

## **ORDINANCE NO. 966**

**AN ORDINANCE OF THE CITY OF WESTWOOD, KANSAS, RELATING TO THE ELECTION OF OFFICERS, THEIR TERMS OF OFFICE, TRANSITIONS TO NOVEMBER ELECTIONS, THE FILLING OF GOVERNING BODY VACANCIES, AND NOMINATION PETITION; REPEALING OF PROVISIONS OF THE WESTWOOD CODE INCLUDING PORTIONS OF SECTIONS 6-103 AND 6-106.**

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 set forth in Section 6-103 of Chapter VI, Article I of the Westwood City Code 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 City codified provisions within Charter Ordinance No. 6 at 6-103 at the Westwood City Code;

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;

WHEREAS, the City of Westwood has enacted 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 pursuant to its enactment of Charter Ordinance No. 17;

WHEREAS, the enactment of Charter Ordinance No. 17 necessitates that Section 6-103 be amended to conform with the provisions of this new Charter Ordinance;

WHEREAS, HB 2104 amended K.S.A. 25-2110 to provide that the City shall set the number of qualified electors of the City which must sign a nomination petition by ordinance;

WHEREAS, Section 6-106 of the Westwood City Code needs to be amended to comply with the K.S.A. 25-2110 as amended by HB 2104;

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

**Section 1.** Chapter VI, Article I, Section 6-103 of the Westwood City Code entitled “TERMS OF OFFICE”, is hereby repealed, and replaced by the following provisions:

6-103. TERMS OF OFFICE. 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 2.** A new Section 6-106 entitled "DECLARATION OF CANDIDACY, NOMINATION PETITION", shall be added to Chapter VI, Article 1 of the Westwood City Code and shall read as follows:

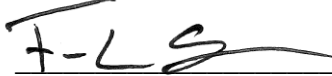
6-106. DECLARATION OF CANDIDACY, NOMINATION PETITION. Any person desiring to become a candidate for city office elected at large shall file with the county election officer, before the filing deadline, established in K.S.A. 25-205, and amendments thereto, a declaration of candidacy on a form furnished by the county election officer as specified by the secretary of state. The nomination petition must be signed by 25 of the qualified electors of the City of Westwood or by a number of such qualified electors of the city equal to not less than 10% of the ballots cast at the last general election, whichever is less.

**Section 3.** This Ordinance shall take effect and be in force after the effective date of Charter Ordinance No. 17 and from and after its passage, approval, and publication in the official city newspaper.

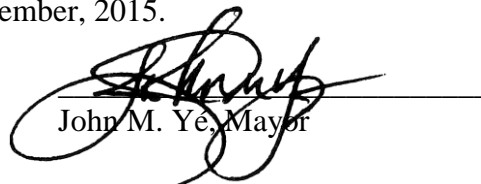
PASSED by the Governing Body this 12th day of November, 2015.

APPROVED by the Mayor this 12<sup>th</sup> day of November, 2015.

Attest:



Frederick L. Sherman, City Clerk



John M. Ye, Mayor

Approved as to form and legality:



Ryan Denk, City Attorney