

CHARTER ORDINANCE NO. 44

A CHARTER ORDINANCE AMENDING SECTIONS 1 AND 2 OF CHARTER ORDINANCE NO. 36, PROVIDING FOR APPOINTMENT AND REMOVAL OF CITY OFFICERS AND EMPLOYEES; AND REPEALING ORIGINAL SECTIONS 1 AND 2 OF CHARTER ORDINANCE NO. 36.

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

Section 1. Section 1 of Charter Ordinance No. 36 is hereby amended to read as follows:

The Mayor shall, with majority approval of the council, appoint a judge of the Municipal Court and members of all City boards and commissions. Regular appointments shall be made during the second meeting in April of each year. Except as otherwise provided by ordinance, all mayoral appointees shall hold their offices for a period of one year, or until their successors are appointed and qualified.

Section 2. Section 2 of Charter Ordinance No. 36 is hereby amended to read as follows:

Except as otherwise prescribed by state law or local ordinance, all elected officers of the City and all officers and others appointed by the Mayor shall be residents of Sedgwick County or an adjoining county. All officers and employees appointed by the city manager shall be residents of Sedgwick County or an adjoining county.

The employment of all officers and employees appointed by the city manager may be terminated at any time with or without cause; provided, that any such termination shall be subject to the provisions of the City's personnel policy manual or any applicable memorandum of agreement negotiated pursuant to K.S.A. 75-4321 *et seq.* The appointment of the judge of the Municipal Court may be terminated for cause by majority vote of all members elect of the Governing Body.

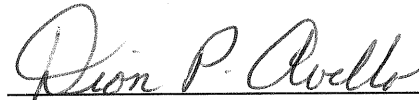
Section 3. Sections 1 and 2 of Charter Ordinance 36 as originally enacted are hereby repealed.

Section 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 5. This is a Charter Ordinance, and shall take effect sixty-one 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 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, this 28th day of August, 2007.



Dion P. Avello, Mayor

ATTEST:



Jean Epperson, City Clerk