

(First published in the Advocate of Phillips County on October 13, 2016). 1t

**ORDINANCE NO. 1401**

AN ORDINANCE AMENDING SECTIONS 1-208, 1-302, 6-101, 6-104, 6-105 OF ORDINANCE 1384 OF THE CITY OF PHILLIPSBURG, KANSAS, WHICH PERTAINS TO: VACANCIES IN GOVERNING BODY, HOW FILLED; APPOINTMENT; ELECTIONS; CANDIDATES; AND FILING DATE DEADLINE AS ORIGINALLY ADOPTED IN ORDINANCE 1384; AND REPEALING SAID SECTIONS AS ORIGINALLY ADOPTED.

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

SECTION 1. That Section 1-208 of Ordinance 1384 of the City of Phillipsburg, Kansas, is hereby amended to read as follows:

1-208. VACANCIES IN GOVERNING BODY; HOW FILLED. When any vacancy shall happen in the office of mayor by death, resignation, removal from the city, removal from office, refusal to qualify, or otherwise, the president of the council for the time being shall exercise the office of mayor, with all the rights, privileges and jurisdiction of the mayor, other than the appointment of officers pursuant to Charter Ordinance No. 10 until such vacancy be filled or such disability be removed, or in case of temporary absence, until the mayor shall return. During the time the president of the council shall exercise the office of the mayor, the president shall receive the same compensation that the mayor would be entitled to; and in case of a vacancy, other than a temporary absence or disability, the person exercising the office of mayor shall become mayor. Thereupon, the council shall elect from its membership a new president of the council. Whenever a vacancy shall occur in the office of council member, the governing body shall appoint an elector of the ward where the vacancy occurs to be council member for the balance of the unexpired term.

SECTION 2. That Section 1-208 of Ordinance 1384 of the City of Phillipsburg, Kansas, as originally written and approved on November 18, 2013, is hereby repealed.

SECTION 3. That Section 1-302 of Ordinance 1384 of the City of Phillipsburg, Kansas, is hereby amended to read as follows:

1-302. APPOINTMENT. At the second regular council meeting in January of each year, the mayor, by and with the consent of the council, shall appoint a city clerk and city treasurer, and may appoint a city attorney, municipal judge, chief of police and such other officers as may be deemed necessary for the best interest of the city. Such officers shall hold their respective offices until their successors have been appointed and qualified. All such appointments shall be entered on the journal of proceedings of the governing body. The duties and salaries of all appointed officers shall be fixed by ordinance.

SECTION 4. That Section 1-302 of Ordinance 1384 of the City of Phillipsburg, Kansas, as originally written and approved on November 18, 2013, is hereby repealed.

SECTION 5. That Section 6-101 of Ordinance 1384 of the City of Phillipsburg, Kansas, is hereby amended to read as follows:

6-101. ELECTIONS. The mayor, treasurer, and one councilman from each ward shall be elected on the Tuesday succeeding the first Monday in November 2017 and one councilman from each ward shall be elected on the Tuesday succeeding the first Monday in November 2019. The mayor and treasurer shall have terms of two years and the councilmen shall have terms of four years. All shall hold office until their successors are qualified. To be qualified to hold an office each officer, after receipt of certificate of election from the county election commissioners, must take and subscribe an oath on the second Monday of January following the November General Election. Failure to so qualify is deemed a refusal to accept said office.

SECTION 6. That Section 6-101 of Ordinance 1384 of the City of Phillipsburg, Kansas, as originally written and approved on November 18, 2013, is hereby repealed.

SECTION 7. That Section 6-104 of Ordinance 1384 of the City of Phillipsburg, Kansas, is hereby amended to read as follows:

6-104. CANDIDATES. Any person desiring to become a candidate for a city office elected at large shall file with the county election officer before the filing deadline, a nomination petition or a declaration of candidacy, accompanied by any fee required by law. The nomination petition must be signed by 25 electors eligible to vote for such candidate or by the number of electors equal to 10 percent of the ballots cast and counted at the last general city election whichever is the lesser.

SECTION 8. That Section 6-104 of Ordinance 1384 of the City of Phillipsburg, Kansas, as originally written and approved on November 18, 2013, is hereby repealed.

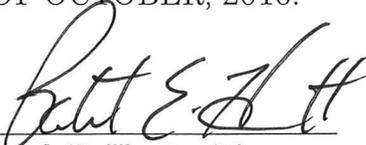
SECTION 9. That Section 6-105 of Ordinance 1384 of the City of Phillipsburg, Kansas, is hereby amended to read as follows:

6-105. FILING DATE DEADLINE. The filing date deadline for a city officer shall be 12:00 o'clock of the first Tuesday after the first Monday of June preceding the November General Election.

SECTION 10. That Section 6-105 of Ordinance 1384 of the City of Phillipsburg, Kansas, as originally written and approved on November 18, 2013, is hereby repealed.

PASSED BY THE CITY COUNCIL THE 3rd DAY OF OCTOBER, 2016.

APPROVED BY THE MAYOR THIS 3rd DAY OF OCTOBER, 2016.

  
\_\_\_\_\_  
Patrick E. Hewitt, Mayor

Attest:

  
Brenda L. Chance, City Clerk