

CHARTER ORDINANCE NO. 2

CHARTER ORDINANCE EXEMPTING THE CITY OF DERBY, KANSAS FROM SECTION 14-204 OF THE GENERAL STATUTES OF KANSAS, 1949, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR THE SAME SUBJECT AND PROVIDING FOR THE ELECTION OF COUNCILMEN, THEIR QUALIFICATIONS, TIE VOTE AND FILLING OF VACANCIES.

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

SECTION 1. The City of Derby, Kansas, a mayor-council city of the second class, by the power invested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and exempts itself from and makes inapplicable to it Section 14-204 of the General Statutes of Kansas, 1949. Said section applies only to the mayor-council cities of the second class and applying to said city, and to provide substitute and additional provisions as hereinafter provided.

SECTION 2. Each ward of the City of Derby shall have two councilmen and shall be chosen by the qualified electors of their respective wards, and no person shall be eligible to the office of councilmen who is not at the time of his election or appointment, an actual resident of the ward for which he is elected or appointed, and if any councilman shall move from the ward from which he was elected or appointed, his office as councilman shall thereby become vacated. Whenever there shall be a tie in the election of councilmen, the winner shall be determined by lot by the judges of the election of the ward in which it shall happen, and all vacancies shall be filled by appointment by the remaining members of the City Council. Said appointment shall be for the period from and after the vacancy date until date of the next April city election, at which election said unexpired term shall be filled by election.

SECTION 3. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

SECTION 4. This is a charter ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and referendum held on the ordinance as provided in Article 12, Section 5, Subdivision (c) (3), of the Constitution of Kansas, in which case the ordinances shall become effective if approved 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, the 3 day of October 19 61.

SEAL:

Gerald F. Fager  
MAYOR

Attest:

Bill Van Deth  
CITY CLERK