

CHARTER ORDINANCE NO. NINETY

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK FROM K.S.A. 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. FORTY-FIVE 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. 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. 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 published in Johnson County, Kansas.

SECTION 5. 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 6. Charter Ordinance No. Forty-Five is hereby repealed.

Charter Ordinance No. Ninety

SECTION 7. THIS IS A CHARTER ORDINANCE AND SHALL TAKE EFFECT 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.

SECTION 8. This ordinance shall be published once each week for two consecutive weeks in *The Olathe Daily News*, 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 4th day of December, 2006.

(s) Carl Gerlach
Carl Gerlach, Mayor

ATTEST:

(s) Marian Cook
Marian Cook, City Clerk

APPROVED AS TO FORM:

(s) Michael R. Santos
Michael R. Santos
Deputy City Attorney

Passed:	12/4/2006
Published:	12/7/2006
	12/14/2006
61 days:	2/13/2007
Effective:	2/13/2007