

CHARTER ORDINANCE NO. 11

A CHARTER ORDINANCE OF THE CITY OF LINN VALLEY, KANSAS, MAKING KSA 15-209 INAPPLICABLE TO THE CITY AND IMPLEMENTING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE APPOINTMENT OF CITY OFFICERS AND REPEALING ORDINANCE NO. 3.

IT IS HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF LINN VALLEY, KANSAS:

- Section 1. The City of Linn Valley, Kansas, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects and does exempt itself and make inapplicable to it K.S.A. 15-209, relating to the appointment of city officers, which enactment applies to this city, but does not apply uniformly to all cities.
- Section 2. The following Substitute provisions are hereby implemented:
- A. Appointment of City Officers; Duties and Compensation. The Mayor, with the consent of the Governing Body, may appoint, at the first regular meeting of the Governing Body in February following a municipal election, the following city officers: a city attorney, a judge of the municipal court, a city clerk, a city treasurer, a city police chief and a city fire chief. The duties and compensation of such officers shall be determined from time to time by action of the Council
  - B. Employees. The Mayor, with the consent of the Governing Body, shall have authority to hire all other employees, or such authority may be delegated to the respective department heads.
  - C. Removal. A majority of all the members of the Governing Body may remove any such officers; if for good cause, the Mayor may remove any such officer with the consent of the Governing Body.
  - D. Qualifications and Filling Vacancies. Officers appointed under this act shall reside within 10 miles of the City of Linn Valley, except that:  
The City Attorney, Municipal Judge, law enforcement officers and Fire Chief, when deemed necessary, may reside outside of said area and may be simultaneously serving in the same or similar capacity in another jurisdiction, PROVIDED, that any person appointed to one of these positions shall be a resident of Linn County or an adjacent County. Should a person properly appointed to one of these positions change residencies to a location outside of Linn County or an adjacent County, that person shall be deem no longer qualified to serve and the position shall be deemed vacated. All vacancies of offices filled hereunder may be filled until the next

regular time for appointment by the Governing Body. Except for officers who are no longer qualified to serve, all officers shall serve until they resign, are removed by the Governing Body, or their successor is appointed and installed.

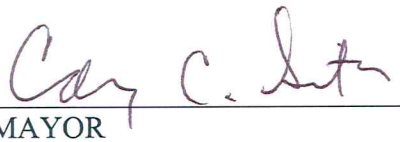
Section 3. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 4. This charter ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by the majority of the electors thereof.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 26<sup>th</sup> day of February, 2018.

ATTEST:

  
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CITY CLERK

  
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MAYOR