

CITY OF SHAWNEE

CHARTER ORDINANCE NO. 37

A CHARTER ORDINANCE EXEMPTING THE CITY OF SHAWNEE FROM THE PROVISIONS OF K.S.A. 12-4501 OF THE KANSAS STATUTES ANNOTATED, PERTAINING TO SETTING COURT DATES IN THE SHAWNEE MUNICIPAL COURT

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

Section 1. The City of Shawnee, Kansas, by the power vested in it by Article XII, Section 5 of the Constitution of the State of Kansas, elects to exempt itself from and make inapplicable to it, Section 12-4501 of the Kansas Statutes Annotated, said section relates to the setting of trial dates for persons in custody. The City of Shawnee hereby elects to provide substitute provisions as herein provided.

Section 2. The City of Shawnee, Kansas adopts the following language as a substitute provision for Section 12-4501 of the Kansas Statutes Annotated:

Plea of not guilty; trial; time; continuance. An accused person entering a plea of not guilty, or for whom the court entered a plea of not guilty, shall be tried on the earliest practical day set by the court, unless trial is continued for good cause: Provided, that an accused person in custody shall be tried on the earliest day that the municipal court convenes for trial, unless trial is continued upon motion of either party, or at the discretion of the court, and for good cause.


Section 3. This Charter Ordinance shall be published once each week for two consecutive weeks in an official City newspaper.

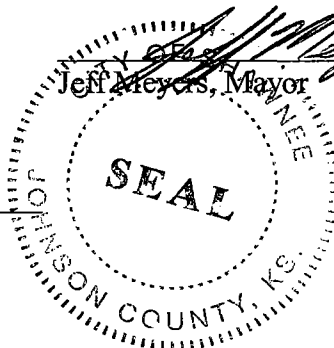
Section 4. This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the Ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the constitution of the State of Kansas, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED by the Governing Body this 28th day of November, 2005.

APPROVED AND SIGNED by the Mayor this 28th day of November, 2005.

ATTEST:


Vicki Charlesworth, City Clerk



APPROVED AS TO FORM:

Marvin E. Rainey, City Attorney

I hereby certify that the foregoing is the original Charter Ordinance; that said Charter Ordinance was passed on the 28th day of November, 2005; that the record of the final vote on its passage is found on page 10173 of Journal No. 60; and that it was published in an official City newspaper once each week for two consecutive weeks, on the 7th day of December, 2005, and the 14th day of December, 2005.



Vicki Charlesworth, City Clerk

Affidavit in Proof of Publication

STATE OF KANSAS
JOHNSON COUNTY

Erika Gray of the
Legal Dept. of

THE SHAWNEE DISPATCH
being first duly sworn. Deposits and says:

That it is a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

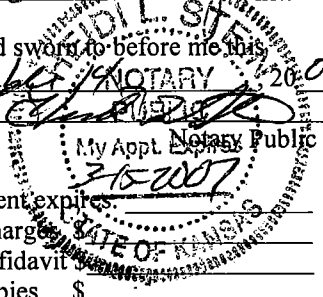
Said newspaper is published weekly 52 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than six months prior to the first publication of said notice; and has been admitted at the post office of Shawnee in said County at a periodical rate.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 weeks/consecutive weeks, the first publication thereof being made as aforesaid on 7 Dec., 2005 with subsequent publications being made on the following dates:

14 Dec., 2005 _____, 20____
_____, 20____, 20____
_____, 20____, 20____

Erika Gray

Subscribed and sworn to before me this
December 7, 2005



My Appointment expires _____
Publication Charge \$ _____
Notary and Affidavit \$ _____
Additional Copies \$ _____
Total Due \$ 87.00

(First published in the Shawnee Dispatch, Wednesday, December 7, 2005)

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PASSED by the Governing Body this 28th day of November, 2005.
APPROVED AND SIGNED by the Mayor this 28th day of November, 2005.

/s/ Jeff Meyers
Jeff Meyers, Mayor

ATTEST:

/s/ Vicki Charlesworth
Vicki Charlesworth, City Clerk