

(First published in The Ark Valley News on _____ and again on _____)

CHARTER ORDINANCE NO. 21

A CHARTER ORDINANCE EXEMPTING THE CITY OF BEL AIRE FROM KSA 14-103 and 14-204 AND AMENDING RELEVANT SECTIONS OF CHARTER ORDINANCE 16 and 17 RELATED TO TERMS OF ELECTED OFFICIALS OF THE CITY OF BEL AIRE, KANSAS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS FOR THE SAME.

Be it ordained by the Governing Body of the City of Bel Aire, Kansas,

Section 1. Exemption.

Pursuant to the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, the City of Bel Aire, Kansas does hereby elect to exempt itself from and make inapplicable to this City all portions of the following statutes which are Acts of the Kansas Legislature that are non-uniform in application: KSA 14-103 and 14-204 regarding terms for elected officials, and to adopt the following substitute provisions:

Section 2. Governing Body Term Limitations.

A. Term Limitations for Council.

No person shall qualify to run as a candidate for a City of Bel Aire Council seat if that person has served eight (8) years consecutively as a duly elected Council Member. The term of office for each duly elected Council member shall commence upon that member being sworn in to a council seat. A person's term will not be considered to be consecutive if there is at least a four year break between the conclusion of an elected term and the commencement of that same person's newly elected term. Any break in service less than four (4) years shall be considered consecutive for the purpose of this section. No person shall qualify to run for Council seat if that person cannot qualify to complete an entire term at the time of the election.

B. Exception to Term Limitations for Council.

The term limitations set by this section shall not apply to Council appointments. Serving in an appointed term shall not count towards consecutive terms. Any Council member's terms served prior to November 2023 shall not count towards consecutive terms for the purpose of this section.

C. Duration of a Single Term of Office for the Mayor.

The Mayor shall be elected for a four year term and until a successor has been duly elected and qualified. The Mayor whose term expires in November of 2023 shall continue to serve until that Mayor's successor is duly elected and qualified following the elections held on the Tuesday following the first Monday of November 2023. The Mayor elected in November of 2023 shall serve a four year term.

D. Term Limitations for Mayor.

No person shall qualify to run as a candidate for a City of Bel Aire Mayor's seat if that person has served more than eight (8) years consecutively as a duly elected Mayor of the City of Bel Aire. The term of office for each duly elected Mayor shall commence upon that candidate being sworn in as Mayor. A person's term will not be considered to be consecutive if there is at least a four year break between the conclusion of serving a duly elected term as Mayor and the commencement of that same person's newly elected term as Mayor. Any break in service less than four (4) years shall be considered consecutive. No person shall qualify to run for Mayor if that person cannot qualify to complete an entire term at the time of the election. No person shall qualify to run for Mayor if that person cannot qualify to complete an entire term at the time of the election.

E. Exception to Term Limitations for Mayor.

Any time a person served filling a vacancy, or by virtue of filling mayor duties as council president shall not count towards consecutive terms. Any time a person served as mayor prior to November 2023 shall not count towards consecutive terms for the purpose of this section.

Section 3. Saving Clause.

If any phrase, clause, paragraph or section of this Charter Ordinance is declared unconstitutional or invalid by any court of competent jurisdiction, it is hereby declared that the Governing Body would have enacted the remaining portions of this Charter Ordinance without such phrase, clause, paragraph or section so held unconstitutional or invalid.

Section 4. Effective Date.

This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper, and shall take effect sixty-one days after its final publication, unless a sufficient petition for a referendum is filed in conformance with Article 12, Section 5 of the Constitution of the State of Kansas. If a referendum is held, this ordinance shall become effective on the day after approved by a majority of the electors voting thereon.

Passed by two-thirds vote of the members elect of the Bel Aire City Council this ____ day of June, 2022.

Approved by the Mayor this ____ day of June, 2022.

MAYOR JIM BENAGE

ATTEST:

MELISSA A. KREHBIEL, CITY CLERK

SEAL