

## **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. 3**

A CHARTER ORDINANCE EXEMPTING THE CITY OF MCLOUTH FROM K.S.A. 79-5021 TO 79-5035, INCLUSIVE, AND ANY AMENDMENTS THERETO.

Section 1. The city of McLouth, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects itself from and make inapplicable to it K.S.A. 79-5021 to 79-5035, 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. 79-5021 to 79-5035, inclusive and amendments thereto, shall not apply to any taxes levied by the City of McLouth. (06-04-91)

### **CHARTER ORDINANCE NO. 2004-09**

A CHARTER ORDINANCE EXEMPTING THE CITY OF MCLOUTH, KANSAS FROM THE PROVISIONS OF K.S.A. 12-1222 RELATING TO THE REQUIREMENT THAT MEMBERS OF THE MUNICIPAL LIBRARY BOARD BE RESIDENTS OF THE MUNICIPALITY.

1. The portion of K.S.A. 12-1222 requiring members of a municipal library board to be residents of the municipality shall not apply to the City of McLouth.

2. Prospective board members who are not residents of the City of McLouth, Kansas may be considered in the same manner as those prospective members who reside within the city of McLouth, Kansas.

3. Membership of the Library Board for the City of McLouth, Kansas shall be made up of seven members, no less than five of which shall be residents of the City of McLouth, and no more than two of which may be chosen from persons residing outside the City of McLouth, Kansas. Nothing shall prevent membership of the library board to consist of more than the minimum number of residents of the City of McLouth as provided herein, but in no event shall members chosen from those persons residing outside the City of McLouth exceed the number provided herein.

(11-16-04)

**CHARTER ORDINANCE NO. 2009-CH-001**

A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NO. 2005-01 WHICH EXEMPTS THE CITY OF MCLOUTH, KANSAS FROM THE PROVISIONS OF K.S.A. 79-5040 AND WHICH RELATES TO THE SUSPENSION OF TAX LEVY LIMITATIONS AS APPLIED TO THE MUNICIPAL LIBRARY AND PROVIDING FOR THE LIMITATION OF ANNUAL MILL LEVY INCREASE AND PROCEDURE FOR SUCH MILL LEVY INCREASE.

Section 1. Charter Ordinance 2005-01 shall be repealed and of no further force and effect upon the effective date of this Charter Ordinance.  
(08-18-09)

**CHARTER ORDINANCE NO. 2010-30**

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

Section 1. The City of McLouth, Kansas by the power vested in it by 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. 15-201, as currently amended, and provide substitute and additional provisions as hereinafter set forth in this charter ordinance. Such statutory section is applicable to this city but not applicable uniformly to all cities.

Section 2. On the first Tuesday in April 2011, there shall be elected a Mayor (position 1) and two council members (positions 3 and 5) to serve two year terms expiring in 2013. Succeeding elections for positions 1, 3, and 5 shall be held the first Tuesday in April 2013, and every four years thereafter. All such offices beginning in 2013 shall be four year terms. On the first Tuesday in April 2012, there shall be elected three council members (positions 2, 4, and 6) to serve three year terms to expire in 2015. Succeeding elections for positions 2, 4, and 6 shall be held the first Tuesday in April 2015 , and every four years thereafter.

Section 3. 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 Councilmember becoming Mayor. In case of a vacancy in the Council occurring by reason of resignation, death, or removal from office, the Mayor, by and with the advice and consent of the remaining council members, shall appoint some suitable elector to fill the vacancy until the next election for that office. In case any person elected as a councilmember neglects to qualify within 30 days after the election, that person shall be deemed to have refused to accept such office and a vacancy shall exist. Thereupon, the Mayor may, with the consent of the remaining council members, appoint some suitable elector to fill said vacancy.

(07-12-10)

**CHARTER ORDINANCE NO. 2010-31**  
(Repealed by Charter Ordinance No. 2012-30)

**CHARTER ORDINANCE NO. 2012-30**

A CHARTER ORDINANCE EXEMPTING THE CITY OF MCLOUTH, KANSAS FROM PROVISIONS OF K.S.A. 12-4112 RELATING TO THE ASSESSMENT OF COSTS IN MUNICIPAL COURT, AND REPEALING CHARTER ORDINANCE 2010-31.

Section 1. The portion of K.S.A. 12-4101 *et seq.*, Code for Municipal Courts; General Provisions, in particular K.S.A. 12-4112 regarding costs assessed in municipal courts shall not apply to the City of McLouth.

Section 2. Costs assessed in the Municipal Court of McLouth, Kansas shall be in the amount of \$85.00 Traffic Offenses, \$100.00 for DUI/Misdemeanor Offenses.

Section 3. Costs assessed in the Municipal Court of McLouth, KS shall include assessments provided for in K.S.A. 12-4117.  
(08-21-12)

**CHARTER ORDINANCE NO. 2012-31**

A CHARTER ORDINANCE EXEMPTING THE CITY OF MCLOUTH, KANSAS FROM PROVISIONS OF 12-4108 REQUIRING APPOINTMENT OF THE MUNICIPAL COURT CLERK BY THE MUNICIPAL COURT JUDGE.

Section 1. The provisions of K.S.A. 12-4108 granting the power to appoint a Municipal Court Clerk to the Municipal Judge shall not apply to the City of McLouth, Kansas.

Section 2. The Office of the Municipal Court Clerk has been created as permitted by Kansas law and McLouth City Code Section 9-108.

Section 3. The appointment of the Municipal Court Clerk shall be made by a majority vote of the governing body of the City of McLouth, Kansas, with the terms and conditions of such employment to be governed by Section 9-108 of the McLouth City Code.  
(08-21-12)