

(Published in the Topeka Metro News March 31 and April 7, 2004)

CHARTER ORDINANCE NO. 93

A CHARTER ORDINANCE introduced by Councilmember Jeff Preisner, amending City of Topeka Charter Ordinance A2-16 concerning the filing fee and petition requirements for filling a vacancy in the offices of Mayor or District Councilmember, and repealing the original of said Charter Ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That City of Topeka Charter Ordinance, Topeka City Code Section A2-16, Composition and eligibility is hereby amended to read as follows:

Sec. A2-16. Composition and eligibility.

(a) *Composition.* The governing body shall be a nine-member council, hereinafter referred to as the "council," and a mayor nominated and elected at large on a nonpartisan basis. The nine councilmembers shall be nominated and elected from nine districts of near equal population on a nonpartisan basis. Each council district shall be represented by one district councilmember.

(b) [*Residency requirements.*] The mayor and each district councilmember shall be a citizen of the United States and a qualified elector of Topeka, Kansas and must reside in the city at the time of filing for election and thereafter for the duration of their terms. Councilmembers from districts shall be residents of their respective districts at the time of filing for election and thereafter for the duration of their terms.

(c) *Eligibility.* Any person desiring to become a candidate for mayor or councilmember shall file with the city clerk, or such appointive officer as the council may designate, before the filing deadline a statement of such candidacy on a form furnished by

the city clerk or by such appointive officer as the council may designate. The city clerk or other appointive officer receiving any filing under this section shall record the same and transmit it, together with the filing fee or petition herein provided, forthwith to the Shawnee County election commission. Filing fees paid by applicants to fill a vacancy in the offices of mayor or district councilmember, shall be deposited in the general fund of the city.

Each filing for mayor, whether for election or to fill a vacancy in the office, shall be accompanied by a filing fee of \$100.00; or, in lieu of such filing fee, by a petition signed by 100 qualified electors of the city or one percent of the cast votes in the last election, whichever is less.

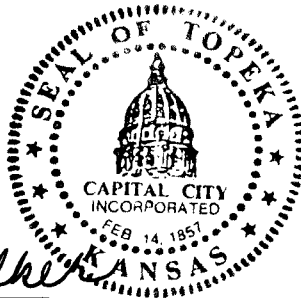
Each filing for district councilmember, whether for election or to fill a vacancy in the office, shall be accompanied by a filing fee of \$50.00; or, in lieu of such filing fee, by a petition signed by 50 qualified electors of the council district.

Section 2. This charter ordinance shall take effect and be in force the 61st day after its passage, approval and final publication in the official city newspaper, unless a valid petition demanding a referendum is filed with the city clerk within sixty (60) days after the final publication.

PASSED and APPROVED by the City Council MAR 23 2004

ATTEST:

Iris E. Walker
Iris E. Walker, City Clerk



James A. McClinton
James A. McClinton, Mayor

APPROVED AS TO FORM AND LEGALITY
DATE 3/23/04 BY JAC
TO BE CODIFIED
NOT TO BE CODIFIED

STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. 93 was passed on the 23rd day of March, 2004, as shown by the minutes, Book 2004 Page 125, by a vote of 7 for and 2 against, being not less than 2/3 of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the 31st day of March, 2004, and on the 7th day of April, 2004, being once each week for two consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty days after the final publication, said charter ordinance took effect on the 7th day of June, 2004.

Iris E. Walker
Iris E. Walker, City Clerk

CERTIFICATE

CITY OF TOPEKA)
COUNTY OF SHAWNEE) ss:
STATE OF KANSAS)

I, Iris E. Walker, City Clerk of the City of Topeka, County of Shawnee, State of Kansas do hereby certify that the above and foregoing, consisting of four typewritten pages, including the page upon which this Certificate is written, is a full, true and correct copy of Charter Ordinance No. _____ of said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the ___ day of _____, 20__.

Iris E. Walker, City Clerk