

RESOLUTION 2026— 006

A RESOLUTION EXEMPTING Kyle and Amy Feikert d/b/a RISE AND SHINE COFFEE, A BUSINESS ESTABLISHMENT LOCATED PRIMARILY AT 535 W RR STREET, BUCKLIN, KANSAS, FORD COUNTY, FROM THE PROVISIONS OF BUCKLIN CITY ORDINANCE 15-402

WHEREUPON, the City of Bucklin is a city of the third class under Chapter 15 of the Kansas Statutes Annotated; and

WHEREUPON, pursuant to K.S.A. 12-631 and the City's home rule powers granted under Article 12, Section 5 of the Kansas Constitution, the Governing Body of the City of Bucklin has passed ordinances governing Utilities (Chapter 15, Code of the City of Bucklin) and Sewer Use Regulations (Article 4, Chapter 15, Code of the City of Bucklin); and

WHEREUPON, such ordinances prohibit constructing or maintaining "any ... septic tank" (15-402(c), Code of the City of Bucklin) and require the owner of all buildings or properties used for human employment, recreation, or other purposes, situated within the City at his expense to "connect such Bathroom/Handwash Station facilities directly with the proper public sewer ... provided that said public sewer is within one hundred (100) feet) of the property line (15-402(d), Code of the City of Bucklin); and

WHEREUPON, Kansas Administrative Regulations 28-5-7 requires all private sewer systems to be located, designed, and operated in accordance with standards set forth in Kansas Department of Health and Environment Bulletin 4-2 or county sanitary codes; and

WHEREUPON, Rise and Shine Coffee ("Rise and Shine"), is a business operated within the city limits of Bucklin, primarily at 535 W RR Street, Bucklin, Kansas, and is owned and operated by Kyle and Amy Feikert; and

WHEREUPON, Rise and Shine is not presently connected directly with the proper public sewer; and

WHEREUPON, Rise and Shine is located 271 feet and 6 inches from the public sewer and now petitions the Governing Body of the City of Bucklin for an exemption from the provisions of 15-402, Code of the City of Bucklin.

NOW, ON THIS SECOND DAY OF OCTOBER, 2026, FOLLOWING A PUBLIC HEARING, THE GOVERNING BODY OF THE CITY OF BUCKLIN FINDS AS FOLLOWS:

1. After purchasing 535 W RR Street in the year 2025, Kyle and Amy Feikert discovered that the building was not connected to the city's public sewer line as required by 15-402, but instead used a septic tank connected to such building's toilet facilities.
2. Such conditions were unknown to Kyle and Amy Feikert prior to purchasing 535 W RR Street and was not a condition of their own making; and
3. Rise and Shine is located more than 100 feet from the nearest public sewer line and cannot connect to such line without incurring substantial financial hardship and expense;
4. Businesses previously operated at 535 W RR Street with a septic system, said building being believed to have never been connected to the public sewer, and there were no adverse impacts to adjacent property owners nor any danger to public health and welfare;
5. Adjacent property owners were informed of the exception request made by the Mayor of Bucklin, Cody Warden by Verbal Communications and Facebook Notice, and said adjacent property owners don't have an objection to the exception.

NOW ON THIS SECOND DAY OF OCTOBER, 2026, THE GOVERNING BODY OF THE CITY OF BUCKLIN DECLARES AND RESOLVES AS FOLLOWS:

1. As to 535 W. RR Street, Bucklin, Kansas, Kyle and Amy Feikert shall be exempt from the provisions of 15-402, Code of the City of Bucklin, prohibiting the maintenance of a septic tank and requiring toilet facilities to be connected to the public sewer at their expense; and
2. As to 535 W. RR Street, Bucklin, Kansas, Kyle and Amy Feikert may construct and maintain a septic tank and connect such septic tank to toilet facilities located on such property; and
3. This exemption is conditioned on Kyle and Amy Feikert remaining in compliance with Kansas Administrative Regulations 28-5-7, KDHE Bulletin 4-2, and/or county sanitation requirements.

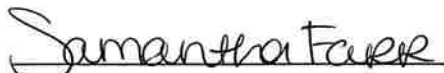
PASSED by the Governing Body of the City of Bucklin this 2nd day of October, 2026.

Mayor



Cody Warden

Attestation of Clerk


Sam Farr