



SUBDIVISION REGULATIONS

July 2002

SUBDIVISION REGULATIONS, CITY OF GREAT BEND, KANSAS

ADOPTED by ORDINANCE NO. 4089

AN ORDINANCE RELATING TO THE SUBDIVISION OF LANDS LOCATED WITHIN THE CITY LIMITS AND LANDS LOCATED OUTSIDE THE CITY LIMITS BUT WITHIN A DESIGNATED URBAN AREA FROM THE LIMITS OF THE CITY OF GREAT BEND, KANSAS; PROVIDING RULES AND REGULATIONS FOR THE PLATTING OF SAID LANDS INTO LOTS, STREETS, ALLEYS AND OTHER PORTIONS OF THE SAME INTENDED TO BE DEDICATED FOR PUBLIC USE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GREAT BEND, KANSAS;

PART I.

TITLE AND GENERAL PROVISIONS

SECTION 1. SHORT TITLE: This ordinance shall be known, referred to and cited as "The Land Subdivision Regulations" of the City of Great Bend, Kansas.

SECTION 2. JURISDICTION: These regulations shall apply to all land located within the City of Great Bend, Kansas, and to all unincorporated land outside of but within three (3) miles of the Corporate Limits of Great Bend, Kansas.

SECTION 3. PURPOSE AND INTENT: The purpose and intent of these regulations is to provide for the harmonious development of the community. The regulations shall:

1. Provide for the proper location and width of streets, building lines, open spaces, safety and recreational facilities, utilities and drainage;
2. Avoid congestion of population through requirements of minimum lot width, depth and area;
3. Dictate the manner in which streets shall be graded and improved, and the installation requirements of water, sewer, drainage and other utility mains, piping or connections or other physical improvements;
4. Provide for and secure the actual construction of such physical improvements.

SECTION 4. APPLICABILITY: The owner or owners of any land located within the jurisdiction of these regulations subdividing said land into two or more lots and blocks, tracts or parcels, and/or establishing any street, alley, park or other property intended for public use or for the use of purchasers or owners of lots, tracts, or parcels of land fronting thereon or adjacent thereto, shall cause a plat to be made in accordance with these regulations, unless exempted under Section 5.

Commission from time to time by regulations, ordinances or the applicable sections of the Kansas Statutes Annotated.

PART III.

DEFINITIONS

SECTION 1. Definitions to be used for the interpretation of these regulations are as follows:

1. ALLEY: A public or private right-of-way which affords only a secondary means of access to abutting property.
2. BLOCK: A piece or parcel of land entirely surrounded by public highway, streets, streams, railroad right-of-way or parks, etc. or a combination thereof.
3. COUNCIL: The Governing Body of the City of Great Bend.
4. CLUSTER SUBDIVISION: A subdivision designed with common open space and/or recreation areas for the use of residents, and with residential lots which are arranged in groups or "clusters" so that each lot has convenient access to the common areas.
5. CUL-DE-SAC: A street having one end open to traffic and being permanently terminated by a vehicular turn-around.
6. DESIGN: The location of streets, alignment of streets, grades, and widths of streets, the location and alignment of easements, grades and widths of easements, the location and alignment of alleys, grades and widths of alleys, the location and alignment and right-of-way for drainage and sanitary sewers, and the designation of lot, area, width and length.
7. EASEMENT: A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.
8. FINAL PLAT: A plan or map prepared in accordance with the provisions of this regulation and those of any other applicable local regulation, which plat is prepared to be placed on record in the office of the Register of Deeds of the County in which any part of the subdivision is located.
9. GOVERNING BODY: The City Council of the City of Great Bend or the Board of County Commissioners of Barton County.
10. IMPROVEMENTS: Street work and utilities that are to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private use of the lot owners in the subdivision and to accommodate local neighborhood traffic and drainage needs, as a condition precedent to the approval and acceptance of the final plat or filing of the record of the survey map thereof.
11. LOT: A portion of land in a subdivision or other parcel of land, intended as a unit for transfer of ownership or for development.

