

APPENDIX A - CHARTER ORDINANCES

NOTE: The charter ordinances included herein are for information only. Each of them contains the substance as adopted by the governing body but enacting clauses, publication clauses and signatures have been omitted to conserve space. Complete copies of each charter ordinance as adopted are on file in the office of the city clerk and with the Kansas secretary of state. Date of passage by the governing body of each charter ordinance is shown in parentheses at the end of the text.

CHARTER ORDINANCE NO. 377

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS, FROM THE PROVISIONS OF SECTION 15-601 AND 15-602 OF THE GENERAL STATUTES OF 1949, RELATING TO POWERS AND DUTIES OF THE CITY MARSHAL AND THE ASSISTANT MARSHAL PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

Be it ordained by the governing body of the City of Rossville:

Section 1. The City of Rossville, Kansas, under the authority of Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and to make inapplicable to it Sections 15-601 and 15-602 of the General Statutes of 1949, which apply to said city but the provisions of which do not apply uniformly to all cities, and to provide substitute and additional provisions on the same subject.

Section 2. The city marshal shall be chief of police and shall at all times have power to make or order an arrest with proper process, for any offense against the laws of the state, or of the city, and to arrest without process in all cases where any such offense shall be committed or attempted to be committed in his presence. The city marshal shall have power and it shall be his duty to keep all such persons arrested in the city prison or other place to prevent their escape until a trial can be had before the proper officer except as otherwise provided in Section 3 of this ordinance. The city marshal shall execute all processes issued by the police judge and delivered to him for that purpose.

Section 3. Whenever any person is arrested for any violation of a traffic ordinance for which a written notice to appear and a cash appearance bond is by ordinance authorized and provided and such person is not given an immediate hearing before the police judge, the city marshal shall prepare and make such disposition of such written notice to appear as shall be provided by ordinance. The city marshal may also require any person arrested for any such violation and under such circumstances to post a cash bond in the manner and in the amount and for the offenses prescribed by such ordinance. Whenever any such person shall have given his written promise to appear and shall have posted the required cash bond, if any, the city marshal shall forthwith release the person arrested from custody.

Section 4. The assistant marshal of the city shall have the same power as is conferred upon the marshal in Sections 2 and 3 of this ordinance. (8-6-62)

CHARTER ORDINANCE NO. 2

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS FROM CERTAIN PROVISIONS OF SECTION 15-209 OF THE GENERAL STATUTES OF KANSAS, RELATING TO AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR THE RESIDENCY OF ASSISTANT MARSHAL. (Repealed by Charter Ordinance No. 80-1)

CHARTER ORDINANCE NO. 3

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS, FROM CERTAIN PROVISIONS OF SECTIONS 15-204 AND 15-209 OF THE KANSAS STATUTES ANNOTATED SUPPLEMENT RELATING TO THE APPOINTMENT OF CITY OFFICERS AND THE FILLING OF VACANCIES AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

Be it ordained by the governing body of the City of Rossville:

Section 1. The City of Rossville, Kansas, under the authority of Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from and to make inapplicable to it certain provisions of K.S.A. Supp. 15-204 and 15-209, which apply to said city but the provisions of which do not apply uniformly to all cities, and to provide substitute and additional provisions on the same subject.

Section 2. All appointed city employees, with the exception of municipal judge and city attorney, shall succeed themselves at the first council meeting in May of each year. All appointed city employees can be forcibly dismissed from their positions by a four-fifths (4/5) vote of the council approving their dismissal.

Section 3. This charter ordinance supersedes the appointments by the mayor of all the appointed city employees which is done in the first council meeting in May of each calendar year.

Section 4. In the event of resignation or death of any city employee, the mayor shall fill this position by appointment with the approval of the council.

Section 5. All the provisions of Sections 15-205 and 15-209 of the Kansas Statutes Annotated Supplement not conflicting with this ordinance shall remain in full force and effect. (6-3-72)

CHARTER ORDINANCE NO. 1

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS, FROM K.S.A. 1973 SUPP., 15-201, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE ELECTION OF THE MAYOR AND COUNCILMEN, THEIR TERMS OF OFFICE AND FILLING OF VACANCIES.

Be it ordained by the governing body of the City of Rossville, Kansas:

Section 1. The City of Rossville, Kansas, by the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas hereby elects to exempt itself from and make inapplicable to it K.S.A. 1973 Supp., 15-201, and provide substitute and additional provisions as hereinafter set forth in this ordinance. Such statutory section is applicable to this city but is not applicable uniformly to all cities.

Section 2. On the first Tuesday in April, 1977, there shall be elected a mayor and five councilmen. At said election the mayor and the two candidates for councilmen receiving the highest number of votes shall be declared elected for a term of four years. The candidates for councilmen receiving the next three highest number of votes shall be declared elected for a term of two years. Succeeding elections for all such offices shall be for four year terms, or until the successors to such offices are qualified.

