

CHARTER ORDINANCE NO. 17

A CHARTER ORDINANCE RELATING TO THE RESIDENCY OF CITY APPOINTED OFFICERS.

WHEREAS, the City of Abilene, Kansas, is a city of the Second Class, and

WHEREAS, K.S.A. 14-1502 prohibits the appointment of a person to a city appointive office unless he or she shall be a bona fide resident of the city or resides within a two (2) mile radius of the city, and

WHEREAS, K.S.A. 14-1502 does not apply uniformly to all cities in the State of Kansas, and

WHEREAS, the City of Abilene hereby elects to exempt itself from the provisions of K.S.A. 14-1502, as amended, pursuant to its home rule powers as set forth in Article 12, Section 5(c)(1), et seq., of the Kansas Constitution and to provide for substitute and or additional provisions on the same subject.

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

Section 1. That the City of Abilene hereby elects to exempt itself from the provisions of K.S.A. 14-1502, as amended, pursuant to Article 12, Section 5(c)(1), et seq., of the Kansas Constitution.

Section 2. That in lieu of K.S.A. 14-1502, the City of Abilene hereby rescinds the residency requirement for the following appointive officers:

City Attorney, City Prosecutor, City Clerk, Finance Director acting as City Treasurer, Municipal Judge, Police Chief, Fire Chief

Section 3. This Charter Ordinance shall be published once each week for two successive weeks in the Official City Newspaper, but this Ordinance shall not become effective until sixty (60) days after its final publication, and provided further that it shall not take effect if within sixty (60) days of its final publication a petition signed by a number of electors of the City equal to not less than ten percent (10%) 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 such city demanding that such Ordinance be submitted to a vote of the electors. It shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Passed by the Governing Body of the City of Abilene, Kansas this 24th day of September, 2007.



ATTEST:

Penny Soukup, CMC
PENNY SOUKUP
City Clerk, CMC

Judy Leyerzapp

JUDY LEYERZAPP
Mayor