

## CHARTER ORDINANCE NO. TWELVE

*(Note: All or parts of this charter ordinance have been repealed.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

AN ORDINANCE AUTHORIZED BY ARTICLE XII, SECTION 5, SUBPARAGRAPH (c) OF THE KANSAS CONSTITUTION, EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM SECTIONS 25-2107, 25-2108, 25-2109 OF THE 1969 SUPPLEMENT TO THE KANSAS STATUTES ANNOTATED (1964), SAID SECTIONS BEING PART OF CHAPTER 274 OF THE 1968 KANSAS SESSION LAW; FURTHER EXEMPTING SAID CITY FROM THE PROVISIONS OF SECTION 13-304 OF THE 1969 SUPPLEMENT TO THE KANSAS STATUTES ANNOTATED (1964), SAID SECTION BEING PART OF CHAPTER 90 OF THE 1969 KANSAS SESSION LAWS; REPEALING CITY OF OVERLAND PARK CHARTER ORDINANCE ONE-B; 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 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 makes inapplicable to the said City by adoption of this Charter Ordinance the provisions of Section 25-2107, 25-2108, 25-2109 of the 1969 Supplement to the Kansas Statutes Annotated (1964), said sections being part of Chapter 274 of the 1968 Kansas Session Laws; further exempting said City from the provisions of Section 13-304 of the 1969 Supplement to the Kansas Statutes Annotated (1964), said section being part of Chapter 90 of the 1969 Kansas Session Laws, and repealing City of Overland Park Charter Ordinance One-B, and that said City shall hereafter be exempted therefrom by the substitute and additional provisions hereinafter provided.

### SECTION 2. ELECTION OF OFFICERS

In the year 1971 there shall be elected a Mayor from the City at Large. Councilmen elected in April, 1968, shall have terms expiring in 1971. Councilmen elected in April, 1969, shall have terms expiring in 1972.

### SECTION 3. TERMS OF OFFICE

In each odd-numbered year succeeding 1971, there shall be an election for such offices, the terms of which expire in that year. All such officers, including the Mayor, shall hold their offices for two (2) years and until their successors are elected and qualified. In each even-numbered year succeeding 1972, there shall be an election for such offices, the terms of which expire in that year. Thereafter, all such officers so elected shall hold their offices for two (2) years and until their successors are elected and qualified.

SECTION 4. DATE OF GENERAL ELECTION

The general election of the City officers provided for hereinabove shall be held on the first Tuesday in April of each year.

\*SECTION 5. DATE OF PRIMARY ELECTION

The primary election of the City officers provided for hereinabove shall be on the Tuesday preceding by four (4) weeks the first Tuesday in April of every year. 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 office. In the event there are not more than two candidates for any one office, the names of the candidates for such office shall not appear on the primary election ballots, and there shall be no primary election for such office, but the names of such candidates shall be placed on the general City election ballot. [Section 5 is repealed by Charter Ordinance No. Twelve-A]

SECTION 6. 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 year.

SECTION 7. 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 until the next City election and, as the case may be, until a Mayor has been duly elected for a full term and has qualified; Provided, that when the president of the council becomes Mayor, there shall be a vacancy in 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 being replaced, and shall be communicated to the council by the party City chairman, as the case may be, until the next regular City election and a councilman has been duly elected for the unexpired two-year term and has qualified, or until the next regular City election and a councilman has been duly elected for a full term and has qualified.

SECTION 8. REPEAL

Charter Ordinance One-B is hereby repealed.

SECTION 9. PUBLICATION

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

SECTION 10. 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 9th day of November, 1970, 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: Robert Knight, Jack VanHercke, Ben M. Sykes, Richard K. Landtiser, Stanley E. Fackrell, Milton E. Erickson, Sid R. Messer, and W. Jack Sanders. Those voting against enactment of the Charter Ordinance were as follows: Janis L. Meyers, and Ellis J. Garrison.

ATTEST:  
Bernice Heck, City Clerk

Duard Enoch, Jr., Mayor

APPROVED AS TO FORM:  
Lawrence E. Sheppard, Assistant City Attorney

Passed:	11/9/70
Published:	11/14/70
	11/21/70
Effective:	1/20/71

*\* Section 5 repealed by Charter Ordinance No. Twelve-A  
Entire ordinance repealed by Charter Ordinance No. Thirteen*

Charter Ordinance No. Twelve