

ORDINANCE NO. 177

AN ORDINANCE RELATING TO THE INSURANCE PROCEEDS FUND, ESTABLISHING ITS SCOPE AND CREATING A LIEN IN FAVOR OF THE CITY.

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

SECTION 1. The Code of the City of Goessel, Kansas, Section CGK 8-801 is hereby amended to read as follows:

Section 8-801. SCOPE AND APPLICATION. The City is hereby authorized to utilize the procedures established by K.S.A. 40-3901 et seq., whereby no insurance company shall pay a claim of a named insured for loss or damage to any building or other structure located within the City, arising out of any fire or explosion or windstorm, where the amount recoverable for the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy covering such building or other insured structure, unless there is compliance with the procedures set out in this article.

SECTION 2. The Code of the City of Goessel, Kansas, Section CGK 8-802 is hereby amended to read as follows:

Section 8-802. LIEN CREATED. The governing body of the City hereby creates a lien in favor of the City on the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure located within the City, caused by or arising out of any fire or explosion or windstorm, where the amount recoverable for all the loss or damage to the building or other structure under all policies is in excess of 75 percent of the face value of the policy(s) covering such building or other insured structure. The lien arises upon any unpaid tax, special ad valorem levy, or any other charge imposed upon real property by or on behalf of the City which is an encumbrance on real property, whether or not evidenced by written instrument, or such tax, levy, assessment, expense or other charge that has remained undischarged for at least one year prior to the filing of a proof of loss.

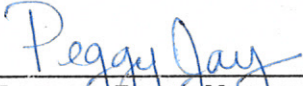
SECTION 3. REPEAL. CGK Sections 8-801 and 8-802 are hereby repealed on the same date that this Ordinance comes into effect.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the Hillsboro Star-Journal, Hillsboro, Kansas, the official city newspaper.

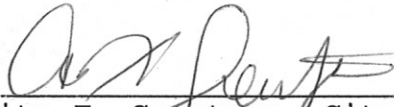
PASSED BY THE GOVERNING BODY OF THE CITY OF GOESSEL, KANSAS, this 15th day of November, 2001.

CITY OF GOESSEL, KANSAS

ATTEST:



Peggy Jay, Mayor



Anita F. Goertzen, City Clerk

