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR** this 16<sup>th</sup> day of July, 2013.

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Gary L. Adrian, Mayor

ATTEST:

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Joni L. Ketchum, City Clerk

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