

RESOLUTION NO. 96 - 6

RESOLUTION OF  
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN  
UNDER SECTION 104(d) OF THE  
HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

The City of Wathena will replace all occupied and vacant occupiable low/moderate-income (LMI) dwelling units demolished or converted to a use other than as LMI housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within four years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Wathena will make public and submit to the Kansas Department of Commerce & Housing the following information in writing:

- (1) A description of the proposed assisted activity;
- (2) The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as LMI dwelling units as a direct result of the assisted activity;
- (3) A time schedule for the commencement and completion of the demolition or conversion;
- (4) The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- (5) The source of funding and a time schedule for the provision of replacement dwelling units, and;
- (6) The basis for concluding that each replacement dwelling unit will remain a LMI dwelling unit for at least ten (10) years from the date of initial occupancy.

The City of Wathena will provide relocation assistance, as described in 570.488 to each LMI dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the ACT, the City of Wathena will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of the project, the following dwellings will be demolished with grant funds:

The City plans no demolish of dwellings and no displacement of persons.

As Mayor of the City of Wathena, Kansas, I hereby certify that the above plan was officially adopted by the City of Wathena, Kansas on the 18th day of June, 1996.

final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.

**SECTION 6. ENFORCEMENT**

- a. Any person convicted of a violation of this ordinance shall be punished by a fine of not more than two hundred dollars (\$200) or by confinement in the County jail for not more than thirty (30) days, or both such fine and imprisonment.
- b. The City Attorney, instead of filing a complaint in Municipal Court of said City, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Kansas.

**SECTION 7. SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or phrase of these standards shall be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this ordinance which shall continue in full force and effect. To this end the provisions of this ordinance are hereby declared to be severable.

**SECTION 8. SAVINGS CLAUSE**

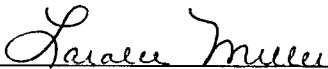
This ordinance shall not effect violations of any other ordinance, code, or regulation of the City of Wathena existing prior to the effective date hereof. Any such violations shall be governed and shall continue to be punishable to the full extend of the law under the provisions of those ordinances, codes, or regulations in effect at the time the violation was committed.

Read the third time and passed, approved, and adopted by the City Council of the City of Wathena, Kansas, this 18th day of June, 1996.

  
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Michael Shalz, Mayor

(seal)

ATTEST:

  
\_\_\_\_\_  
Wathena City Clerk