

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. 1

A CHARTER ORDINANCE EXEMPTING THE CITY OF SCRANTON, KANSAS, FROM SECTION 12-4112 OF THE KANSAS STATUTES ANNOTATED, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, AND AUTHORIZING THE ASSESSMENT OF COURT COSTS IN CASES HEARD IN THE MUNICIPAL COURT OF THE CITY OF SCRANTON, KANSAS.

Section 1. The City of Scranton, Kansas, a city of the third class, by the power vested in it by Article 12, Section 5, of the constitution of the State of Kansas, hereby elects to exempt, and does exempt itself from and makes inapplicable to it, Section 12-4112 of the Kansas Statutes Annotated, which is not uniformly applicable to all cities, the legislature having made special provisions applying to certain classes of cities in said enactment.

Section 2. In lieu of K.S.A. 12-4112, the governing body of the City of Scranton, Kansas, hereby adopts the following provisions:

Each person found guilty of a violation of the ordinances of the City of Scranton, Kansas, shall be assessed costs for the administration of justice in the municipal court of the City of Scranton, Kansas, and such costs shall be determined by ordinance.

(4-5-83)

CHARTER ORDINANCE NO. 2

A CHARTER ORDINANCE EXEMPTING THE CITY OF SCRANTON, KANSAS, FROM SECTION 15-201 OF THE KANSAS STATUTES ANNOTATED, AS AMENDED, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, RELATING TO THE ELECTION OF MAYOR AND FIVE COUNCILMEN, TIE VOTE, THEIR TERMS OF OFFICE, QUALIFYING, FAILURE TO QUALIFY OR ACCEPT OFFICE FILLING VACANCIES AND CERTIFICATES OF ELECTION.

Section 1. The City of Scranton, Kansas by the power invested in it by Article 12, Section 5, of the constitution of the State of Kansas, hereby elects to make inapplicable to it and exempts itself from Section 15-201, Kansas Statutes Annotated, as amended, which applies to said city but not uniformly to all cities, and provides substitute and additional provisions on the same subject as hereinafter provided.

Section 2. A regular city election shall be held on the first Tuesday in April of each odd numbered year. At the regular city election in 1987, there shall be elected a mayor and five councilmen. At said election the candidates for councilmen receiving the three highest number of votes shall be declared elected for a term of four years. The candidates for councilmen receiving the next two highest number of votes shall be declared elected for a term of two years. The candidate elected mayor shall be declared elected for a term of two years. Succeeding elections for all such offices shall be for four year terms. At such succeeding elections the candidates for councilmen receiving the two or three (as the case may be) highest is a tie vote for two or more candidates and it is necessary to determine which candidate receives the office, the winner shall be determined by lot by the board of canvassers. The city clerk shall within five days after the canvass of the returns and determination by the board of canvassers of the persons elected, deliver to each such person a certificate of election, signed by him and sealed with the seal of the city, and such certificate shall constitute notice of election. The terms of the officers shall begin at the first regular meeting of the council in May following their election in April and they shall qualify by taking the oath of office and otherwise, if there be other qualifications prescribed at any time after receiving notice of election and before or at the beginning of said meeting. If any person elected to the office of councilman does not qualify within the required time, he shall be deemed to have refused to accept the office and a vacancy shall exist. In case of a vacancy in the office of councilman occurring by reason of failure of refusal to qualify, resignation, death, removal from the city, removal from office, or becoming mayor, by reason of being president of the council when a vacancy occurs in the office of mayor, the mayor shall appoint, with the consent of a majority of the remaining councilmen, some suitable elector of the city to fill the vacancy until the expiration of the term of such office. In case of vacancy in the office of mayor occurring by reason or resignation, death, removal from office, removal from the

city, or refusal or failure to qualify, the president of the council, or in the case of a mayor-elect's refusal or failure to qualify, the new president of the council, shall become mayor until the expiration of the term, and a vacancy shall occur in the office of the councilman becoming mayor.

(12-04-84)

CHARTER ORDINANCE NO. 3

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

Section 1. The City of Scranton, 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 Scranton.

(06-03-86)

CHARTER ORDINANCE NO. 4

A CHARTER ORDINANCE EXEMPTING THE CITY OF SCRANTON, KANSAS, FROM THE PROVISIONS OF 2004 SENATE BILL 328 AND ANY AMENDMENTS THERETO.

Section 1. The City of Scranton, 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 the provisions of Senate Bill 328. Senate Bill 328 is part of an enactment commonly known as the Kansas landlord liability law, which enactment applies to this City, but does not apply uniformly to all cities.

Section 2. The limitation on landlord liability as provided in Senate Bill 328 shall not be applicable to the City of Scranton.

(11-16-04)