PART IV

SUBDIVISION DESIGN REGULATIONS

SECTION 1. STREETS, ALLEYS AND PUBLIC WAYS:

1. RELATION TO ADJOINING STREET SYSTEM: The arrangement of streets of new subdivisions shall make provisions for the continuation of the principal existing streets and adjoining additions (or their proper projection where adjoining property is not subdivided) insofar as they may be necessary for public requirements. The width of such streets in this subdivision shall not be less than the minimum width established herein. Alleys, when required, and street arrangements must also be such as to cause no hardship to owners of adjoining property when they plat their land and seek to provide for the convenient access to it. Whenever there exists a dedicated or platted half- street or alley adjacent to the tract to be subdivided, the other half of the street or alleys shall be platted and dedicated as a public way in accordance with Street Classification Plan (Chapter 31 Code of Ordinances, Ordinance, No. 1606 as amended, of the City of Great Bend, Kansas 1974 provision). Ordinance number 1606 as amended.
2. STREET NAMES: Streets that are obviously in alignment with existing streets shall bear the names of the existing streets. In no case shall the name for proposed street duplicate existing street names, irrespective of the use of the suffix street, avenue, Broadway, boulevard, driveway, place, or court. In order to avoid duplication, the subdivider should consult with the proper city officials.
3. STREET ARRANGEMENT: Subdivision shall not be required to follow standard block and grid street arrangements so long as they do not interfere with the extension of major traffic ways and arterial streets. Secondary residential streets shall be designed to discourage through or non-local traffic.
4. CUL-DE-SACS: Cul-de-sac street arrangements must be designed to provide proper access to all lots. Cul-de-sacs shall not exceed 1000 feet in length including an adequate turn-around with minimum right-of-way radius 60 feet at the closed end, provided, that a 5 foot dedication for a sidewalk, in addition to the street dedication, must be made.
5. RIGHT ANGLE INTERSECTIONS: Under normal conditions, streets shall be laid out to intersect, as nearly as possible, at right angles. When the planning Commission finds that topography or other conditions justify a variation from the right angle intersection, a minimum angle of 80 degrees shall be required.
6. STREETS ADJACENT TO A RAILROAD RIGHT-OF-WAY. LIMITED ACCESS FREEWAY. PRINCIPAL HIGHWAY: Where lots front or side, but do not back on railroad rights-of-way, limited access freeways or principal highways, a marginal access street or frontage road way be required parallel and adjacent to the boundary of such rights-of-way. The distance from said right-of-way shall be determined, with due consideration to minimum distance required for approach connections to future grade separation.

1. LENGTH: Intersecting streets (which determine block length) shall be provided at such intervals as necessary to serve cross traffic adequately and to meet the existing streets in the neighborhood. Plats in areas where no existing plats have been recorded which utilize the standard pattern shall contain no block longer than 660 feet. A greater length may be permitted where the Planning Commission finds that topography or other conditions justify departure from the maximum (such as blocks along a major trafficway or arterial). In blocks longer than 800 feet, pedestrian ways and/or easements through the block may be required near the center of the block. Such pedestrian ways or easements shall have a minimum width of 10 feet.
2. WIDTH: In residential development, the block width shall normally be sufficient to allow two tiers of lots of an appropriate depth. In certain instances, however, a different arrangement may be required in order to provide better circulation or to protect a major circulation route. Blocks intended for business or industrial use shall be of such width and depth as may be considered most suitable for the prospective use.

SECTION 4. LOTS:

1. Lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography, the character of surrounding development and drainage.
2. If the proposed subdivision is serviced by a public water supply and a public sewer system, the minimum lot area requirements shall be as set forth in the Zoning Regulations.
3. In the unincorporated area, if the proposed subdivision is not serviced by a public water supply and/or a public sewer system, the minimum lot area may be increased to accommodate on site systems.
4. Minimum width and depth of lots shall be as required by the Zoning Regulations and measured as provided in said Zoning Regulations.
5. The maximum depth of all residential lots shall not exceed two and one-half times the width thereof.
6. All side lot lines shall bear 90 degrees from the street right-of-way line on a straight street or radial to the curved street, except where a variation from this rule will provide for better street or lot layout, such as in a cluster subdivision or Planned Unit Development.
7. Double frontage lots shall be avoided unless, in the opinion of the Planning Commission, a variation to this rule will give better street alignment and lot arrangement.
8. Every lot shall have access to a street other than an alley.
9. The subdivision or resubdivision of a tract or lot shall not be permitted where said subdivision or resubdivision places an existing permanent structure in violation of

