

CHARTER ORDINANCE NO. THIRTEEN

*(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)*

A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NO. TWELVE AND TWELVE, A, OF THE CITY OF OVERLAND PARK, KANSAS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR THE ELECTION OF A MAYOR AND COUNCILMEN AND THE TERMS OF OFFICE FOR SUCH OFFICERS.

Be it Ordained by the Governing Body of the City of Overland Park, Kansas:

SECTION 1. PREAMBLE

The City of Overland Park, Kansas, a municipal corporation and a city of the first class, organized and existing under the laws of the State of Kansas, by the power invested in it by Article XII, Section 5, Sub-paragraph (c) of the Constitution of the State of Kansas, hereby repeals Charter Ordinance No. Twelve and Charter Ordinance No. Twelve-A of the City of Overland Park, Kansas, and hereinafter provides substitute and additional provisions for the election of a mayor and councilmen and the terms of office for such officers.

SECTION 2. ELECTION OF OFFICERS AND TERMS OF OFFICE

In the year 1971 there shall be elected a mayor from the City at Large and five (5) councilmen to succeed to the offices held by those members elected in April, 1968, and such officers, including the mayor, shall hold office for a two-year term expiring in 1973. Thereafter, all such officers so elected shall hold their office for four (4) years and until their successors are elected and qualified.

Those councilmen elected in 1969 shall have terms expiring in 1972 and shall in 1972 stand for election to a three-year term expiring in 1975. Thereafter, all such officers elected in 1975 shall hold their office for a term of four (4) years and until their successors are elected and qualified.

SECTION 3. DATE OF GENERAL ELECTION

The general election of the City officers provided for hereinabove shall be held on the first Tuesday in April of the year 1971 and each succeeding odd-numbered year thereafter; Provided that, in the year 1972 there shall be a general election of those City officers described in Section 2 hereinabove whose terms expire in 1972.

\*SECTION 4. DATE OF PRIMARY ELECTION

The primary election of the City officers provided for in Section 2 hereinabove shall be on the Tuesday preceding by four (4) weeks the first Tuesday in April of every odd-numbered year, except in 1972 when such primary election shall be held on the Tuesday preceding by four (4)

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weeks the first Tuesday in April of 1972, and no primary election of City officers shall be held on any other date.

No primary election of City officers shall be held unless by holding such primary one or more persons will be eliminated as candidates for an office. In the event that there is not more than one candidate for each party nomination for any one office, the name of the candidate for such office shall not appear on the primary election ballot and there shall be no primary election for such party nomination for such office, but the name of such candidate shall be placed on the general City election ballot.

### \*\*SECTION 5. FILING DEADLINE FOR CITY ELECTION

The filing deadline for all City elections shall be 12:00 noon. of the Tuesday preceding by seven (7) weeks the first Tuesday in April of each election year.

### \*\*\*SECTION 6. FILLING VACANCY IN OFFICE OF MAYOR

The mayor and councilmen shall remain in office until their successors have been duly elected and qualified. When there is a vacancy in the office of mayor, the president of the council, upon being qualified, shall become mayor and shall serve in such office until the next City election and until a mayor has been duly elected and qualified for a full term in such office; Provided that, when the president of the council becomes Mayor, there shall be a vacancy of such councilman's office on the City Council. A vacancy in the office of the councilman shall be filled by the council from a .recommendation submitted to the council by the precinct committee people from the political party represented by the councilman whose office is vacated and such recommendation shall be communicated to the council by the party's City chairman and thereafter such person shall serve in such office until the next regular City election and until a councilman has been duly elected and qualified for the unexpired term, or until the next regular City election and a councilman has been duly elected for a full term and has qualified.

### SECTION 7. PUBLICATION

This ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

### SECTION 8. TAKE EFFECT

This is a Charter Ordinance and shall take effect sixty (60) days after its final publication unless a legally sufficient petition for a referendum is filed and a referendum election is held thereon as provided in Article XII, Section 5, sub-paragraph (c)(3) of the Kansas Constitution, in which event the ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY THIS FOURTH DAY OF JANUARY, 1971, UPON THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE MEMBERS-ELECT. Those members voting in favor of this Charter Ordinance were as follows: Milton E. Erickson; Stanley E. Fackrell; Ellis J. Garrison; Robert Knight; Richard Landtiser; Sid Messer; Jack Sanders; and Ben Sykes. Those members voting against this Charter Ordinance were as follows: Janis L. Meyers; Jack Van Hercke.

ATTEST:

Bernice Heck, City Clerk

Duard Enoch, Jr., Mayor

APPROVED AS TO FORM:

Lawrence E. Sheppard, Assistant City Attorney

Passed:	1/4/71
Published:	1/7/71
	1/14/71
Effective:	3/15/71

*\*Section 4 repealed by Charter Ordinance No. Twenty-Eight*

*\*\*Section 5 repealed by Charter Ordinance. Nos. Nineteen and Twenty-Eight*

*\*\*\*Section 6 repealed by Charter Ordinance No. Sixteen*

*Entire ordinance repealed by Charter Ordinance No. Thirty-Four*

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