

(Published in *The Lyons News* on April 24, 2009 and May 1, 2009)

CHARTER ORDINANCE NO. 16

A CHARTER ORDINANCE OF THE CITY OF LYONS, KANSAS EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-1758(a) AND PROVIDING SUBSTITUTE PROVISIONS THEREFOR ON THE SAME SUBJECT RELATING TO PUBLIC BUILDING COMMISSIONS.

WHEREAS, the governing body of the city of Lyons, Kansas (the "City") is authorized by Article 12, § 5 of the Kansas Constitution to determine its local affairs and government and to elect by charter ordinance that the whole or any part of a statutory enactment applicable to the City but not uniformly applicable to all cities shall not apply to the City; and

WHEREAS, K.S.A. 12-1758(a) is applicable to the City but is part of an enactment not uniformly applicable to all cities and the City finds and determines it necessary and advisable to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1758(a) and to provide substitute provisions for such statutes.

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

Section 1. Exemption from Statute. The City, pursuant to Article 12, §5 of the Kansas Constitution, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1758 (a).

Section 2. Enactment of Substitute Provisions for K.S.A. 12-1758 (a). The following provisions are enacted in substitution for K.S.A. 12-1758 (a):

The City, by appropriate ordinance, may create a public building commission for the purposes of acquiring a site or sites for and constructing, reconstructing, equipping and furnishing a building or buildings or other facilities of a revenue producing character, including parking facilities, or for purchasing or otherwise acquiring such building or buildings or facilities. Such building or buildings or facilities shall be maintained and operated for (i) a county courthouse, (ii) the housing and accommodation of county offices or county business, (iii) City offices and City recreational facilities, including a swimming pool facility, and (iv) such other purposes as are commonly carried on in connection with such facilities or in county courthouses and general city buildings, including administrative offices for school districts and housing, accommodations and parking facilities for offices of state and federal agencies.

Section 3. Effective Date. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper. This Charter Ordinance shall take effect sixty-one (61) days after its final publication unless a petition signed by not less than 10% of the

electors who voted at the last preceding regular City election is filed with the City Clerk requiring a referendum to be held on this Charter Ordinance as provided in Article 12, § 5 (c)(3) of the Kansas Constitution, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting thereon. Upon its effective date this Charter Ordinance shall be recorded by the City Clerk in a book maintained for charter ordinances of the City and shall be filed with the Secretary of State of the state of Kansas.

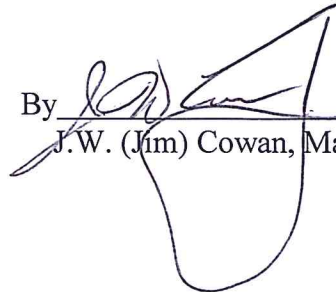
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PASSED, APPROVED AND ADOPTED by two-thirds majority of the governing body of the City of Lyons, Kansas on April 20, 2009.

CITY OF LYONS, KANSAS


[seal]

By


J.W. (Jim) Cowan, Mayor

ATTEST:

By


Sheila Spielman, City Clerk