

## **APPENDIX A - CHARTER ORDINANCES**

NOTE: The charter ordinances included herein are for information only. Each of them 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 charter ordinance as adopted are on file in the office of the city clerk and with the Kansas secretary of state. Date of passage by the governing body of each charter ordinance is shown in parentheses at the end of the text.

### **CHARTER ORDINANCE NO. 1**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, MITCHELL COUNTY, KANSAS, FROM SECTIONS 7 AND 44 OF CHAPTER 274 OF THE 1968 SESSION LAWS OF KANSAS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, PROVIDING FOR AN ANNUAL ELECTION, PROVIDING FOR THE ELECTION OF MAYOR AND FIVE COUNCILMEN, TIE VOTE, THEIR TERMS OF OFFICE, QUALIFYING, FAILURE TO QUALIFY OR ACCEPT OFFICE, FILLING VACANCIES AND CERTIFICATES OF ELECTION. (12-9-68)  
(Repealed by C.O. No. 2-A)

### **CHARTER ORDINANCE NO. 2**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4112 RELATING TO MUNICIPAL COURT COSTS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME, AUTHORIZING THE ASSESSMENT OF COURT COSTS FOR CASES HEARD IN THE MUNICIPAL COURT OF THE CITY OF GLEN ELDER, KANSAS. (1-3-78)  
(Repealed by C.O. No. 6)

### **CHARTER ORDINANCE NO. 2-A**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS, FROM K.S.A. 15-201 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE ELECTION OF MAYOR AND FIVE COUNCILMEN, THEIR TERMS OF OFFICE AND FILLING VACANCIES.

Section 1. The City of Glen Elder, Kansas, by the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas, hereby elects to make inapplicable to it and exempts itself from K.S.A. 15-201 which applies to said city but not uniformly to all cities, and provides substitute and additional provisions on the same subject as hereinafter provided.

Section 2. A regular city election shall be held on the first Tuesday in April of each odd-numbered year. At the regular city election in 1981, there shall be elected

a mayor, and five councilmen. At said election the candidates for councilmen receiving the three highest number of votes shall be declared elected for a term of four years. The candidates for councilmen receiving the next two highest number of votes shall be declared elected for a term of two years. The candidate elected mayor shall be declared elected for a term of two years, succeeding elections for all such offices shall be for terms of four years. At such elections the candidates for councilmen receiving the two or three (as the case may be) highest number of votes shall be declared elected.

Section 3. The terms of the officers shall begin at the first regular meeting of the council in May following their election in April.

Section 4. In case of a vacancy in the council occurring by reason of resignation, death, or removal from office or from the city, the mayor, by and with the advice and consent of the remaining councilmen, shall appoint some suitable elector to fill the vacancy until the next election for that office. In case any person elected as a councilman neglects or refuses to qualify within 30 days after his or her election, he or she shall be deemed to have refused such office and a vacancy shall exist, and thereupon the mayor may, with the consent of the remaining councilmen, appoint some suitable elector to fill said vacancy. In case of a vacancy in the office of mayor, the president of the council shall become mayor until the next regular election for that office and a vacancy shall occur in the office of the councilman becoming mayor.

(2-5-79)

### **CHARTER ORDINANCE NO. 3**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS FROM K.S.A. 79-5011.

(11-5-79)

(Repealed by C.O. No. 4)

### **CHARTER ORDINANCE NO. 4**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS, FROM K.S.A. 79-5001 TO 79-5017, INCLUSIVE, AND ANY AMENDMENTS THERETO, AND REPEALING CHARTER ORDINANCE NO. 3

Section 1. The City of Glen Elder, Kansas, by the power vested in 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. 79-5001 to 79-5017 inclusive, and any amendments thereto, which is an enactment of the legislature applicable to this city but which is not applicable uniformly to all cities.

Section 2. The provisions of K.S.A. 79-5001 to 79-501 7, inclusive, and any amendments thereto, shall not apply to any taxes levied by the city of Glen Elder, Kansas.

(5-3-82)

### **CHARTER ORDINANCE NO. 5**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER FROM K.S.A. 79-1953 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AUTHORIZED AND LIMITING THE TAX LEVY FOR THE LIBRARY FUND IN ANY ONE YEAR ON EACH DOLLAR OF ASSESSED TANGIBLE VALUATION.

(12-7-87) (Repealed by C.O. No. 7)

### **CHARTER ORDINANCE NO. 6**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4112 RELATING TO MUNICIPAL COURT COSTS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME, AUTHORIZING THE ASSESSMENT OF COURT COSTS FOR CASES HEARD IN THE MUNICIPAL COURT OF THE CITY OF GLEN ELDER, KANSAS.

Section 1. Exemption Election. The City of Glen Elder, Kansas, a city of the third class, by virtue of the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas, hereby elects to and does exempt itself from and make inapplicable to it the provisions of K.S.A. 12-4112, which is not uniformly applicable to all cities, the legislature having made special provisions applying to certain classes of cities in said enactment.

