

CHARTER ORDINANCE 2011-1

A CHARTER ORDINANCE EXEMPTING THE CITY OF LIEBENTHAL FROM THE PROVISIONS OF K.S.A. 66-1801 ET SEQ., THE KANSAS UNDERGROUND UTILITY DAMAGE PROTECTION ACT, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LIEBENTHAL:

Section 1. The City of Liebenthal, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects and does exempt itself and make inapplicable to it K.S.A. 66-1801 through K.S.A. 66-1816, the enactment known as the Kansas Underground Utility Damage Protection Act, which enactment applies to this City, but does not apply uniformly to all Cities.

Section 2. All underground water and wastewater facilities installed after July 1, 2008 shall be locatable.

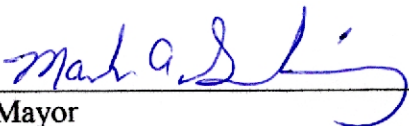
Section 3. Any excavator may, prior to excavating, call the City and request that the City locate any underground wastewater and water facilities.

Section 4. This charter ordinance shall be published once each week for two consecutive weeks in the official newspaper.

Section 5. 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 the majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 7<sup>th</sup> day of November, 2011.



  
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Mayor

  
\_\_\_\_\_  
City Clerk