Section 3. In cases of a vacancy in the office of mayor, the president of the council shall become mayor until the next regular election for that office and a vacancy shall occur in the office of the councilman becoming mayor.

In case of a vacancy in the council occurring by reason of resignation, death, or removal from office or from the city, the mayor, by and with the advice and consent of the remaining councilmen, shall appoint some suitable elector to fill the vacancy until the next election for that office. In case any person elected as a councilman neglects or refuses to qualify within 30 days after his election, he shall be deemed to have refused to accept such office and a vacancy shall exist, and thereupon the mayor may, with the consent of the remaining councilmen, appoint some suitable elector to fill said vacancy. (12-31-76)

CHARTER ORDINANCE NO. 80-1

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS, FROM K.S.A. 15-209, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT FOR PURPOSES OF REPEALING CHARTER ORDINANCE NO. 2 AND ALLOWING CERTAIN APPOINTED CITY OFFICERS TO BE NON-RESIDENTS.

Be it ordained by the governing body of the City of Rossville, Kansas:

Section 1. The City of Rossville, Kansas, by the power vested in it by Article 12, Section 5, of the constitution of the State of Kansas, elects to and hereby exempts

itself from and makes inapplicable to it K.S.A. 1974 Supplement 15-209 which applies uniformly only to cities of the third class, and elects to and hereby does provide substitute and additional provisions as hereafter set forth in this ordinance.

Section 2. The elected and appointed officers of the City of Rossville, Kansas shall be qualified electors of said city, except the city may appoint nonresidents as city attorney, city clerk, municipal judge and as law enforcement officers when deemed necessary, including the appointment of nonresidents who also serve as city attorney, municipal judge or law enforcement officers of another municipality or public agency: provided, that nothing herein shall authorize the appointment of nonresidents of this state.

Section 3. The removal from this city of an appointed officer who, by this ordinance, is required to be a qualified elector thereof, shall occasion a vacancy in such office. All vacancies in appointive offices may be filled until the next regular time for appointment by appointment by the mayor with the consent of the council. Every appointment to office, and the date thereof, shall be entered on the journal of proceedings of the council.

Section 4. Charter Ordinance No. 2 of the City of Rossville, Kansas and all provisions thereof are hereby repealed.

Section 5. All provisions of Section 15-209 of the General Statutes of Kansas, 1949, not otherwise conflicting with this ordinance, shall remain in full force and effect. (9-2-80)

CHARTER ORDINANCE NO. 80-2

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS FROM K.S.A. 1979 SUPP. 75-1120a WHICH REQUIRES CERTAIN MUNICIPALITIES OF THE STATE OF KANSAS TO MAINTAIN FIXED ASSET RECORDS FOR BUILDINGS AND LAND.

(Superseded by Charter Ordinance No. 82-1)

CHARTER ORDINANCE NO. 80-3

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS FROM THE PROVISIONS OF K.S.A. 1978 SUPP. 75-1122, SO AS TO EXEMPT SAID CITY FROM THE REQUIREMENT OF HAVING AN ANNUAL AUDIT.

Be it ordained by the governing body of the City of Rossville, Kansas:

Section 1. That the City of Rossville, Kansas, a city of the third class, who and by virtue of the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and does hereby exempt itself from the provisions of K.S.A. 1978 Supp. 75-1122 and makes said statutes

inapplicable to the City of Rossville, Kansas thus exempting said city from the requirement of having an annual audit. (9-15-80)

CHARTER ORDINANCE NO. 82-1

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE, KANSAS, FROM THE PROVISIONS OF SECTION 75-1120a OF KANSAS STATUTES ANNOTATED (1980 SUPPLEMENT), SO AS NOT TO REQUIRE SAID CITY TO MAINTAIN FIXED ASSET RECORDS.

Be it ordained by the governing body of the City of Rossville, Kansas:

Section 1. That the City of Rossville, Kansas, a city of third class, who and by virtue of the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself and does hereby exempt itself from the provisions of K.S.A. 75-1120a as amended by the 1980 supplements thereto, and makes said statutes inapplicable to said city insofar as said statutes require the City of Rossville, Kansas, to maintain fixed records. (4-19-82)

CHARTER ORDINANCE NO. 10

A CHARTER ORDINANCE EXEMPTING THE CITY OF ROSSVILLE FROM K.S.A. 79-5001 TO 79-5017 INCLUSIVE, AND ANY AMENDMENTS THERETO.

Be it ordained by the governing body of the City of Rossville:

Section 1. The City of Rossville, Kansas, by the power vested in it by Article 12, Section 5 of the constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it K.S.A. 79-5001 to 79-5017, inclusive, and any amendments thereto, which is an enactment of the legislature applicable to this city but which is not applicable uniformly to all cities.

Section 2. The provisions of K.S.A. 79-5001 to 79-5017, inclusive, and any amendments thereto, shall not apply to any taxes levied by the City of Rossville. (6-13-83)