

Passed: 11/25/08  
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## CHARTER ORDINANCE NO. 47-2008

**A CHARTER ORDINANCE EXEMPTING THE CITY OF DERBY, KANSAS, FROM AND MAKING INAPPLICABLE TO IT THE PROVISIONS OF K.S.A. 12-1222, PERTAINING TO APPOINTMENT OF LIBRARY BOARD MEMBERS, AS AMENDED BY SECTION 5 OF CHAPTER 163 OF THE 2008 SESSION LAWS OF THE STATE OF KANSAS, AND THE PROVISIONS OF NEW SECTION 4 OF CHAPTER 163 OF THE 2008 SESSION LAWS OF THE STATE OF KANSAS, PERTAINING TO MAYORAL APPOINTMENTS; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS THEREFOR.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DERBY, KANSAS:**

**Section 1. Exemption from K.S.A. 12-1222 and new section 4 of Chapter 163 of 2008 Session Laws.** The City of Derby, Kansas, a city of the second class, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and does exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1222, pertaining to appointment of library board members, as amended by section 5 of Chapter 163 of the 2008 Session Laws of the State of Kansas, and the provisions of new section 4 of Chapter 163 of the 2008 Session Laws of the State of Kansas, pertaining to mayor appointments, which is an enactment or portion of an enactment not uniformly applicable to all cities within the State; and to provide substitute and additional provisions therefor.

**Section 2. Appointment of Library board.** The Governing Body of the City of Derby, Kansas, shall provide by ordinance for appointment of a library board to supervise the business and affairs of the Derby Public Library.

**Section 3. Publication.** This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

**Section 4. Effective Date.** This Charter Ordinance shall take effect sixty-one days after final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance, as provided in Article 12, Section 5, Subdivision C (3) of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

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**PASSED BY THE GOVERNING BODY**, not less than two-thirds of the members elect voting in favor thereof, this 25th day of November, 2008.




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Dion P. Avello, Mayor

ATTEST:



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Jean Epperson, City Clerk

Approved as to form:



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Philip H. Alexander, City Attorney