

**CHARTER ORDINANCE NO. 22****A CHARTER ORDINANCE EXEMPTING THE CITY OF BASEHOR, KANSAS FROM THE PROVISIONS OF K.S.A. 15-209 AND PROVIDING SUBSTITUTE PROVISIONS THEREFORE**

WHEREAS, K.S.A. 15-209 sets forth residency requirements for appointed positions in a City of the Third Class; and

WHEREAS, the Governing Body does not believe a residency requirement should prohibit a person from serving the City of Basehor so long as such person is competent and qualified to offer the service required by the position.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:**

**Section 1.** The City of Basehor, Kansas, by the power invested in it by Article XII, Section 5 of the Constitution of the State of Kansas, hereby exempts itself from and makes inapplicable to it K.S.A. 15-209, a legislative enactment which is not applicable uniformly to all cities in the State of Kansas.

**Section 2.** The following substitute provisions for K.S.A. 15-209 will be applicable upon this Ordinance taking effect:

**Qualifications of officers; how vacancies filled.** The officers elected pursuant to Charter Ordinance 1 shall be qualified electors of the city of Basehor. Officers appointed pursuant to K.S.A. 15-204 need not be residents of the city or state. However, if the officer is appointed to perform a service for the city involving a profession requiring the issuance of, and credentials for, a Kansas license to engage in such profession, said officer must hold such license and be in good standing with the issuer of such license. The removal from such city of any officer elected pursuant to Charter Ordinance 1, who is required to be a qualified elector thereof, shall occasion a vacancy in such office. All vacancies in office, except in the offices of mayor and councilman, may be filled until the next regular time for appointment by appointment by the governing body. Every appointment to office, and the date thereof, shall be entered on the journal of proceedings of the council.

**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, requiring a referendum to be held on

the Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by a majority of the electors voting thereon.

ADOPTED BY THE GOVERNING BODY, BY NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECTED, AND APPROVED BY THE MAYOR OF BASEHOR, KANSAS ON THE 4th DAY OF AUGUST, 2008.



CHRIS GARCIA, Mayor

ATTEST:



MARY A. MOGLE, City Clerk

APPROVED AS TO FORM:



PATRICK G. REAVEY, City Attorney



*First published in Basehor Sentinel on August 14, 2008  
Second published in Basehor Sentinel on August 21, 2008*