

**ORDINANCE NO. 2219**

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF CLAY CENTER, KANSAS, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLAY CENTER, KANSAS;

Section 1: The codification of ordinances of the City of Clay Center, Kansas, as set out in the following chapters, Chapters I to XVI and Appendices A and B, all inclusive, and entitled "Code of the City of Clay Center, Kansas, 2008," is hereby adopted and ordained as the "Code of the City of Clay Center, Kansas, 2008," and said codification shall become effective upon publication of no fewer than 10 copies of said code in book form.

Section 2: All ordinances and parts of ordinances of a general nature passed prior to, September 16, 2008, in force and effect at the date of the publication of no fewer than 10 copies of the "Code of the City of Clay Center, Kansas, 2008," and this ordinance, are hereby repealed as of the date of publication of said code except as hereinafter provided.

Section 3:

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenue, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;
- (f) Ordinances creating districts for public improvements of whatsoever kind or nature;
- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;
- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the city;
- (k) Ordinances authorizing contracts;
- (l) Ordinances establishing the limits of the city or pertaining to annexation or exclusion of territory;
- (m) Ordinances relating to compensation of officials, officers and employees of the city;
- (n) Ordinances of a temporary nature.

**III**

Provided, that the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this section.

Section 4: The arrangement and classification of the several chapters, articles and sections of the Code adopted by Section 1 of this ordinance are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

Section 5: The repeal of ordinances as provided in Section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of

said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the passage, approval and publication of this ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions thereof.

Section 6: If for any reason any Chapter, Article, Section, Subsection, sentence, portion or part of the “Code of the City of Clay Center, Kansas, 2008,” or the application thereof, to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code.

Section 7: That this Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON SEPTEMBER 16, 2008.

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Sharon J. Brown, Mayor

ATTEST:

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Calvin Wohler, City Clerk

(SEAL)