

CHARTER ORDINANCE NO. 26

A CHARTER ORDINANCE EXEMPTING THE CITY OF PRAIRIE VILLAGE, KANSAS, FROM THE PROVISIONS OF K.S.A. 13-513 AND K.S.A. 12-104a, WHICH RELATE TO VACANCIES IN THE OFFICE OF MAYOR OR COUNCIL MEMBER, AND FROM K.S.A. 25-2108a RELATING TO PRIMARY ELECTIONS, AND REPEALING CHARTER ORDINANCE NOS. 14, 20 AND 24.

WHEREAS, the City of Prairie Village adopted Charter Ordinance No. 14 on April 2, 1990, which became effective on June 2, 1990;

WHEREAS, Charter Ordinance Nos. 14 exempted the City from K.S.A. 13-304 and K.S.A. 25-2107 pertaining to elections, dates of city elections, terms of office and matters related thereto;

WHEREAS, K.S.A. 13-304 has been repealed and K.S.A. 25-2107 has been amended;

WHEREAS, the City of Prairie Village adopted Charter Ordinance No. 20 on June 18, 2001, which became effective on August 18, 2001;

WHEREAS, Charter Ordinance No. 20 exempted the City from K.S.A. 13-513 pertaining to vacancies in office of mayor and council member, and amended Charter Ordinance No. 13 which had exempted the City from K.S.A. 13-304 and K.S.A. 25-2107 pertaining to elections, dates of city elections, terms of office and matters related thereto;

WHEREAS, K.S.A. 13-304 has been repealed and K.S.A. 25-2107 has been amended;

WHEREAS, the City desires to exempt itself from the provisions of K.S.A. 13-513 and K.S.A. 12-104a, relating to the filling of governing body vacancies; and

WHEREAS, the City desires to repeal Charter Ordinance Nos. 14 and 20 and has or will address similar provisions by ordinary ordinance;

WHEREAS, the City of Prairie Village adopted Charter Ordinance No. 24 on June 15, 2009 which became effective on August 15, 2009;

WHEREAS, Charter Ordinance No. 24 exempted the City from K.S.A. 25-2108a pertaining to primary elections;

WHEREAS, K.S.A. 25-2108a has been amended; and

WHEREAS, the City desires to repeal Charter Ordinance No. 24 and has or will address similar provisions by ordinary ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

Section 1. The City of Prairie Village, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to and exempts itself from and makes inapplicable to it K.S.A. 13-513 and K.S.A. 12-104a relating to the filling of

governing body vacancies, and K.S.A. 25-2108a relating to primary elections, which enactments apply to this City, but do not apply uniformly to all cities, and provides substitute and additional provisions as hereafter set forth.

Section 2. Substitute and additional provision on the subjects addressed by K.S.A. 13-513 and K.S.A. 12-104a relating to the filing of governing body vacancies, and K.S.A. 25-2108a relating to primary elections, are and will be contained in one or more ordinary ordinances.

Section 3. Charter Ordinance Nos. 14, 20 and 24 or other City ordinances, in conflict herewith are hereby repealed.

Section 4. If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Ordinance or other ordinances.

Section 5. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

Section 6. THIS IS A CHARTER ORDINANCE AND SHALL TAKE EFFECT 61 DAYS AFTER FINAL PUBLICATION UNLESS WITHIN 60 DAYS OF ITS FINAL PUBLICATION A PETITION SIGNED BY A NUMBER OF ELECTORS OF THE CITY OF PRAIRIE VILLAGE EQUAL TO NOT LESS THAN TEN PERCENT OF THE NUMBER OF ELECTORS WHO VOTED AT THE LAST PRECEDING REGULAR CITY ELECTION SHALL BE FILED IN THE OFFICE OF THE CITY CLERK OF PRAIRIE VILLAGE, DEMANDING AN ELECTION ON THE CHARTER ORDINANCE, IN WHICH CASE THE CHARTER ORDINANCE SHALL BECOME EFFECTIVE ONLY IF AND WHEN APPROVED BY A MAJORITY OF THE ELECTORS VOTING THEREON.

PASSED by the Governing Body not less than two-thirds of the members elect voting in favor thereof on this 2nd day of November, 2015.


Laura Wassmer, Mayor

ATTEST:


Joyce Hagen Mundy, City Clerk

APPROVED AS TO FORM


Catherine P. Logan, City Attorney