

CHARTER ORDINANCE NO. 02

A CHARTER ORDINANCE EXEMPTING THE CITY OF THE HIGHLANDS, KANSAS, FROM THE PROVISIONS OF K.S.A. 15-201 AND K.S.A 2017 SUPP 12-16.128 RELATING TO THE ELECTION OR APPOINTMENT OF OFFICERS, THEIR TERMS OF OFFICE, VACANCIES, AND PROVIDING SUBSTITUTE PROVISIONS ON THE SAME SUBJECTS.

WHEREAS, special considerations for election terms are necessary to maintain experience within the council; and

WHEREAS, K.S.A. 15-201 and K.S.A. 2017 SUPP 12-16.128 do not fully apply to the city of The Highlands governing body and are not uniformly applied to all cities;

THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS:

SECTION 1. The City of The Highlands, Kansas, by the power vested in it by Article 12. SECTION 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it K.S.A. 15-201 and K.S.A. 2017 SUPP 12-16.128, and to provide substitute and additional provisions as hereinafter set forth in this charter ordinance.

SECTION 2. The governing body shall consist of a mayor and **five council members**. The mayor and council members shall be residents and qualified electors of The Highlands, Kansas.

To maintain a reasonable degree of experience within the council, the terms of office, applicable only to the first city election, shall be as follows: The three council members, having received the largest number of votes, shall serve for a four-year term and two council members, having received the next largest number of votes, shall serve for a two-year term. Those terms are determined as beginning upon qualifying by oath of office or affirmation before the County Clerk of Reno County.

In all following elections open council positions shall be elected for a four year term, subject to Section 1 of this ordinance and the term of the officers shall commence on the second Thursday in January following certification of the election. Candidates having won an election shall qualify by oath of office or affirmation before the city clerk before the beginning of the aforementioned meeting date and as otherwise required by statute. If any person elected to the office of mayor or council member does not qualify within the required time, that person shall be deemed to have refused to accept the office and a vacancy shall exist and thereupon the candidate having received the next largest number of votes shall fill the vacancy for the term to which the refusing person was elected.

SECTION 3. In case of a vacancy in the office of City Council occurring by reason of resignation, death, health concerns, removal from office or becoming a non-resident of the city, a resident, shall be impartially and without favoritism, nominated by the city Mayor. Upon a majority vote by the city council for approval, the appointee shall hold that office until the next regular election.

SECTION 4. In the event of a vacancy in the office of mayor, the president of the council shall become mayor until the next regular election for that office and a vacancy shall occur in the office of the council member becoming mayor.

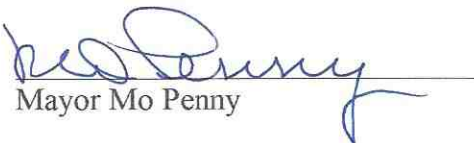
SECTION 5. All elections for the City of The Highlands, Kansas shall be nonpartisan.

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

SECTION 7. Effective Date. This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas.

ADOPTED AND APPROVED by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 10th day of May, 2018.




Mayor Mo Penny

ATTEST: 
City Clerk, Harley Teel

Approved as to form: 
City Attorney