

CHARTER ORDINANCE NO. 4

A CHARTER ORDINANCE EXEMPTING THE CITY OF DERBY, KANSAS, FROM SECTION 32 OF HOUSE BILL NO. 1709 OF THE 1968 SESSION OF THE KANSAS LEGISLATURE, WHICH SECTION AMMENDED K.S.A. 1967 SUPP. 14-201; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE ELECTION AND APPOINTMENT OF CITY OFFICERS AND THE TERMS OF OFFICERS.

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

SECTION 1. The City of Derby, 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 Section 32 of House Bill No. 1709, of the 1968 session of the Kansas Legislature, and provide substitute and additional provisions as hereinafter set forth in this ordinance. Such statutory section is applicable to this city but is not applicable uniformly to all cities.

SECTION 2. There shall be elected on the first Tuesday in April of each odd-numbered year a mayor and one councilman from each ward and on each even numbered year one councilman from each ward, as hereinafter provided. The councilman shall be chosen by the qualified electors of their respective wards, and no person shall be eligible to the office of councilman who is not at the time of his election or appointment, and 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. Those members of the governing body elected in 1967 shall have terms that expire in 1969 and those members elected in 1968 shall have terms that expire in 1970.

SECTION 3. The mayor shall appoint, by and with the consent of the council a municipal judge of the municipal court, a city marshal-chief of police, city clerk, city treasurer, city attorney, and may appoint policemen and such other officers as they may

deem necessary. Officers so appointed and confirmed shall hold their offices for a term of one (1) year and until their successors are appointed and qualified. The council shall by ordinance specify their duties and compensation, and by ordinance may abolish any office created by them whenever they may deem it expedient. The council may retain a licensed professional engineer to act in the capacity of city engineer for specifically defined duties, and provided for reasonable compensation for the services rendered.

SECTION 4. This ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.

SECTION 5. 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 a referendum held on the ordinance as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of Kansas, in which case the ordinance shall become effective if approved by the 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 18th day of JUNE, 1968.

  
\_\_\_\_\_  
MAYOR

(SEAL)

Attest: Bill Van Ruth  
CITY CLERK