



## CHARTER ORDINANCE NO. 12

### **A CHARTER ORDINANCE EXEMPTING THE CITY OF WHITEWATER, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1651, PROVIDING SUBSTITUTE PROVISIONS REGARDING THE DESIGNATION OF THE OFFICIAL CITY NEWSPAPER.**

**WHEREAS**, the City of Whitewater, Kansas (the “City”), is a city of the third class duly organized and existing under the laws of the State of Kansas; and

**WHEREAS**, pursuant to Article 12, Section 5, of the Constitution of the State of Kansas, Cities are empowered to determine their local affairs and government except for the legislative enactments applicable uniformly to all cities; and

**WHEREAS**, K.S.A. 12-1651 applies to the City, and its provisions are not uniformly applicable to all cities in that K.S.A. 12-1651 and to provide of the second and third class; and

**WHEREAS**, the Governing Body of the City hereby determines that it is in the best interest of the City to exempt the City from K.S.A. 12-1651 and to provide substitute provisions for such stature; and

**WHEREAS**, the City finds it necessary and advisable to create substitute and additional provisions relating to the designation of the official city newspaper.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WHITEWATER, KANSAS:**

**SECTION 1.** The City, by virtue of the powers vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 12-1651. Such referenced provision is applicable to the City but is part of enactments not uniformly applicable to all cities and the City finds and determines it necessary and advisable to provide substitute provisions as set forth herein.

**SECTION 2.** By virtue of the powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, the City hereby enacts the following substitute and additional provisions of K.S.A. 12-1651 to read as follows:

#### **Official Newspaper or Website.**

The Governing Body of the City shall designate by resolution from time to time an official city newspaper that meets one of the qualifications set forth below. Once

designated the publication method shall be the official city newspaper by resolution.

(a) The newspaper selected as the official city newspaper may be a printed newspaper which has the following qualifications: (i) It must be published at least weekly 50 times each year and have been so published for at least one year prior to the publication of any official city publication; (ii) It must be entered at the post office of publication as second class mail matter; (iii) More than 50% of the circulation must be sold to the subscribers either on a daily, weekly, monthly or yearly basis; and (iv) It shall have general paid circulation on a daily, weekly, monthly or yearly basis in the county and shall not be a trade, religious or fraternal publication;

**Or**

(b) In the alternative, the official city newspaper may be a designated website which has the following qualification: (i) It must be a public website available to users at all time, except during the website maintenance as reasonably determined necessary by the City Clerk; (ii) The published document must be easily accessible from the City's website home page ([www.https://whitewaterks.gov/](http://www.https://whitewaterks.gov/)); (iii) It must be available to website users free of charge; and (iv) All current notices and unrepealed ordinances uploaded to the website for publication shall be uploaded in their entirety during any period they are in effect.

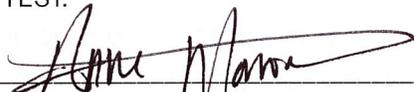
**SECTION 3.** This Charter Ordinance shall be published once each week for two (2) consecutive weeks in the Butler County Times Gazette.

**SECTION 4.** This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for referendum is filed, requiring a referendum to be held on the Charter Ordinance as provided in Article XII, Section 5, Subdivision (c)(3), of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by a majority of the electors voting thereon.

**PASSED BY THE GOVERNING BODY, NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT VOTING IN FAVOR THEREOF, ON THE 26<sup>th</sup> DAY OF JANUARY, 2026.**

  
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Timothy Eldredge, Mayor

ATTEST:

  
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Anne Morrow, City Clerk

