

CHARTER ORDINANCE NO. 953

A CHARTER ORDINANCE EXEMPTING THE CITY OF COTTONWOOD FALLS, KANSAS FROM THE PROVISIONS OF K.S.A. 15-209 RELATING TO THE QUALIFICATIONS OF OFFICERS OF THE CITY, AND ADOPTING NEW AND ALTERNATIVE PROVISIONS THEREFOR.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COTTONWOOD FALLS, KANSAS that:

SECTION 1. The City of Cottonwood Falls, Kansas, by the power vested in it by Article 12, Section 5, of the constitution of the State of Kansas, hereby elects to and does exempt itself from the provisions of K.S.A. 15-209 and provides substitute and additional provisions therefore as hereinafter set forth. Such statutory section is applicable to the City of Cottonwood Falls, Kansas, but is not uniformly applicable to all cities.

SECTION 2. The elected officials of the city shall be qualified electors of the City of Cottonwood Falls, Kansas.

SECTION 3. The officers appointed under the provisions of K.S.A. 15-204, and amendments thereto, shall be qualified electors of Chase County, Kansas, EXCEPT, the mayor may, with consent of the council, appoint nonresidents of Chase County as city clerk, city attorney, city treasurer, municipal judge and as law enforcement officers when deemed necessary by the mayor, including the appointment of nonresidents who also serve as city clerk, city attorney, city treasurer, municipal judge or law enforcement officers of another municipality or public agency, *provided*, that nothing herein authorizes the appointment of nonresidents of the State of Kansas.

SECTION 4. The city attorney shall be a qualified elector of Chase County, Kansas, or of an adjoining county.


SECTION 5. The removal from the City or Chase County of any officer elected or appointed who is required to be a qualified elector thereof shall occasion a vacancy in such office. All vacancies in office, except in the offices of mayor and councilman, may be filled until the next time for appointment by appointment by the governing body. Every appointment to office, and the date thereof, shall be entered on the journal of proceedings of the city council.

SECTION 6. This Charter Ordinance shall be published once each week for 2 consecutive weeks in the official city newspaper.

SECTION 7. This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for referendum is filed and referendum held on the Charter Ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Kansas Constitution, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon.

SECTION 8. Upon becoming effective this Charter Ordinance shall repeal all Charter Ordinances in conflict herewith.

6<sup>th</sup> PASSED by the Governing Body, not less than 2/3 of the members voting in favor thereof, this day of October, 2014.

  
Boyce Baumgardner, Mayor

ATTEST:  
  
Tiffany R. Bohnan, City Clerk