

**Chapter 2.27**  
**CITY TREASURER**

Sections:

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- 2.27.060 Separate Account for Each Fund - License Fees - Other Duties - Salary.
- 2.27.070 Deputy City Treasurer. (Repealed)

**2.27.010 Exemption from K.S.A. Sections 13-526 and 13-2107.**

Overland Park, a mayor-council-city manager city of the first class, by the power invested in it by Article XII, Section 5 of the Constitution of the state of Kansas elects to and exempts itself from and makes inapplicable to it 13-526 and 13-2107 K.S.A., said section applying only to cities of the first class, and providing substitute and additional provisions as hereinafter set forth in this chapter.

(History: Charter Ord.11 §1, 70)

**2.27.020 Bond-Deposit of Moneys-Duties.**

The City Treasurer shall give bond to the City as may be required by and which shall be approved by the Governing Body and filed with the City Clerk. He shall deposit at reasonable times all money in some responsible bank or banks to be designated by the Governing Body, in the name of such treasurer as such officer. Before making such deposits the council shall take from such bank or banks a good and sufficient bond or bonds, in a sum to be designated by the council, conditioned that such deposit shall be promptly paid on the check or draft of the treasurer; and in the monthly report of the treasurer he shall state the amount deposited in and drawn out of such bank or banks during the previous month; and no funds shall be paid by the treasurer except by check or draft on such bank or banks, and all checks and drafts drawn by the treasurer on such bank or banks shall be countersigned by the City Clerk who shall keep an accurate record of each check or draft so countersigned by him; and it shall further be the duty of the City Treasurer, in this monthly report to the council to make an itemized statement of the various sums received and paid out by him during the preceding month, from whom received, and on what account; and the treasurer shall keep a separate account of each fund received by him, and shall credit each account with the funds received therefor, and charge each account with the amount legally drawn thereon or paid out therefrom; and no money shall be paid out of one fund which belongs to another. All money paid to the City for licenses, taxes, or for any other purpose whatever, shall be paid to the City Treasurer, who shall issue duplicate receipts therefor, one of which shall be filed with the City Clerk, who shall enter and charge to the treasurer the same in a book kept for this purpose, and the City Clerk shall not issue any license until there is first filed with him a receipt from the City Treasurer showing that the full amount of the license has been paid.

(History: Charter Ord. 11 §2, 70)

**2.27.030 Requirements of Bond.**

The City Treasurer shall give a good and sufficient surety company bond to the City in such amount and in such form as may be required by the Governing Body, and the cost of such bond, if any, shall be borne by such city; and the bond, before its acceptance, shall be approved by the mayor and Governing Body, and shall be conditioned for the faithful discharge of his duties, and that such treasurer shall safely keep all public moneys entrusted to his care, and save such city free and harmless from all loss caused by neglect of duty or malfeasance in office. The board shall require the treasurer to give a new bond whenever, in its opinion, the existing bond is insufficient; and whenever such new bond is required, he shall perform no official act until such bond shall be given and approved in the manner aforesaid. It shall be his duty to receive and keep all money belonging to the City, and to pay out the same on warrants drawn by the City Clerk under the seal of such city, and signed by the mayor and countersigned by the auditor or City Clerk and not otherwise.

(History: Charter Ord. 11 §3(part), 70)

**2.27.040 Deposit of Moneys with Treasurer - Receipt.**

All moneys belonging to such city and received by any officer or agent thereof, from collection, fines, or any other source whatsoever, shall be by him deposited with the City Treasurer daily. For all moneys received the City Treasurer shall give duplicate receipts in all cases, one to the party paying the money into the treasury and one to the auditor or City Clerk. All persons charged with the collection of any money under this act, or ordinance passed in pursuance thereof, shall promptly pay the same over to the treasurer, under such penalty as may be prescribed by ordinance, and shall forthwith hand the treasurer's receipt to the auditor or City Clerk, who shall countersign the original receipt and retain the duplicate. The party paying shall then hold the original receipt. The treasurer shall render a full and correct itemized statement of all receipts and payments to the Governing Body at their first regular meeting in each month, and at such other times as may be required by the Governing Body or the mayor.

(History: Charter Ord. 11 §3(part), 70)

**2.27.050 Deposits in Bank - Bond - Bank duties.**

The City Treasurer shall make deposits in some responsible bank or banks as shall be received by him from all sources of revenue whatsoever, to his credit as treasurer of such city, and the banks to be selected by the Governing Body. The bank shall also execute and deliver to such city a good and sufficient surety company bond, to be approved by the Governing Body, conditioned that such bank will safely keep and account for and pay over the money promptly on the check or draft of the treasurer; or in lieu thereof the bank may deposit with the City Treasurer and the City Treasurer is authorized to accept as security for the deposit of the money, such bonds of the United States, of the state of Kansas, or of some city, school district, or municipality of the state of Kansas, to be approved by the Governing Body, to be kept by the City Treasurer in accordance with the requirements of Section 9-142 of the General Statutes of 1935, and amendments thereto, or such other securities as are by law provided, as a pledge that such bank will safely keep and account for and pay over the money promptly on the check or draft of the treasurer; and, in the event that such bank does not safely keep and account for and pay over the money promptly on the check or draft of the treasurer, the joint control of the custody of such bonds deposited as security for the City's deposit, shall cease when the City shall

have given three days' notice of such default to the depositing bank and to the company having control of the safety-deposit vault in which the same are deposited, after which date the Governing Body of the City is empowered to immediately take possession of said securities given as such pledge and advertise the same for sale by three days' publication in a designated newspaper of general circulation, published in the City, and sell the same not less than ten days from and after the date of the last publication of said advertisement to the highest bidder for cash, and shall apply the funds so received, first, to the payment of the City of the funds on deposit in the bank at the time of the default; and, second, if the proceeds of the bonds when sold, exceed the amount of such deposit, the remainder of such proceeds, less the costs of the sale, shall be paid by the City to the bank and/or its legal representative; and no funds shall be paid out by the treasurer except by check or draft upon such bank or banks, and all checks or drafts drawn by the treasurer on such bank or banks shall be countersigned by the auditor or City Clerk, who shall keep an accurate record of each check or draft so countersigned by him.  
(History: Charter Ord. 11 §3(part), 70)

**2.27.060 Separate Account for Each Fund - License Fees - Other Duties - Salary.**

The treasurer shall also keep a separate account of each fund, and shall credit each account with the funds received therefor, and charge each account with the amount legally paid out therefrom; and no money shall be paid out of any one fund for any object or purpose other than that for which the fund was created. The City Clerk shall issue no license until there is filed with him a receipt from the City Treasurer, showing that the full amount of the license fee has been paid. The City Treasurer shall perform such other duties as may be required of him by the Governing Body. He shall receive such salary as agreed upon by the Governing Body, which shall be fixed by ordinance.  
(History: Charter Ord. 11 §3(part), 70)

**2.27.070 Deputy City Treasurer.**

Repealed.  
(History: AP-853 §14, 75; CT-365 §3, 65)

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