

## **CHARTER ORDINANCE NO. 07**

### **A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NO. 02 AND AMENDING THOSE PROVISIONS THAT REGULATE THE ELECTION OR APPOINTMENT OF OFFICERS, THEIR TERMS IN OFFICE, VACANCIES AND PROVIDING SUBSTITUTE PROVISIONS ON THE SAME SUBJECTS.**

**WHEREAS**, the State of Kansas legislature passed SENATE BILL 105 which allows cities to establish the dates by which a newly elected official must take office; and

**WHEREAS**, **neither** K.S.A. 15-201 nor K.S.A. 2017 SUPP 12-16.128 fully applies to the City of The Highlands as related to the length of terms for council members or appointees and is not uniformly applied to all cities;

### **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 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.

**SECTION 3.** Council members as elected shall serve for a four-year term. The Mayor as elected shall serve for a two-year term. Nothing in this ordinance shall prevent any official from serving multiple terms if so, determined by the electors in a general election. The start of terms may be regulated by city resolution but shall be subject to the provisions of K.S.A. 25-2120.

- a) Should a vacancy in a seat of the City Council occur by means of resignation, death, health concerns, being relocated from the City of The Highlands or removal from office, a resident shall be impartially and without favoritism nominated by the Mayor. Upon a majority vote of approval by the City Council, the appointee shall hold that office for the remainder of the original term of the person that created the vacancy.
- b) Should a vacancy in the Office of Mayor occur, the President of the Council shall fill that position and remaining original term of the Mayor. A vacancy in the Council shall have been created and the office filled according to the provisions herein.

**SECTION 5.** Terms of all appointed committee members or officials shall be for one year as determined by city resolution or otherwise by city ordinance.

**SECTION 6.** All elections for the City of The Highlands, Kansas shall be nonpartisan.

**SECTION 7.** This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

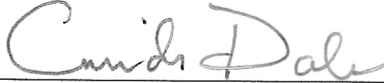
**SECTION 8. Effective Date.** This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas.

ADOPTED AND APPROVED by the Governing Body, not less than two-thirds of the member select voting in favor thereof, this 14<sup>th</sup> day of January 2021.



Mayor Carol Moore

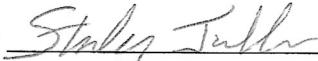
**ATTEST:**



City Clerk, Cindy Dale



Approved as to form:



City Attorney