

CHARTER ORDINANCE NO. SIXTY-SIX

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS FROM THE PROVISIONS OF K.S.A. 1995 SUPP. 12-4106; K.S.A. 12-4509 AND K.S.A. 12-4511 WHICH RELATE TO THE POWERS AND DUTIES OF MUNICIPAL COURT JUDGES AND THE SENTENCING AND PAROLE POWERS OF JUDGES IN THE MUNICIPAL COURT AND PROVIDING FOR THE ENACTMENT OF SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT THROUGH THE ENACTMENT OF AN ORDINARY ORDINANCE AND REPEALING EXISTING CHARTER ORDINANCES FIFTY-ONE AND SIXTY-ONE.

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

SECTION 1. The City of Overland Park, Kansas by 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 provisions of K.S.A. 1995 Supp. 12-4106; K.S.A. 12-4509 and K.S.A. 12-4511 relating to the powers and duties of municipal court judges and the sentencing and parole powers of municipal court judges and providing for the enactment of substitute and additional provisions on the same subjects through the enactment of ordinary ordinance. Such referenced statutory provisions are applicable to this City but are not uniformly applicable to all cities.

SECTION 2. The Governing Body shall establish the powers and duties of municipal court judges and the sentencing and parole powers of municipal court judges in an ordinary ordinance.

SECTION 3. Existing Charter Ordinance No. Fifty-one and Charter Ordinance No. Sixty-one are hereby repealed.

SECTION 4. This Ordinance shall be published once each week for two consecutive weeks in *The Overland Park Sun*, an official City newspaper.

SECTION 5. 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.

Charter Ordinance No. Sixty-Six

PASSED by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, the 1st day of July, 1996.

Ed Eilert, Mayor

ATTEST:

Norma Moffet, City Clerk

APPROVED AS TO FORM:

Michael R. Santos

Sr. Assistant City Attorney

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| Passed: | 7/1/96 |
| Published: | 7/3/96 |
| | 7/10/96 |
| Effective: | 9/9/96 |