Section 2. (Repealed by C.O. No. 8)  
(9-6-88)

### **CHARTER ORDINANCE NO. 7**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER FROM K.S.A. 1990 SUPP. 79-5028, AS AMENDED BY 1991 HOUSE BILL NO. 2222, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AUTHORIZED AND LIMITING THE TAX LEVY FOR THE LIBRARY FUND IN ANY ONE YEAR ON EACH DOLLAR OF ASSESSED TANGIBLE VALUATION.

(10-7-91) (Repealed by C.O. 2012 #1)

## **CHARTER ORDINANCE NO. 01#1**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS FROM THE PROVISIONS OF K.S.A. 15-209, SO AS TO EXEMPT THE CITY FROM THE REQUIREMENTS THAT THE CITY CLERK AND CITY TREASURER, BE QUALIFIED ELECTORS OF SAID CITY, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR QUALIFICATIONS OF OFFICERS AND HOW VACANCIES ARE FILLED.

Section 1. The City of Glen Elder, Kansas, under the authority of Article 12, Section 5 of the constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it a provision of K.S.A. 15-209, and makes such statute inapplicable to the City of Glen Elder, insofar as it pertains to the appointment of a City Clerk and City Treasurer, which is an enactment of the legislature applicable to this City but which is not applicable uniformly to all cities; and said City hereby provides for substitute and additional provisions as hereinafter set forth.

Section 2. The officers elected or appointed under Article 2, Chapter 15 of the Kansas Statutes Annotated, Election, Appointment and Removal of Officers, as amended, shall be qualified electors of said city, except the city may appoint non-residents as city clerk, city treasurer, city attorney, municipal judge and as law enforcement officers when deemed necessary, including the appointment of non-residents who also serve as city attorney, municipal judge or law enforcement officers of another municipality or public agency; provided that nothing herein shall authorize the appointment of non-residents of this state. The City Attorney shall be a qualified elector of the county in which said city is located or of an adjoining county. The City Clerk and City Treasurer shall reside in Mitchell County and the location of the residence shall be within the United States Postal Service Mail Delivery District of Glen Elder, Kansas. A change of residence by the appointed City Clerk or City Treasurer to a location outside of Mitchell County or to a location within Mitchell County that is outside the United States Postal Service Mail Delivery District of Glen Elder, Kansas, shall occasion a vacancy in such office. The removal from such city of an officer elected or appointed under said act, who is required to be a qualified elector thereof, shall occasion a vacancy of such office. All vacancies in office, except in the offices of mayor and councilman, may be filled until the next regular time for appointment by appointment by the governing body. Every appointment to office, and the date thereof, shall be entered on the journal of proceedings of the council.

(5-14-01)

## **CHARTER ORDINANCE NO. 8**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4112 RELATING TO MUNICIPAL COURT COSTS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME, AUTHORIZING THE ASSESSMENT OF COURT COSTS OF CASES HEARD IN THE MUNICIPAL COURT OF THE CITY OF GLEN ELDER KANSAS.

(5-3-99) (Repealed by C.O. No. 2002#1)

**CHARTER ORDINANCE NO. 2002 #1**

A CHARTER ORDINANCE CONCERNING THE ASSESSMENT OF COURT COSTS IN MUNICIPAL COURT, REPEALING CHARTER ORDINANCE NO. 8 OF THE CITY OF GLEN ELDER, EXEMPTING THE CITY OF GLEN ELDER FROM THE PROVISIONS OF K.S.A. 12-4112, RELATING TO COURT COSTS IN MUNICIPAL COURT, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

Section 1. Charter Ordinance No. 8 of the City of Glen Elder, Kansas is hereby repealed in its entirety.

Section 2. The City of Glen Elder, Kansas, by the power vested in the city by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it that part of K.S.A. 12-4112, relating to court costs in municipal court, which applies to the city but provisions of which do not apply uniformly to all cities, and to provide substitute and additional provisions on the same subject.

Section 3. Court costs shall be assessed in municipal court in an amount to be established from time to time by ordinance.

Section 4. In addition to court costs assessed under Section 3, the municipal court clerk shall collect, and remit in a timely manner to appropriate agencies of the state of Kansas as required by law, any additional court costs or statutory assessment applicable to municipal courts.

(10-7-02)

**CHARTER ORDINANCE NO. 2012 #1**

A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NO. 7 AND LIMITING THE TAX LEVY FOR THE LIBRARY FUND IN ANY ONE YEAR ON EACH DOLLAR OF ASSESSED TANGIBLE VALUATION.

Section 1. The Governing body of the City of Glen Elder is hereby authorized and empowered to levy taxes in each year for the following city purposes, but said governing body shall not fix a rate of levy in any one year on each dollar of the assessed annual valuation of the city in excess of the following rate:

Library Rate -4.0 Mills

(7-16-12)

**CHARTER ORDINANCE NO. 2014-1**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GLEN ELDER, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1222, RELATING TO THE STATUS OF THE HEAD OF THE MUNICIPALITY AS EX OFFICIO MEMBER OF THE LIBRARY BOARD.

Section 1. The City of Glen Elder, Kansas, by the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 12-1222, and to

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. The Mayor, with the approval of the city council, may also appoint for one year a person to serve as the Mayor's proxy when the Mayor is not attending meetings of the Library Board of the Glen Elder Library. This proxy shall have the Mayor's ex officio powers as a library board member and count toward the quorum required for conducting library business.

(9-2-14)