

158-2024

(Published in _____ on _____ and _____)

CHARTER RESOLUTION NO. 70

Effective: August 7, 2024

A CHARTER RESOLUTION EXEMPTING SEDGWICK COUNTY, KANSAS FROM CERTAIN PROVISIONS OF K.S.A. 65-201, et seq., SPECIFICALLY K.S.A. 65-202(c) REGARDING ANNUAL SANITARY INSPECTIONS OF SCHOOL BUILDINGS AND GROUNDS BY THE COUNTY HEALTH OFFICER.

WHEREAS, K.S.A. 19-101, et seq. provides that counties may exercise certain home rule powers, including adopting charter resolutions which exempt such counties from acts of the Kansas legislature, subject to certain restrictions contained in K.S.A. 19-101a; and

WHEREAS, Sedgwick County, Kansas is a county within the meaning of the provisions of K.S.A. 19-101 et seq.; and

WHEREAS, K.S.A. 65-201 et seq. is not uniformly applicable to all counties within the state of Kansas; and

WHEREAS, the Board of Sedgwick County Commissioners desires, by charter resolution, to exempt the County from certain provisions of K.S.A. 19-101 et seq., specifically K.S.A. 65-202(c) regarding annual sanitary inspections of school buildings and grounds; and

WHEREAS, such proposed action is not restricted or limited by the provisions of K.S.A. 19-101a.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS THAT:

SECTION I. Exemption.

Sedgwick County, Kansas (the "County") is hereby exempted from the specific provisions of K.S.A. 65-202(c) concerning the requirements of the County Health Officer, upon opening of the fall term of school, to make a sanitary inspection of each school building and grounds, and such additional inspections as are necessary to protect the public health of students at the school.

SECTION II. Severability.

If any provision or section of this charter resolution is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this resolution. This resolution shall be construed and enforce as if such illegal or invalid provision had not been contained herein.

SECTION III. Effective Date of Charter Resolution.

This charter resolution shall take effect and be in full force sixty (60) days following its final publication unless a sufficient petition for referendum is filed and a referendum held on the resolution as provided by K.S.A. 19-101b, in which case, the resolution shall become effective only when approved by a majority of the electors voting thereon.

SECTION IV. Publication.

This charter resolution shall be published once each week for two consecutive weeks in the official county newspaper. The County Clerk is directed to publish in such a manner forthwith.

Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
RYAN K. BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 7 day of August, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KBA
KELLY B. ARNOLD, County Clerk



R. Baty
RYAN K. BATY, Chairman
Commissioner, Fourth District

Sarah Lopez
SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

Adrienn F. Clark
ADRIENN F. CLARK
Assistant County Counselor

Peter F. Meitzner
PETER F. MEITZNER
Commissioner, First District

David T. Dennis
DAVID T. DENNIS
Commissioner, Third District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District