

APPENDIX A. CHARTER ORDINANCES

NOTE:

The charter ordinances included herein are for information only. Each contains the substance as adopted by the Governing Body but enacting clauses, publication clauses and signatures have been omitted to conserve space. Complete copies of each ordinance as adopted are on file in the office of the City Clerk. Date of passage and effective date are shown in parenthesis at the end of the text.

CHARTER ORDINANCE NO. 23

CHARTER ORDINANCE EXEMPTING THE CITY OF LEAWOOD, KANSAS, FROM THE PROVISIONS OF K.S.A. SECTIONS 13-101, 13-304, 13-305, 13-513, 13-1411 AND 13-1424 REPEALING CHARTER ORDINANCE NO. 12 OF THE CITY OF LEAWOOD, KANSAS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS, CONCERNING OFFICERS DURING THE TRANSITION TO A CITY OF THE FIRST CLASS, PRESIDENT OF THE COUNCIL, OFFICER QUALIFICATIONS, FILLING OF ELECTED OFFICER VACANCIES AND MATTERS RELATED THERETO.

- Section 1.** **REPEAL.** Charter Ordinance No. 12 (adopted June 7, 1976) of the City of Leawood, Kansas are hereby repealed.
- Section 2.** The City of Leawood, Kansas, a Kansas municipal corporation, by the power vested in it by Article XII, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it K.S.A. 13-101, 13-304, 13-305, 13-513, 13-1411 and 13-1424, and any amendments thereto, which applies to the City, but is part of an enactment which does not apply uniformly to all cities, and provide substitute and additional provisions therefor as hereinafter provided.
- Section 3.** **TRANSITION TO FIRST CLASS CITY.** All elective or appointive officers of the City of Leawood as a city of the second class shall hold their respective offices for the duration of their current respective terms after the City of Leawood is declared as a city of the first class, unless such office is otherwise vacated as provided for hereafter.

Section 4. PRESIDING OFFICER. The mayor shall appoint at the first regular meeting of the governing body in May a presiding officer from the council membership for each three month period for the next year (first meeting in May to the last meeting in April of the next year). The presiding officer shall preside at any council meeting at which the mayor is absent. The presiding officer shall have no power to sign contracts or ordinances or to veto. The position shall rotate among the councilmembers and no councilmember shall be presiding officer for more than one three month period during any year.

Section 5. QUALIFICATIONS OF CITY OFFICERS. All officers elected shall be qualified electors of the City. The city clerk shall enter every appointment to office, and the date thereof, on the journal of proceedings.

Section 6. VACANCIES IN THE OFFICE OF MAYOR. If a vacancy should occur in the office of mayor by reason of death, disability, resignation, absence from the city, removal from office, refusal to qualify, or otherwise, the council shall at its next meeting elect from its membership a president of the council who shall be acting mayor until such vacancy shall be filled at the next city election, such disability be removed, or, in case of temporary absence, the mayor returns. During such vacancy, other than temporary absence or disability, the president of the council shall become mayor and act as mayor and exercise the office of mayor with all rights, privileges, jurisdiction and compensation of the mayor. If at the next city election the term of the vacated office is not yet expired, the newly elected mayor shall be elected only to serve out the balance of the original unexpired term. Any such temporary absence shall be defined as being absent for more than one regularly scheduled consecutive council meeting.

Section 7. VACANCIES IN THE OFFICE OF COUNCILMEMBER. If a vacancy should occur in the office of councilmember by reason of death, resignation, removal from the city, removal from office, disqualification, or otherwise, the existence of the same shall be published to the council and press within one week after receiving notification of the vacancy. If a councilmember moves out of the ward for which he or she was elected, or is deemed not to be a resident of the city, the office shall be deemed vacant. A nominating committee composed of the mayor, the presiding officer and the councilmember remaining in the ward affected shall be established to seek out candidate(s) from the ward affected to fill such vacancy, and will recommend the candidate(s) to the council. The candidate(s) shall then be voted on by the council to serve in the vacated office until the next city election. If at such time, the term of the vacated office is not yet expired, the newly elected councilmember shall be elected only to serve out the balance of the original unexpired term.

Section 8. EFFECT OF REDISTRICTING OF WARD BOUNDARIES ON COUNCIL MEMBERSHIP. Whenever the residence of any councilmember shall be transferred from one ward of the City to another solely as a result of a change in the ward boundaries, said councilmember's office shall not become vacant and said councilmember shall be eligible to represent said ward from which he or she was elected or appointed until the next city election as long as he or she is otherwise qualified to serve as a councilmember. Then, at the next city election, a new qualified councilmember shall be elected to represent said ward. If at such time, the original term of said office is not yet expired, the newly elected councilmember shall be elected only to serve out the balance of the original unexpired term.

[Date Passed: 11-02-98]

[Effective Date: 01-10-99]