

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLWICH, KANSAS, PURSUANT TO 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 THIS CITY AN ACT OF THE KANSAS LEGISLATURE THAT IS NON-UNIFORM IN APPLICATION:

Section 1. The City of Colwich, Kansas, pursuant to 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 this City an Act of the Kansas Legislature that is non-uniform in application, to wit, that portion of K.S.A. 12-4112 prohibiting municipal courts from assessing costs associated with the administration of justice.

Section 2. The following is hereby substituted for K.S.A. 12-4112:

Costs. The Governing Body of the City of Colwich may assess costs for the administration of justice in any municipal court case in which there is a finding of guilt, or a plea of guilty or no contest, or in which a diversion agreement is entered into by the parties, including costs associated with witness fees and mileage as set forth in K.S.A. 12-4411, and amendments thereto; for the assessment required by K.S.A. 2001 Supp. 20-1a11, and amendments thereto; for the judicial branch education fund; for the assessment required by K.S.A. 12-4117 and amendments thereto for the law enforcement training center fund established pursuant to K.S.A. 74-5619 and amendments thereto, the local law enforcement training reimbursement fund established pursuant to K.S.A. 74-5620, and amendments thereto, and the juvenile detention facilities fund as provided in K.S.A. 12-4117, and amendments thereto; and for the assessment required by K.S.A. 12-16,119 and amendments thereto, for the detention facility processing fee.

Such court cost shall be set by regular Ordinance of the Governing Body of the City of Colwich. (6-12-2006)

CHARTER ORDINANCE NO 25

A CHARTER ORDINANCE AMENDING SECTION 5 OF CHARTER ORDINANCE 1, WHICH EXEMPTS THE CITY FROM PORTIONS OF K.S.A. 15-201 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT, PROVIDING FOR THE TERMS OF OFFICE FOR THE MAYOR AND FIVE COUNCILMEN, AND CERTAIN QUALIFICATIONS AND OTHER PROVISIONS RELATING TO SAID OFFICES.

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

Section 1. Pursuant to the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, the City of Colwich, Kansas does hereby elect to exempt itself from and make inapplicable to this city K.S.A. 15-201, an Act of the Kansas Legislature that is non-uniform in application, and did make inapplicable to itself through Charter Ordinance 1, which was adopted on April 28, 1975, pertaining to the Mayor and five councilmen, their terms of office, qualifications and other provisions relating to said offices.

Section 2. The City of Colwich, Kansas hereby elects to amend Charter Ordinance 1, adopted on April 28, 1975, pertaining to the Mayor and five councilmen, their terms of office, qualifications and other provisions relating to said offices, by amending Section 5 of that Charter Ordinance as follows:

Section 5. Whenever a tie shall occur in the vote of any of the aforesaid officers, the results shall be decided by lot by the board of canvassers, the city clerk shall, within seven days after the canvass of the returns and determination by the board of canvassers of the person elected, deliver to each such person a certificate of election, signed by him 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 following their election** and they shall qualify at any time 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 and, thereupon, the mayor shall, with the consent of a majority of the remaining councilmen, appoint a suitable elector of the city to fill the vacancy for the term to which the refusing person was elected. In case of a vacancy in the office of councilman occurring by reason of resignation, death, or removal from office or from the city, the mayor, by and with the consent of the majority of the remaining councilmen, shall appoint some suitable elector of the city to fill the vacancy until the next election for that office.

In case of a vacancy in the office of mayor occurring by reason of resignation, death, removal from office or from the city, the president of the council shall become mayor until the next regular election for that office and a vacancy shall occur in the office of the councilman becoming mayor. (6-20-11)