

CHARTER ORDINANCE NO. FORTY-FIVE

(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK FROM K.S.A. 1991 SUPP. 64-101 WHICH RELATES TO THE QUALIFICATIONS AND METHOD OF DESIGNATING OFFICIAL CITY NEWSPAPERS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCE NO. FIFTEEN OF THE CITY OF OVERLAND PARK, KANSAS.

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

SECTION 1. 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 from and make inapplicable to it the provisions of K.S.A. 1991 Supp. 64-101 which relates to the qualifications and method of designating official City newspapers and hereby provides substitute and additional provisions as set forth herein. Such referenced statute, K.S.A. 1991 Supp. 64-101 is applicable to this City but is not uniformly applicable to all cities.

SECTION 2. No legal notices, advertisements, or publications of any kind required or provided by any of the laws of Kansas or the City of Overland Park, Kansas, to be published in a newspaper shall have any force or effect unless the same be published in an official City newspaper.

SECTION 3. The Governing Body shall designate by resolution a newspaper or newspapers as the official City newspaper or newspapers for publication of legal notices, advertisements, or publications of any kind which may be required or provided by the laws of the state of Kansas or the City of Overland Park, Kansas, to be published in a newspaper.

SECTION 4. Any newspaper designated as an official City newspaper must meet the following qualifications:

- (a) It must be published at least weekly fifty (50) times a year and have been so published for at least five (5) years prior to publication of any official publication; and
- (b) It shall have a general circulation on a daily or weekly basis in Johnson County, Kansas, and shall not be a trade, religious or fraternal publication; and
- (c) It must be printed in the state of Kansas and published in Johnson County, Kansas.

SECTION 5. In the event more than one newspaper at a given time is designated as an official City newspaper, any action requiring publication in an official City newspaper shall designate by name the official City newspaper which is to provide such publication. Publication in such newspaper shall constitute official publication.

Charter Ordinance No. Forty-Five

SECTION 6. Nothing in this Charter Ordinance shall invalidate the publication in any newspaper which at the time of publication had been designated as an official City newspaper.

SECTION 7. Charter Ordinance No. Fifteen is hereby repealed.

SECTION 8. This is a Charter Ordinance and shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

SECTION 9. This ordinance shall be published once each week for two consecutive weeks in The Overland Park Sun, an official City newspaper.

PASSED by the Governing Body of the City of Overland Park, Kansas, not less than two-thirds of the members elect voting in favor thereof, this 23rd day of September, 1991.

Ed Eilert, Mayor

ATTEST:

Kristy Cannon, Acting City Clerk

APPROVED AS TO FORM:

Robert J. Watson
City Attorney

Passed:	9/23/91
Published:	9/27/91
	10/4/91
Effective:	12/4/91

Entire ordinance repealed by Charter Ordinance No. Ninety.