

CHARTER ORDINANCE NO. 17

A CHARTER ORDINANCE EXEMPTING THE CITY OF WESTWOOD, KANSAS, FROM THE PROVISIONS OF K.S.A. 15-201, RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE FILLING OF GOVERNING BODY VACANCIES, AND NOMINATION PETITION; REPEALING CERTAIN PROVISIONS OF CHARTER ORDINANCE NO. 6 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING ANY PROVISIONS IN CONFLICT HEREWITH.

WHEREAS, City of Westwood Charter Ordinance No. 6, passed on December 12, 1968, established in Section 2 and Section 5 the election cycle and terms of office which is a spring election cycle falling on even-years only;

WHEREAS, Sections 2 and 5 of Westwood Charter Ordinance No. 6 have remained unchanged since their enactment and were unaffected by Charter Ordinance Nos. 6A, 7, 9, and 14 amending certain other sections of Charter Ordinance No. 6;

WHEREAS, the Kansas Legislature passed HB 2104, which became law on July 1, 2015, requiring among other things that all municipal elections be moved from the spring, or April election cycle, to a November of odd-years election cycle with elections in even years permissible for the purpose of staggering, requiring establishment by ordinance the terms of office of elected officials, and related to governing body terms of office and election of officers; and

WHEREAS, the City of Westwood desires to enact certain changes to Charter Ordinance No. 6, Section 2 and Section 5 pertaining to election cycles, terms of office and election of officers and provide additional provisions on the same, in order to comply with the changes enacted by HB 2104.

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

Section 1. The City of Westwood, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 15-201, which applies to this city, but is a part of this enactment which does not apply uniformly to all cities.

Section 2. The first four sentences of Charter Ordinance No. 6, entitled are hereby repealed, and replaced by the following provisions:

Section 2. On the first Tuesday in April of 2016, there shall be elected a mayor and two council members for a term of 45 months. On the Tuesday succeeding the first Monday in November of 2017 and every four years thereafter, there shall be elected three council members for a term of four years. The terms of council members elected in the April, 2014 election shall expire in January 2018 when the three council members elected

in the November, 2017 election take office. On the Tuesday succeeding the first Monday in November of 2019 and every four years thereafter, there shall be elected a mayor and two council members for terms of four years. The mayor and council members, with the exception of those elected in April 2016 who shall hold their office for a term of 45 months, shall hold their offices for four years or until their successors are elected, qualify and are sworn in.

Section 3. Section 5 of Charter Ordinance No. 6 is hereby repealed and amended to read as follows:

Section 5. Commencing in 2017, the general election of city officers shall be held on the Tuesday succeeding the first Monday in November. Succeeding elections shall be held every two years thereafter for all such governing body positions whose terms have expired.

Section 4. Only those provisions of Charter Ordinance No. 6 specifically referred to herein, and any other ordinances directly in conflict herewith, are hereby repealed and replaced.

Section 5. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

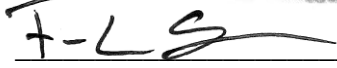
Section 6. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval 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, this 12th day of November, 2015.




John M. Ye, Mayor

Attest:


Frederick L. Sherman, City Clerk

Approved as to form and legality:


Ryan Denk, City Attorney