4. Other City personnel as deemed necessary in accordance with the specific problems of the plat.

SECTION 2. SUBMISSION OF PLAT:

1. Submission of a Preliminary Plat and Supplementary Information:
 - a. Filing Fee: A non-refundable fee of \$100.00 shall accompany the filing of each preliminary plat. The preliminary plat shall not be accepted for filing until the filing fee has been deposited by the subdivider with the Secretary of the Planning Commission. The filing fee together with the legal description of the area to be platted in the name of the plat, shall be submitted to the Secretary of the Planning Commission.
 - b. Number of Copies: The subdivider shall submit to the Secretary of the Planning Commission six (6) copies of the Preliminary Plat and six (6) copies of a vicinity map (if not on the Preliminary Plat) showing the location of the proposed subdivision.
 - c. Utility Letters: The subdivider shall submit review copies of the Preliminary Plat and copies of a vicinity map (if not on the Preliminary Plat) to utility companies including electric, gas, cable services and telephone. The subdivider shall submit letters of review concerning the proposed plat from the above utility companies to the Secretary of the Planning Commission. Said letters are not required for City owned utilities, i.e.: sewer and water.
 - d. All plats shall be prepared by a professional engineer or registered land surveyor licensed in the State of Kansas.
 - e. Required contents for Preliminary Plats shall contain:
 - (1) The proposed name of the subdivision. (The name shall not duplicate or too closely resemble the name or names of any existing subdivision.)
 - (2) The location of the boundary lines of the subdivision reference to the section lines.
 - (3) The names and addresses of the owner, developer, and the surveyor, or engineer who prepared the plat.
 - (4) Scale of the plat, 1" = 200' or larger.
 - (5) Date of preparation and north point.
 - (6) Existing conditions:
 - (a) Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within the proposed subdivision or within 100 feet of all boundaries of the subdivision shall be shown on the

Barton County Sheriff Department, the Barton County Sanitarian and the appropriate fire department if the plat is located outside the incorporated limits of the City; and the Kansas Department of Transportation if the plat contains frontage on a state or federal highway (Collectively referred to as "review agencies").

- b. Approval or Disapproval of the Preliminary Plat: After the comments of the review agencies and utility companies have been received, and within 30 days of the submission of the preliminary plat the Secretary of the Planning Commission shall review the plat for its compliance with said comments and this ordinance. After his/her review, the Secretary of the Planning Commission shall approve as submitted, as modified, or disapprove the Preliminary Plat and communicate the reasons therefore to the subdivider. The action of the Secretary of the Planning Commission shall be noted on the Preliminary Plat and one copy returned to the subdivider.

Secretary of the Planning Commission must approve or disapprove a Preliminary Plat within 30 days from the date of filing of such plat, unless such time is extended by mutual consent. If disapproved, the subdivider may appeal the decision to the Planning Commission at the next regular meeting.

If the Secretary of the Planning Commission fails to approve or disapprove a Preliminary Plat within 30 days from the date of filing of such plat, then such Preliminary Plat shall be deemed to have been approved, and the subdivider may proceed to file a Final Plat for approval by the Planning Commission.

- c. Effect of Approval of Preliminary Plat: Approval of the Preliminary Plat does not constitute acceptance of the subdivision, but authorizes the preparation of the Final Plat and detailed plans and specifications for the installation of the required improvements.

Such approval shall be effective for no more than six months from the date approval was granted, unless upon application from the subdivider, the Planning Commission grants an extension to this time limit. If a Final Plat has not been approved and recorded as required by the regulations during this time period, the Preliminary Plat must be resubmitted to the Secretary of the Planning Commission as if such plat had never been approved.

SECTION 3. FINAL PLAT:

1. Submission:
 - a. After approval of the Preliminary Plat, the subdivider shall submit a Final Plat for approval by the Planning Commission.
 - b. The original (on mylar, tracing cloth or similar material) and twenty-five (25) prints thereof shall be submitted to the Secretary of the Planning Commission at least 15 days prior to the Planning Commission's public meeting.

