

CHARTER ORDINANCE NO. NINETY-THREE

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4202, K.S.A. 12-4203 (2007 Supp.), K.S.A. 12-4204, K.S.A.12-4205a, K.S.A. 12-4206, AND K.S.A. 12-4207 AND ANY AMENDMENTS THERETO, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SUBJECT MATTERS CONTAINED IN THESE STATUTORY PROVISIONS THROUGH THE ENACTMENT OF AN ORDINARY ORDINANCE, AND REPEALING OVERLAND PARK CHARTER ORDINANCE NUMBERS FORTY-FOUR AND SIXTY.

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 and make inapplicable to it the provisions of K.S.A. 12-4202, K.S.A. 12-4203 (2007 Supp.), K.S.A. 12-4204, K.S.A.12-4205a, K.S.A. 12-4206, and K.S.A. 12-4207 and any amendments thereto and provides for substitute and additional provisions as hereinafter set forth in this Charter Ordinance. The above referenced statutory 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. The Governing Body shall enact, by ordinary ordinance, substitute and additional provisions related to the subject matters contained in the statutes being chartered from.

SECTION 3. Existing Overland Park Charter Ordinance Numbers Forty-Four and Sixty are hereby repealed.

SECTION 4. This ordinance shall be published once each week for two consecutive weeks in an official City newspaper.

SECTION 5. 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.

Charter Ordinance No. Ninety-Three

PASSED by the Governing Body not less than two-thirds of the members-elect voting in favor thereof the 21<sup>st</sup> day of July, 2008.

(s) Carl Gerlach  
Carl Gerlach, Mayor

ATTEST

(s) Marian Cook  
Marian Cook  
City Clerk

APPROVED AS TO FORM:

(s) John J. Knoll  
John J. Knoll  
Senior Assistant City Attorney

Passed:	July 21, 2008
Published:	July 30, 2008
	August 6, 2008
Effective:	October 6, 2008