

CHARTER ORDINANCE NO. 81

A CHARTER ORDINANCE EXEMPTING THE CITY OF OLATHE, KANSAS, FROM K.S.A. 13-502, 13-506, 13-507, 13-511, 13-512, 13-513, 13-514, 13-515, 13-516, 13-518, AND 13-527, WHICH RELATE TO THE APPOINTMENT, POWERS, AND DUTIES OF OFFICERS AND EMPLOYEES; PROVIDING FOR SUBSTITUTE PROVISIONS PERTAINING TO THE DUTIES OF THE CITY CLERK; ALSO PROVIDING FOR FURTHER SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECTS BY CHARTER OR ORDINARY ORDINANCE.

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

SECTION ONE: The City of Olathe, Kansas, by the power invested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to and does exempt itself from and make inapplicable to it all the provisions of K.S.A. 13-502, 13-506, 13-507, 13-511, 13-512, 13-513, 13-514, 13-515, 13-516, 13-518, and 13-527, and amendments thereto. Such provisions are enactments that are applicable to this City but are not applicable uniformly to all cities.

SECTION TWO: The City of Olathe, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby enacts the following substitute and additional provisions in lieu of those provisions of K.S.A. 13-518 from which it is exempted pursuant to Section One above:

The city clerk shall attend all meetings of the city council, keep a true record of its proceedings, and also keep a record of all official acts of the clerk, and, when necessary, shall attest them. The city clerk shall also keep and preserve them. The city clerk shall also keep and preserve in the city clerk's office the corporate seal of the city, all records, public papers and documents of the city not belonging to any other office. The city clerk shall be authorized to administer oaths; and the copies of all papers filed in the city clerk's office, and transcripts from the records of the proceedings of the council, including ordinances, duly certified by the city clerk under the corporate seal of the city, shall be taken as evidence in all courts of this state without further proof. The city clerk shall keep a correct account with the city and county of the financial affairs of the city treasurer, as may be provided by ordinance, and shall perform such other duties as may be prescribed by ordinance.

SECTION THREE: The City of Olathe, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to provide further substitute and additional provisions, by charter or ordinary ordinance, on the same subjects from which it is exempted pursuant to Section One above.

SECTION FOUR: This Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

SECTION FIVE: This is a Charter Ordinance and will take effect sixty-one (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, Section 5, subdivision (c) (3), of the Constitution of the State of Kansas, in which case the Ordinance will become effective if approved by a majority of the electors voting thereon.

PASSED AND APPROVED by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, the _____ day of _____, 2024.

SIGNED by the Mayor this _____ day of _____, 2024.