- (1) A certificate signed and acknowledged by all parties having any record, title, or interest in the land subdivided, and consenting to the preparation and recording of the said subdivision map.
- (2) A certificate signed and acknowledged as above, dedicating or reserving all parcels of land shown on the final plat and intended for any public or private use including those parcels which are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants and servants.
- (3) The certificate of survey signed and sealed by a registered land surveyor responsible for the survey of the subdivision.
- (4) The acknowledgment of a notary in the following form:

State of _____, County of _____ ss.
 Be it remembered that on this _____ day of _____, 20 ____, before me, a notary public in and for said County and State, came _____, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

(SEAL) NOTARY PUBLIC
 My Commission Expires: _____

- (5) The certificate of the Planning Commission in the following form:

This plat of _____ has been submitted to and approved by the Great Bend Planning Commission this _____ day of _____, 20 ____.

(SEAL) CHAIRMAN
 SECRETARY

- (6) The approval and acceptance of dedications by the municipal, county or township governing body, in the following form:

This plat approved and all dedications shown hereon, if any, accepted by the City Council of the City of Great Bend/County Commission of Barton County, Kansas, this _____ day of _____, 20 ____.

(SEAL) MAYOR/CHAIR, COUNTY COMMISSION

ATTEST: _____, CITY/COUNTY CLERK

The Planning Commission shall approve or disapprove the Final Plat within 60 days of its submission date. If the Planning Commission disapproves, it shall advise the subdivider in writing of the reason for such disapproval. If the Planning Commission finds that the Final Plat conforms to this ordinance and the approved Preliminary Plat, and the requirements of Parts VII and VIII have been accomplished, it shall endorse the Final Plat as previously shown, and submit it to the Governing Body for approval and acceptance of dedications.

4. Action of the Governing Body:

The appropriate Governing Body shall approve or disapprove the Final Plat within 30 days of its receipt thereof. If the Governing Body fails to act within the time limit, the Final Plat shall be deemed approved, unless the subdivider shall have agreed in writing to extend or waive such time limitation. The Governing Body's approval of the Final Plat and any dedications shall be shown on the Plat as provided previously. If the Governing Body disapproves the Plat, it shall advise the subdivider in writing of the reasons for such disapproval.

5. Approved Plat:

When the Final Plat has been approved, certified and acknowledged as provided, it shall be filed and recorded in the Office of the Register of Deeds, Barton County, Kansas. Two mylar copies of the recorded Plat as certified by the Register of Deeds shall be filed with the Secretary of the Planning Commission. The developer shall be responsible for all filings.

PART VI

DEDICATION OR RESERVATION OF OPEN SPACE

SECTION 1. GENERAL: All residential subdivisions shall provide for the reservation or dedication of land for open space for either public recreational use or for the future use of the residents of that subdivision in order to insure the proper balance of use, design of urban areas and avoidance of the overcrowding of land. This shall include both newly platted areas as well as those being replatted, but shall not include those areas coming under the lot split provisions of this regulation.

SECTION 2. RESERVATION OF OPEN SPACE: Where private open space is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, such area shall be termed as open space reservations. Said reservations of open space shall be permitted by the Governing Body providing that the following standards are met:

1. That yards, court areas, setbacks and other open area required to be maintained by the zoning and building regulations shall not be included in the computation of such private open space; and
2. That the private ownership and maintenance of the open space is adequately provided for by written agreement; and

determined by the following:

- (1) By agreement between the subdivider and the City, or
 - (2) If the City and the subdivider cannot agree, the subdivider may, at the subdivider's expense, obtain a qualified real estate appraiser approved by the City to obtain an appraisal of the platted lots.
- b. No deeding of partial lots shall be accepted by the City. In the event that the value determination results in a fraction of a lot, the subdivider shall fulfill the obligation by either a cash contribution or the deeding of an additional lot.

