

(First published in the Wakefield Sun, Thursday, April 5, 1973)

CHARTER ORDINANCE NO. 1

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF K.S.A. 1972 Supp. 15-201, RELATING TO THE ELECTION OF CITY OFFICERS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE SAME SUBJECT.

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

Section 1. That the City of Wakefield, Kansas, under authority of 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. 1972 Supp. 15-201 which applies 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. That on the First Tuesday in April, 1975, there shall be elected a Mayor and five (5) Councilmen in said city. There shall be designated positions of Councilman No. 1, Councilman No. 2, Councilman No. 3, Councilman No. 4 and Councilman No. 5. Those persons elected to the positions of Mayor, Councilman No. 1 and Councilman No. 2 shall hold their offices for a term of four (4) years. Those persons elected to the positions of Councilman No. 3, Councilman No. 4 and Councilman No. 5 shall hold their offices for a term of two (2) years. On the First Tuesday in April, 1977, and every four years thereafter, there shall be elected councilmen for position of Councilman No. 3, Councilman No. 4 and Councilman No. 5 for a term of four (4) years. On the First Tuesday in April, 1979, and every four (4) years thereafter, there shall be elected a Mayor, Councilman No. 1 and Councilman No. 2 for a term of four (4) years.


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 sixty-one (61) days after its final publication, unless a sufficient petition for referendum is filed, as provided in Article 12, Section 5, sub-division (c)(3) of the Constitution of the State of Kansas, in which case this charter ordinance shall become effective upon the approval by a majority of electors voting in an election held on this charter ordinance.

Passed by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 2nd day of April, 1973.

(SEAL)

ATTEST:

  
City Clerk

  
Maynard Sherbert, President of  
the Council

(Please publish twice, April 5 and 12 and one proof of publication to the City Clerk)

(First published in the Wakefield Sun Thursday, May 14, 1981)

CHARTER ORDINANCE NO. 2

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM K.S.A. 79-5001 to 79-5018, AND ANY AMENDMENTS THERETO, THEREBY REMOVING AGGREGATE TAX LEVY LIMITATIONS FROM LEVIES MADE IN THE GENERAL AND SPECIAL STREET FUNDS OF THE CITY.

WHEREAS, K.S.A. 5001 to 5018, and amendments thereto, presently provide aggregate tax levy limitations for the tax levies made in the general fund and the special street fund for the City of Wakefield, Kansas, but said tax levy limitations do not now apply uniformly to all cities, and

WHEREAS, the Governing Body of said city deems it necessary to enact and pass a charter ordinance to exempt the City of Wakefield from the levy limitations as they apply to levies made for the general and special street funds of the city,

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

Section 1. That pursuant to the provisions of Section 15, Article 12 of the Constitution of the State of Kansas, the City of Wakefield, Kansas, hereby elects to exempt itself from and to make inapplicable to it Sections 79-5001 to 79-5018 of Kansas Statutes Annotated, and amendments thereto which apply to said city, but the provisions of which do not apply uniformly to all cities.

Section 2. That this charter ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.

Section 3. This charter ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed, and the referendum held on the ordinance as provided in Article 12, Section 5, Subsection (e) (3) of the Constitution of the State of Kansas in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

Passed and approved by the Governing Body, not less than two-thirds (2/3) of the members elected voting in favor thereof, this 11 day of May, 1981.

  
MAYOR

(SEAL)

ATTEST:

  
CITY CLERK

(Please publish two consecutive weeks on May 14 and 21, 1981)

CHARTER ORDINANCE NO. 3

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4112; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR MUNICIPAL COURT PROCEDURE, MORE SPECIFICALLY THE IMPOSITION OF COURT COSTS.

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

Section 1. That the City of Wakefield, 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 the provisions of K.S.A. 12-4112 which provision applies to said City, but which does not apply uniformly to all cities and to provide substitute and additional provisions on the same subject.


Section 2. MUNICIPAL COURT COSTS. In lieu of K.S.A. 12-4112, the Governing Body of the City of Wakefield, Kansas, hereby adopts the following provisions:

In each Municipal Court case where the accused person pleads guilty or nolo contendere, or is found guilty, such persons shall be assessed costs for the administration of justice in the Municipal Court of the City of Wakefield, Kansas, and such costs shall be determined by ordinance. In addition thereto, the Municipal Judge of the City of Wakefield, Kansas, is authorized and empowered to assess witness fees and mileage permitted and allowed pursuant to K.S.A. 12-4112 and K.S.A. 12-4411.

Section 3. This ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

Section 4. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed and the referendum held on the ordinance is provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective if approved by a majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds (2/3) of the members-elect voting in favor thereof, this 3rd day of February, 1986.

