

Approved February 1, 1983
Date

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Gaar at
Chairperson

9:00 a.m./~~p.m.~~ on January 26, 1983 in room 531-N of the Capitol.

All members were present except: Senator Gaines and Senator Mulich

Committee staff present: Mike Heim
Theresa Kiernan
Joan Mullins

Conferees appearing before the committee: Commissioner Johnna Lingle, Johnson County
Commissioner Robert Bacon, Johnson County

Senator Gaar advised the committee of the request of the Kansas League of Municipalities for legislation relating to codification of municipal ordinances (See Attachment I). Senator Montgomery moved to introduce the legislation. Senator Daniels seconded the motion, and it carried by unanimous vote.

A staff review and committee discussion was held concerning the proposed committee legislation, previously authorized for introduction, amending the sewer assessment laws. Commissioners Lingle and Bacon commented on behalf of Johnson County.

Senator Allen moved approval of the minutes of the January 25, 1983 meeting. Senator Daniels seconded the motion and it carried.

The meeting was adjourned to February 1, 1983.

Recorded - J. Mullins

BILL No. _____

By _____

AN ACT relating to the compilation, revision and codification of municipal ordinances; amending K.S.A. 12-3015 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 12-3015 is hereby amended to read as follows: 12-3015. The following terms shall have the meanings herein prescribed:

(a) "Compilation" shall include the collecting, assembling and organizing of existing ordinances of the city, and their publication ~~publishing~~ in permanent or loose-leaf book form;

(b) "codification" (~~revision and codification~~) shall include the compilation and revision of the general ordinances of the city; the changing of such sections as deemed advisable, the omission of such sections as are deemed unnecessary, and the addition of new provisions as desired; ~~the passing of changed and new provisions according to subject matter as separate ordinances or the adopting adoption~~ of the whole by an adopting ordinance and publication in permanently bound or loose-leaf book form.

The codification may ~~but need not~~ contain citations to sections of previous ordinances retained or modified. ~~of~~ All titles, effective sections and signatures of ordinances may be omitted. The codification may contain annotations to statutes, cross-references and such other matter as may make the code more useful. The codification may incorporate by reference standard or model codes or ordinances, state regulations and statutes as authorized by K.S.A. 12-3009, 12-3010, 12-3011 and 12-3012 and amendments thereto. The ordinance adopting the codification shall recite that the codification was authorized by ordinance, and that it was made in the conformity with K.S.A. 12-3014 and 12-3015 and amendments thereto, ~~and~~ When such ordinance and the codification, along with a certificate of the city clerk that the same are true and correct copies, ~~are published in book form of fifty (50) or more copies~~ the codification shall take effect and shall import absolute verity and be received in evidence in all courts and places without further proof.

One (1) copy of the published book shall be kept on file with the "ordinance books" and constitute an "ordinance book." A loose-leaf code of ordinances, published pursuant hereto may be kept current by the periodic preparation of loose-leaf supplements, ~~in which case new pages may be inserted for omitted sections, amended sections, sections of ordinances passed in the interim and new provisions.~~ Whenever any ordinance expresses the intent of the governing body that it may be made a part of such loose-leaf code and the same is thereafter included in a supplement to such code, such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the governing body. ~~A copy of such book shall be kept on file with the "ordinance books" and constitute an "ordinance book."~~ The governing body shall make provisions for furnishing insertions in loose-leaf compilations or codes to city personnel, purchasers, and others having copies of the original compilation or code.

At least three (3) copies of the published book shall be kept on file in the office of the city clerk and kept available for inspection by the public at all reasonable business hours.

Sec. 2. K.S.A. 12-3015 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas Register.

Atch. 1