

CHARTER ORDINANCE NO. EIGHTY-FIVE

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4209, AS AMENDED BY SECTION 3 OF CHAPTER 71, 2004 SESSION LAWS OF KANSAS; K.S.A. 12-4213, AS AMENDED BY SECTION 4 OF CHAPTER 71, 2004 SESSION LAWS OF KANSAS; K.S.A. 12-4301, K.S.A. 12-4501, PERTAINING TO THE KANSAS CODE OF PROCEDURE FOR MUNICIPAL COURTS.

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

SECTION 1. That the Governing Body of the City of Overland Park, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas hereby elects to exempt itself and make inapplicable to it the provisions of K.S.A. 12-4209, as amended by Section 3 of Chapter 71, 2004 Session Laws of Kansas; K.S.A. 12-4213, as amended by Section 4 of Chapter 71, 2004 Session Laws of Kansas; K.S.A. 12-4301, K.S.A. 12-4501; and hereby provides substitute and additional provisions as hereinafter set forth in Section 2 of this Charter Ordinance. Such referenced provisions are part of the Kansas Code of Procedure for Municipal Courts, an enactment of the legislature which is applicable to the City of Overland Park, but not uniformly applicable to all cities.

SECTION 2. Substitute and additional provisions on the subjects addressed by K.S.A. 12-4209, as amended by Section 3 of Chapter 71, 2004 Session Laws of Kansas; K.S.A. 12-4213, as amended by Section 4 of Chapter 71, 2004 Session Laws of Kansas; K.S.A. 12-4301 and K.S.A. 12-4501 will be contained in an ordinary ordinance.

SECTION 3. This ordinance shall be published once each week for two consecutive weeks in *The Overland Park Sun*, an official City newspaper.

SECTION 4. THIS IS A CHARTER ORDINANCE AND SHALL TAKE EFFECT SIXTY-ONE (61) DAYS AFTER FINAL PUBLICATION UNLESS WITHIN 60 DAYS OF ITS FINAL PUBLICATION A PETITION SIGNED BY A NUMBER OF ELECTORS OF THE CITY OF OVERLAND PARK EQUAL TO NOT LESS THAN TEN PERCENT OF THE NUMBER OF ELECTORS WHO VOTED AT THE LAST PRECEDING REGULAR CITY ELECTION SHALL BE FILED IN THE OFFICE OF THE CITY CLERK OF OVERLAND PARK DEMANDING AN ELECTION ON THE CHARTER ORDINANCE IN WHICH CASE THE CHARTER ORDINANCE SHALL BECOME EFFECTIVE ONLY IF AND WHEN APPROVED BY A MAJORITY OF THE ELECTORS VOTING THEREON.

PASSED by the Governing Body not less than two-thirds of the members-elect voting in favor thereof the 12<sup>th</sup> day of July, 2004.

Ed Eilert, Mayor

Charter Ordinance No. Eighty-Five

ATTEST:

Marian Cook  
City Clerk

APPROVED AS TO FORM:

Michael R. Santos  
Senior Assistant City Attorney

Passed:	July 12, 2004
Published:	July 15, 2004 July 22, 2004
Effective:	September 21, 2004