  
MAYOR

(SEAL)

ATTEST:

  
CITY CLERK

(This Charter Ordinance must be published once each week for two consecutive weeks on \_\_\_\_\_.)

ORDINANCE NO. 4

AN ORDINANCE ESTABLISHING COURT COSTS FOR THE MUNICIPAL COURT OF THE CITY OF WAKEFIELD, KANSAS, AS AUTHORIZED BY CHARTER ORDINANCE NO. 3.

WHEREAS, on February 3, 1986, the Governing Body of the City of Wakefield, Kansas, by a vote of more than two-thirds (2/3) of the members-elect, passed Charter Ordinance No. 3 which exempted said City from the provisions of K.S.A. 12-4112 and permitted the assessment of costs for the administration of justice in the Municipal Court, and

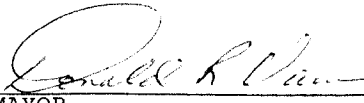
WHEREAS, said Charter Ordinance was published once each week for two consecutive weeks in the official City newspaper on Feb. 6 & Feb. 13, 1986, and no petition for a referendum was filed pursuant to Article 12, Section 5 of the Constitution of the State of Kansas within sixty-one days after final publication, and the amount and manner in which said costs are assessed should now be determined by ordinance.

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

Section 1. That for cases commenced by the filing of a Complaint in the Municipal Court after the effective date of this Ordinance where the accused person pleads guilty or nolo contendere, or is found guilty, such person shall be assessed costs in the amount of Eighteen Dollars (\$18) for the administration of justice, and in addition thereto, the Municipal Judge is authorized and empowered to assess witness fees and mileage permitted and allowed pursuant to K.S.A. 12-4112 and K.S.A. 12-4411.

Section 2. This Ordinance shall take effect and be enforced from and after its publication once in the official City newspaper.

Passed and approved May 5, 1986.

  
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MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

CHARTER ORDINANCE NO. 5

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF K.S.A. 79-1953, WHICH RELATE TO TAX LEVY LIMITATIONS FOR THE LIBRARY FUND; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND REMOVING ANY LIMITATION OF TAX LEVY FOR THE LIBRARY FUND OF SAID CITY.

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

Section 1. In accordance with the authority granted to municipalities by Article 12, Subsection 5 of the Constitution of the State of Kansas, the City of Wakefield, hereby elects to exempt itself from and to make inapplicable to said City the provisions of K.S.A. 79-1953, which establish a tax levy limitation for the City's Library Fund. Said statutory provisions relate to cities of the third class, but do not apply uniformly to all cities in Kansas.

Section 2. The Governing Body of the City of Wakefield, Kansas, is hereby authorized and empowered to levy taxes in each year for the General Fund and other City purposes as otherwise authorized by law. The taxes levied for the funding of the City's library shall not be subject to any limitation. The Governing Body may levy an amount necessary to meet the requirements in its adopted budget for the Library Fund.

Section 3. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper as provided by law.

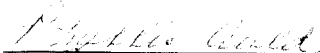
Section 4. This Charter Ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a referendum is filed, as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this Ordinance shall become effective if approved by a majority of the electors voting thereon.

Passed by the Governing Body, by not less than two-thirds (2/3) of its members-elect voting in favor thereof, on this 4th day of January, 1993.

  
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MAYOR

(SEAL)

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

CHARTER ORDINANCE NO. 6

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF K.S.A. 1994 SUPP. 75-1122, WHICH RELATE TO AN ANNUAL AUDIT OF ACCOUNTS.

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

Section 1. In accordance with the authority granted to municipalities by Article 12, Subsection 5, of the Constitution of the State of Kansas, the City of Wakefield hereby elects to exempt itself from and to make inapplicable to said City the provisions of K.S.A. 1994 Supp. 75-1122, which under certain circumstances provide for an annual audit of the City's accounts. Said statutory authority relates to cities of the third class, but does not apply uniformly to all cities in Kansas.

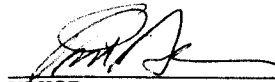
Section 2. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper as provided by law.

Section 3. This Charter Ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for referendum is filed, as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this Ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY, by not less than two-thirds (2/3) of its members-elect voting in favor thereof, on this 6th day of March, 1995.



ATTEST:

  
MAYOR

  
CITY CLERK

CHARTER ORDINANCE NO. 7

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF K.S.A. 41-712 BANNING SALES OF LIQUOR ON HOLIDAYS.