SECTION 5. OBLIGATION OF LAND OR VALUE OBTAINED FROM THIS REQUIREMENT:

1. All land required to be dedicated to the City under this provision shall be dedicated for park, open space and recreation purposes and shall be so indicated on the Final Plat.
2. All land reserved under this provision shall be reserved for park, open space and recreation purpose and shall be so indicated on the Final Plat.
3. All cash contributions received under this provision shall be placed in the trust account to be created by the Governing Body for that neighborhood or area in which the proposed subdivision is located. Said funds shall be used in each neighborhood or area for capital improvements only (land acquisition and development) and shall not be available for operational and maintenance costs.
4. In such instances where land is deeded by separate instrument in lieu of actual dedication or cash contribution, said land shall be placed in the hands of the previously described neighborhood or area trust, and any value received from the sale, rental or lease of said lands shall be placed in said trust fund. Any lands deeded to the City as a result of this provision of the Subdivision Regulations shall not be utilized for any public or private purpose other than park, open space and recreation unless proper value has been transmitted to said special trust fund.

SECTION 6. DOCUMENTS TO ACCOMPANY SUBMISSION OF THE FINAL PLAT

1. Restrictive covenants prepared in accordance with Section 2, Reservation of Open Space, shall be submitted with the Final Plat.
2. All cash contributions as required shall be submitted with the Final Plat.
3. All deed transfers completely executed by the applicant and approved by the City Attorney shall be submitted with the Final Plat.
4. A letter, signed by the person or organization submitting the Final Plat, stating that they have received a copy of these subdivision regulations and will comply with them.

7. Permanent Monuments: Permanent monuments shall be set at all subdivision boundaries, corners, block corners, lot corners, angle points, points of curve in streets and at intermediate points as required by the City Engineer prior to the final acceptance of the plat by the City. Said permanent monuments shall be 1/2 inch iron bars, thirty inches long, extending below the frost line. Should conditions prohibit the placing of monuments on the line, offset markings will be permitted, provided, however, that exact offset courses and distances are shown on the subdivision plat.
8. Utilities. Including Gas, Electric, Cable and Telephone: The subdivider shall submit a letter of commitment from the applicable utility company evidencing that a satisfactory arrangement has been made for the installation of the required utility services.

SECTION 4. EXCEPTIONS FOR EXISTING IMPROVEMENTS:

1. Where the proposed subdivision is a resubdivision or concerns an area presently having any or all required improvements as previously set out, and where such improvements meet the requirements of said section and are in good condition as determined by the City Engineer, no further provision need be made by the subdividers to duplicate such improvement. However, where such existing improvements do not meet the requirements as set out, the subdivider shall provide for the repair, correction, or replacement of such improvements so that all improvements will then meet said requirements.
2. Where the proposed subdivision is a resubdivision or concerns an area presently abutting or containing any existing public street of less than the minimum required right-of-way width or roadway width, land shall be dedicated so as to provide a minimum street right-of-way established by these regulations and/or Planning Commission policy.

PART VIII

IMPROVEMENT PROCEDURES

SECTION 1. SUBMISSION OF DEVELOPMENT PLAN: At the time the Final Plat is presented to the Planning Commission for approval, the subdivider shall also present to the Commission a development plan for the entire subdivision. This plan shall show the proposed location, size, and dimensions of all water lines, sewer lines, bridges, culverts, pumping stations, water treatment plants, and sewage treatment plants which will be needed in the subdivision. The plan must further show the location, size and dimensions of all existing public facilities which will have to be extended into the subdivision. To expedite approval of the development plan, the subdivider or his engineer should review the plan with the City Officials prior to presenting it to the Planning Commission for approval.

SECTION 2. CONSTRUCTION OF REQUIRED IMPROVEMENTS: All required improvements shall be constructed by the subdivider or the City, where applicable. At the time the development plan is presented to the Planning Commission, the subdivider shall declare which improvements he intends to construct. The subdivider is required to cause to be installed; a water system, sanitary sewer lines, telephone lines, electric and/or gas lines,

comply with such final drawings, he shall have authority to order that all such work shall be terminated until such time as necessary steps are taken to correct any defects or deficiencies. The subdivider shall again notify the Engineer as provide in Section 6 after said defects or deficiencies are corrected.

