

ORDINANCE NO. 1699

**AN ORDINANCE ESTABLISHING A CITY LAND BANK PURSUANT TO
K.S.A. 12-5901, *et seq.* WITHIN THE CITY OF NORTON, NORTON COUNTY, KANSAS**

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

Section 1. PURPOSE. The City of Norton, Kansas (hereinafter “City”), by the power vested in it by K.S.A. 12-5901, *et seq.*, hereby establishes a city land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring distressed property, abandoned property or developable vacant land within the City of Norton and County of Norton, Kansas, for the purposes of encouraging the reuse or redevelopment of property. The land bank will be guided in its affairs by a board of trustees.

Section 2. TRUSTEES. The land bank board of trustees shall consist of a seven (7) member board comprised of the Mayor and the City Council of the City of Norton, Kansas.

Section 3. STAFF. The land bank staff shall consist of the administrative staff of the City of Norton, Kansas.

Section 4. CASH BASIS. The bank shall be subject to the provisions of the cash-basis law, K.S.A. *et seq.*, and amendments thereto, as provided in K.S.A. 12-5903 (a).

Section 5. BUDGET. The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the Governing Body of the City of Norton, Kansas.

Section 6. POWERS. For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect or temporarily use for a public purpose such property in the manner the board deems appropriate; (2) compile and maintain a written inventory of all such property, with the inventory being available for public inspection and distribution at all times; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board’s best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the banks activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired; (6) thirty days prior to the sale of any property owned by the land bank, publish a notice in the official city newspaper announcing such sale; and (7) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Section 7. TAXES. (a) Until sold or otherwise disposed of by the land bank and except for special assessments levied by a municipality to finance public improvements, any property acquired by the bank shall be exempt from the payment of ad valorem taxes levied by the state and any other political or taxing subdivision of the state.

(b) Except for special assessments levied by a municipality to finance public improvements, when the land bank acquires property pursuant to this act, the county treasurer shall remove from the

tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the land bank.

(c) Property held by the bank shall remain liable for special assessments levied by a municipality to finance public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the bank.

(d) The governing body of the City, if the City has levied a special assessment on property acquired by the bank, may abate part or all of the special assessments, and the bank and governing body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the county treasurer as of the effective date of the abatement.

Section 8. PROPERTY TO BE INCLUDED IN LAND BANK. Any property acquired by the city, the county, another city or other taxing subdivision within the county may be transferred to the bank. The board may accept or refuse to accept any property authorized to be transferred pursuant to this subsection. The transfer of any property pursuant to this subsection shall not be subject to any bidding requirement and shall be exempt from any provision of law requiring a public sale. Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the county of Norton pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 12-5901, et seq. (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of the City of Norton, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

Section 9. INCENTIVES AND DEVELOPMENT OF PROPERTY. (a) The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property.

(b) The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

(c) Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

(d) The land bank, without competitive bidding, may sell any property acquired by the land bank at such times, to such persons, and upon such terms and conditions, and subject to such restrictions and covenants deemed necessary or appropriate to assure the property's effective reutilization. The sale of any real property by the land bank under the provisions of this act on which there are delinquent special assessments to finance public improvements shall be conditioned upon the approval of the governing body of the municipality which levied the special assessments. The land bank for purposes of land disposition, may consolidate, assemble or subdivide individual parcels of property acquired by the bank.

Section 10. OPERATING COSTS. The governing body of the City of Norton, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank.

Section 11. ANNUAL REPORT. The land bank is required to make an annual report to the governing body of the City of Norton, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 12. MONEY RECEIVED FROM SALE. Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 13. ADVISORY COMMITTEES. The board may establish separate neighborhood or city advisory committees consisting of persons living or owning property within the county, city or neighbored, all pursuant to K.S.A. 12-5911.

Section 14. COMPENSATION. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 15. STATUTORY AUTHORITY. The provisions of this ordinance shall at all times be consistent with K.S.A. 12-5901 et seq and amendments thereto.

Section 16. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Norton, Kansas.

Passed and adopted by the Governing Body of the City of Norton, Kansas this 3rd day of May, 2017.

/s/ James L. Miller, Mayor

Attest:

/s/ Darla R. Ellis, City Clerk

First Reading: 04-05-2017

Second Reading: 04-19-2017

Third Reading: 05-03-2017