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

Section 1. That the City of Wakefield, Kansas, under the authority of 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. 41-712, a part of the Liquor Control Act, K.S.A. 41-101 et seq., which forbids the retail sale of any alcoholic liquor on the holidays listed in K.S.A. 41-712 (2), except Thanksgiving Day and Christmas Day. This ordinance shall not remove the prohibition of liquor sales on Sunday. This action is based on the finding that the provisions of the Liquor Control Act do not apply uniformly to all cities, and would allow liquor sales on Memorial Day, Independence Day and Labor Day.

Section 2. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

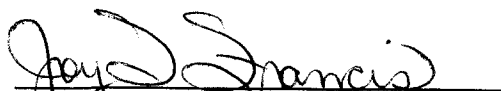
Section 4. This charter ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for referendum is filed, as provided in Article 12, Section 5, sub-division (c)(3) of the Constitution of the State of Kansas, in which case this charter ordinance shall become effective upon the approval by a majority of electors voting in an election held on this charter ordinance.

Passed by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 6th day of July, 2004.

  
MAYOR

(SEAL)

ATTEST:

  
City Clerk

CHARTER ORDINANCE NO. 8

A CHARTER ORDINANCE EXEMPTING THE CITY OF WAKEFIELD, KANSAS, FROM THE PROVISIONS OF SENATE BILL NO. 328, ENACTED BY THE 2004 KANSAS LEGISLATURE, WHICH AMENDED K.S.A. 12-631K and K.S.A 12-860, THEREBY IMPOSING LANDLORD LIABILITY FOR THE UNPAID WATER AND SEWER USER CHARGES CONTRACTED FOR BY THE LANDLORD'S TENANT.


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

Section 1. That the City of Wakefield, Kansas, under the authority of Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it, those portions of Senate Bill 328, enacted by the 2004 Session of the Kansas Legislature, which prohibit the city from holding landlords and lessors liable for the delinquent and unpaid water and sewer user charges and fees contracted for by tenants of the real estate owned by said landlords and lessors. This action is based on the finding that provisions of said legislation do not apply uniformly to all cities. If water service is hereafter terminated due to unpaid charges by a tenant, the landlord of said tenant shall remain liable for the payment of the account and must satisfy said account for restoration of such service.

Section 2. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.


Section 3. This charter ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for referendum is filed, as provided in Article 12, Section 5, sub-division (c)(3) of the Constitution of the State of Kansas, in which case this charter ordinance shall become effective upon the approval by a majority of electors voting in an election held on this charter ordinance.

Passed by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this 3rd day of January, 2005.

  
MAYOR

(SEAL)

ATTEST

  
City Clerk

(Please publish on two consecutive weeks, January 6 and 13. Furnish the City Clerk and Bruce H. Wingerd with an affidavit of publication.)



CHARTER ORDINANCE NO. 9

A CHARTER ORDINANCE EXEMPTING THE CITY OF Wakefield, KANSAS FROM THE PROVISIONS OF K.S.A. 25-2108, RELATING TO THE HOLDING OF PRIMARY ELECTIONS WITHIN SAID CITY AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF Wakefield, KANSAS;

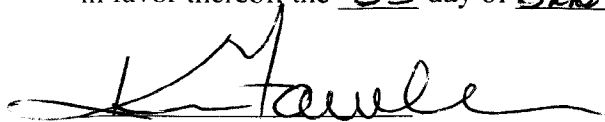
SECTION 1. The city of Wakefield, Kansas, under authority of Article 12, section 5, of the Constitution of the State of Kansas, hereby exempts itself from, and makes inapplicable to it; the provisions of K.S.A. 25-2108, which applies to the said City, but the provisions of which do not apply uniformly to all cities, and providing substitute and additional provisions on the same subject, as hereinafter provided.

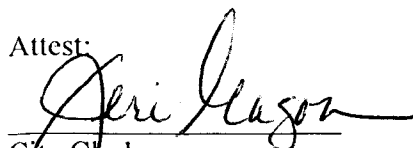
SECTION 2. Regardless of the number of candidates who have filed for election for any city office there shall be no necessity of a primary election, and every person who has filed for any city office shall be listed on the ballot, and be voted upon by the voters at the general election of city officers, to be held on the first Tuesday in April. The person from among the candidates who receives the largest number of votes at such general election shall be declared the winner in said election.

SECTION 3. This Ordinance shall be published once each week for two consecutive weeks in the Clay Center Dispatch, the official City newspaper.

SECTION 4. This is a Charter Ordinance, and shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum, to be held on this Ordinance as provided in Article 12, Section 5, Subdivision (c)(3) of the Constitution of Kansas, in which case the Ordinance shall become effective, if approved by a majority of the electors voting thereon.

PASSED by the Governing Body not less than two-thirds of the members-elect voting in favor thereof, the 5<sup>th</sup> day of February, 2007.

  
Mayor

Attest:  
  
City Clerk  
(SEAL)