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CHARTER ORDINANCE NO. 25

A CHARTER ORDINANCE OF THE CITY OF BASEHOR, KANSAS EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-621 RELATING TO SEWAGE DISPOSAL WORKS IMPROVEMENTS AND THE ISSUANCE OF BONDS THEREFOR AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (the "Act") provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from the acts of the Kansas Legislature; and

WHEREAS, the City of Basehor, Kansas (the "City") is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

WHEREAS, K.S.A. 12-621 is part of an enactment of the Kansas Legislature relating to sewage disposal works improvements and the issuance of bonds for such purposes, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

WHEREAS, the governing body of the City desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 12-621, and to provide substitute and additional provisions threfor.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS AS FOLLOWS:

Section 1. Exemption-K.S.A. 12-621. The City, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 12-621 and does hereby provide the following substitute and additional provisions in place thereof:

> The governing body of the City may operate and maintain sewers and disposal works for the collection and purification of the sewage of the city, or of any part thereof, including joint operation and maintenance of such facilities through interlocal cooperation with another city or cities. The costs and expenses of building the same, in whole or in part, may be borne by the city as a whole, and may be paid out of the general revenue fund; or if the governing body determines, general obligation bonds of the City may be issued for such purpose.

Section 2. Severability. Any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 3. Effective Date. This Charter Ordinance shall be published once a week for two consecutive weeks in the official City newspaper, and shall take effect sixty (60) days after final publication, unless a petition signed by a number of electors of the City equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular City election shall be filed in the office of the City Clerk, demanding that this Charter Ordinance be submitted to a vote of the electors, in which event this Charter Ordinance shall take effect when approved by a majority of the electors voting at an election held

for such a purpose.

PASSED with more than a 2/3 vote of the Governing Body of the City of Basehor, Kansas this 7th day of May, 2012 and **SIGNED** by the Mayor.

CITY OF BASEHOR, KANSAS

David K. Breuer, Mayor

(SEAL)

ATTEST:

Corey Swisher, City Clerk