

CHARTER ORDINANCE NO. 5

A CHARTER ORDINANCE AMENDING CHARTER ORDINANCE NO. 1, REPEALING CHARTER ORDINANCE NO. 2, AND CONTINUING THE EXEMPTION OF THE CITY FROM THE REQUIREMENTS OF K.S.A. 14-201 and K.S.A. 14-1502, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GALENA, KANSAS:

- SECTION 1: That the City of Galena, Kansas, under authority of Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 14-201 and K.S.A. 14-1502, and provide substitute and additional provisions as hereinafter set forth in this charter ordinance. Such statutory provisions are applicable to this city but are not applicable uniformly to all cities.
- SECTION 2: That Section 3 of Charter Ordinance No. 1 of the City of Galena, Kansas and all of Charter Ordinance No. 2 of the City of Galena, Kansas are hereby repealed.
- SECTION 3: That the Mayor shall appoint, by and with the consent of the Council, the City Clerk, Chief of Police, City Superintendent, Municipal Judge, City Attorney, Court Clerk, Building Inspector, and Fire Truck Driver, and that the aforesaid appointees shall hold their offices for an indeterminate term, only subject to removal for death, resignation, physical or mental disability, financial exigency, or just cause. Just cause shall include, but not be limited to, any of the following: incompetence, insubordination, neglect of duties, conviction of a felony or misdemeanor, or failure to maintain proper residence as hereinafter provided.
- SECTION 4: That no person shall be eligible to be appointed to any of the aforesaid offices or to any employment with the City of Galena unless he or she shall be or shall become within ninety (90) days of the appointment, a bona fide resident of the City of Galena and the State of Kansas.
- SECTION 5: That the residency requirement of Section 4 above shall not apply to the City Attorney, City Engineer or any other position which requires special training and licensing by the state.
- SECTION 6: That the residency requirement of Section 4 above shall not apply to anyone employed by the city on the effective date of this Charter Ordinance No. 5.
- SECTION 7: That the Mayor may appoint, by and with the consent of the Council, a licensed professional engineer to act in the capacity of city engineer for specifically defined duties, for a period of time to be specified in the appointment, and for a reasonable compensation to be specified in the appointment.
- SECTION 8: That this Charter Ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.
- SECTION 9: That this is a Charter Ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the Charter Ordinance as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of the State of Kansas, in which case the Charter Ordinance shall become effective if approved by the majority of electors voting thereon.

Thomas Y. Allen  
Thomas Y. Allen, Mayor

ATTEST:

Jeanie Holstrom  
Jeanie Holstrom, City Clerk

(SEAL)