



STATE OF KANSAS

*Office of the Attorney General*

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VERN MILLER  
Attorney General

September 4, 1974

Opinion No. 74-301

Kenneth R. Heer  
Kingman County Attorney  
103 Avenue A East  
Kingman, Kansas 67068

Dear Mr. Heer:

You advise that pursuant to K.S.A. 19-2914 et seq., the Kingman County Board of Commissioners has adopted countywide zoning regulations. The proper resolution has been formally adopted and the county zoning map, together with a copy of the zoning regulations, have been filed with the Kingman County Clerk.

You inquire whether, after formal adoption of the resolution and filing of the above documents with the County Clerk, as required, is it further necessary that the resolution and zoning regulations be published in the official county newspaper in order to be in force and effect.

As you point out, the pertinent statutes set forth no requirement for publication. K.S.A. 19-2919 states only thus:

"Such resolution shall define the boundaries of zoning districts by description contained therein or by setting out such boundaries upon a map incorporated and published as a part of such resolution, or by providing for the incorporation by reference in such resolution of an official map upon which boundaries shall be fixed. Such map shall be . . . filed in the office of the county clerk or such other public office as may be designated by the board of county commissioners to be open to public inspection and available to the public at all reasonable business hours. A

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copy of such map shall be filed in the office of  
the county engineer."

We find no statutory requirement for publication of the resolution and map after adoption and filing as a prerequisite to the effectiveness of such zoning regulations. Likewise, we know of no general law requiring publication of resolutions of the county commissioners as a prerequisite to their implementation. Lastly, we have discovered no general constitutional principle which would require such publication as a requisite to effectiveness of such zoning regulations. The statutory procedure having been followed, the courts require no more. Accordingly, we cannot but conclude that no such publication is required.

Yours very truly,



VERN MILLER  
Attorney General

VM:JRM:jsm