SECTION 8. FINAL INSPECTION: Upon completion of all improvements within the area covered by the Final Plat, the subdivider shall notify the City or County Engineer who shall there upon conduct a final inspection of all improvements installed. If such final inspection indicates that there are any defects or deficiencies in any such improvements as installed, or if there are any deviations in such improvements as installed from the final engineering plans and specifications, he shall notify the subdivider in writing of such defects, deficiencies, or deviations and the subdivider shall, at his sole cost and expense, correct such defects or deviations within six (6) months of the date of notification, When such defects, deficiencies or deviations have been corrected, the subdivider shall notify the official that the improvements are again ready for final inspection. If such defects, deficiencies or deviations have not been corrected within six (6) months, the City may draw upon the performance bond or letter of credit and proceed to correct said defects, deficiencies or deviations.

SECTION 9. ACCEPTANCE OF IMPROVEMENTS: Upon the receipt by the Governing Body of the Certificate of the City/County Engineer that all improvements have been installed in accordance with the engineering drawings, as approved, and in conformity with the requirements of this regulation and all other applicable statutes, ordinances and regulations the appropriate governing body shall there upon formally accept such improvements. The dedicated improvements shall become the property of the appropriate political subdivision.

PART IX

APPEALS, VARIANCES, EXCEPTIONS

SECTION 1. APPEALS: Any interested person may appeal decisions made by the Planning Commission in enforcement of these regulations to the Governing Body by filing written notice of appeal with the City Clerk within seven days following the filing of the Commission's decision. In the event the Governing Body sustains the Planning Commission, the action of the Planning Commission shall be final, except as otherwise provided by law. If the Council overrules the Planning Commission, the reasons therefore shall be reflected in writing or in the minutes of the meeting.

SECTION 2. VARIANCES AND EXCEPTIONS: Whenever it is found that the land included in a subdivision plat presented for approval, is of such size or shape, or is subject to or is affected by topographical location or conditions, or is to be devoted to such usage that full conformity to the provisions of these regulations is impossible or is impractical, the Planning Commission may grant such variances or exceptions in the final plat so that substantial justice may be done and the public interest secured.

1. In granting such variances or exceptions, the Planning Commission shall find the following:
 - a. That there are special circumstances or conditions affecting the property.

existing service levels, e.g., additional curb cuts, repaving, etc.

- d. There is less street right-of-way than required by these regulations unless such dedication can be made by separate instrument.
 - e. All easement requirements have not been satisfied.
 - f. If such split will result in a tract without direct access to a street.
 - g. A substandard-sized lot or parcel will be created.
 - h. If the lot has been previously split in accordance with these regulations, except that lots or unplatted tracts within an industrial zoning classification may be divided into two or more tracts without replatting. .
2. The Secretary may make such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and Governing Body policy. Requirements may include, but not be limited to, installation of public facilities, dedication or right-of-way and easements, and submission of covenants for the protection of other landowners in the original subdivision.
 3. The Secretary shall in writing, either approve or disapprove (with or without conditions) the lot split within thirty (30) days of application. If disapproved, the applicant for lot split may appeal the decision to the Planning Commission at the next regular session. If approved, and after all conditions have been met, the Secretary shall sign and furnish a certificate of approval to be affixed to the lot split survey, and a certified copy thereof shall be filed with the Register of Deeds, the official designated to issue building or occupancy permits, and a copy shall be furnished to the applicant.

SECTION 4. FILING FEE:

1. The filing fee for lot split shall be twenty-five dollars (\$25.00).
2. Cost of recording documents, publications, writes, and engineering costs are payable in addition to filing fees. These costs will be billed to the applicant.

PART XI

ENFORCEMENT AND PENALTY

SECTION 1. ENFORCEMENT: No building permit shall be issued for any structure to be located on a lot or tract in a subdivision that has been subdivided or split, and approved in the manner provided in these regulations, and no such lot split, plat, replat, or dedication of a street or public way shall be filed with the Register of Deeds of Barton County, as provided by law, until such lot split, plat, replat or dedication shall have endorsed on it that it has been approved in accordance with these regulations.

SECTION 2. PENALTY: The violation of any provision of this title shall be deemed to be a public offense and any person, firm, association, partnership, or corporation convicted thereof shall be punished by a fine not to exceed five hundred dollars (\$500.00); and the City