

## **ORDINANCE NO. 5445**

### **AN ORDINANCE ESTABLISHING APPEARANCE GUIDELINES WITHIN THE CITY OF LINDSBORG, KANSAS.**

### **NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LINDSBORG, KANSAS:**

**WHEREAS**, the City of Lindsborg desires to facilitate, encourage, and embrace the creativity historically expressed by its citizens and residents, while preserving that same tradition, history, and beauty for current and future generations.

**WHEREAS**, the City of Lindsborg has therefore deemed it necessary and advisable to comprehensively reform its regulation of appearances within the City of Lindsborg, Kansas.

**WHEREAS**, the City of Lindsborg desires to simplify its Code and meet the needs of its citizens on an ongoing basis by adopting a set of Appearance Guidelines subject to regular review by City Council.

**SECTION 1. Appearance Guidelines; Established.** The City shall adopt Appearance Guidelines, which shall be incorporated by reference in an ordinance, for the purpose of establishing regulation and guidance regarding the architecture, design of buildings, design of signage, and public art in all zoning districts within the City of Lindsborg.

**SECTION 2. Same; Publicly Available.** A copy of the Appearance Guidelines currently in effect shall remain on file with the office of the City Clerk and available for viewing free of charge.

**SECTION 3. Same; Penalty.** Violation of the provisions of such Appearance Guidelines shall be punishable under the general penalty provisions of the Lindsborg Municipal Code. Each day a violation occurs constitutes a separate offense. Nothing in this ordinance shall limit the availability of any civil relief for City.

**SECTION 4. Same; “Grandfather” Clause.** It shall not be a violation of such Appearance Guidelines to maintain or restore architecture, buildings, signage, art, or anything else governed by such Appearance Guidelines, if the same is in existence at the time of this ordinance and not a violation of the regulations in place prior to such Appearance Guidelines, except that:


- (a) This section shall only apply to the owner(s) of record at the time of this ordinance.
- (b) This section shall only apply to the current design of the item “grandfathered in”. To continue to be “grandfathered in”, the item must maintain its design, including color and material, at the time it was “grandfathered in”. Otherwise, all modifications are subject to these Appearance Guidelines.
- (c) It shall be the burden of the person or entity seeking to utilize this section to prove that their property maintained such condition as of the date of this ordinance.



**SECTION 5.** All other Ordinances or sections of the Lindsborg Municipal Code which are in conflict herewith are hereby repealed.

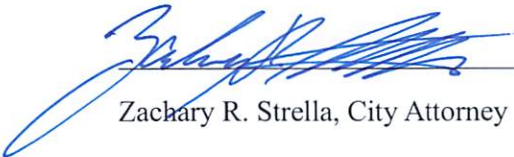
**SECTION 6.** This Ordinance shall be effective upon being published in the official City newspaper.

**ADOPTED AND PASSED** by the governing body of the City of Lindsborg, Kansas on Sept. 5, 2023 and **APPROVED** by the governing body **AND SIGNED** by the Mayor.

  
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CLARK SHULTZ, Mayor

**ATTEST:**  
  
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ROXIE SJOGREN, CITY CLERK

**APPROVED AS TO FORM:**

  
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Zachary R. Strella, City Attorney

