

Chapter 1.01
CODE ADOPTION¹

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1.01.010 Generally.

Pursuant to the provisions of Sections 12-3014 and 12-3015 of Kansas Statutes Annotated, as amended, there is adopted the "Overland Park Municipal Code" as published by Book Publishing Company, Seattle, Washington, together with those secondary codes adopted by reference as authorized by K.S.A. 12-3015, as amended, save and except those portions of the secondary codes as are deleted or modified by the provisions of the "Overland Park Municipal Code." (History: Ord. MC-750 ' 1, 73; Eff. 6-1-73)

1.01.020 Publication-Effect.

Said code, in conjunction with the adopting ordinance codified herein and with a certificate of the City Clerk that said code and ordinance are true and correct copies when published in book form shall import absolute verity and be received in evidence in all courts and places without further proof.

(History: Ord. MC-2288 §1, 2001; MC-750 ' 2, 73; Eff. 6-1-73)

1.01.030 Short Title-Citation-Reference.

This code shall be known as the "Overland Park Municipal Code" and it is sufficient to refer to said code as the "Overland Park Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "Overland Park Municipal Code." Any such ordinance shall effectively add to, amend, correct or repeal the ordinance section which is the basis for the appropriate code provision. Further reference may be had to the titles, chapters, sections and subsections of the "Overland Park Municipal Code" and such reference shall apply to that numbered title, chapter, section or subsection as it appears in the code.

(History: Ord. MC-750 ' 3, 73; Eff. 6-1-73)

1. For the statutory provisions regarding compilation, revision and codification of the general ordinances of cities, see K.S.A. 12-3014 *et seq.*

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1.01.040 Reference Applies to Amendments.

Whenever a reference is made to this code as the "Overland Park Municipal Code" or to any portion thereof, or to any ordinance of the city, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

(History: Ord. MC-750 ' 4, 73; Eff. 6-1-73)

1.01.050 Title, Chapter and Section Headings.

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

(History: Ord. MC-750 ' 5, 73; Eff. 6-1-73)

1.01.060 Reference to Specific Ordinances.

The provisions of this code shall not in any manner affect deposits or other matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

(History: Ord. MC-750 ' 6, 73; Eff. 6-1-73)

1.01.070 Supplements Authorized.

This code may be kept current and the City Attorney is authorized to prepare and distribute loose leaf supplements to the code from time to time. The supplements may be added to this code by insertion of new pages for omitted sections, amended sections, and new provisions. The City Attorney is further authorized and directed to reprint or republish the code, as supplemented, from time to time and to create and maintain electronic versions of the code, as supplemented, on the City's Internet website and on its Intranet.

(History: Ord. MC-2288 §2, 2001; MC-750 ' 7, 73; Eff. 6-1-73)

1.01.080 Effect of Code on Past Actions and Obligations.

Neither the adoption of this code nor the repeal or amendments of any ordinance or part or portion of any ordinances of the City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee or penalty, on the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, and all rights and obligations thereunder appertaining shall continue in full force and effect.

(History: Ord. MC-750 ' 8, 73; Eff. 6-1-73)

1.01.090 Effective Date of Code.

This code shall become effective on June 1, 1973, and the City Clerk is directed to date her certificate and cause those things to be done that are set forth in Section 1.01.020 on said date.

(History: Ord. MC-750 ' 9, 73; Eff. 6-1-73)

1.01.100 Ordinance Book Designated.

In accordance with K.S.A. 12-3015, as amended, the City Clerk shall designate one of the three copies of the Overland Park Municipal Code in her custody as the "Ordinance Book" of the city. This shall be the master and official version of the codification of ordinances of the City and its text shall control in determining the official text of the Overland Park Municipal Code.

(History: Ord. MC-750 ' 10, 73; Eff. 6-1-73)

1.01.110 Constitutionality.

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Governing Body hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional. If for any reason this entire code should be declared invalid or unconstitutional, then the original ordinance or ordinances as they existed prior to passage of this code shall be in full force and effect.

(History: Ord. MC-750 ' 12, 73; Eff. 6-1-73)

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