

## **CHAPTER VI: ELECTIONS**

Article

- 1. CITY ELECTIONS**
- 2. WARDS**



## ARTICLE 1: CITY ELECTIONS

### Section

- 6-101 Conduct of election
- 6-102 Election of city governing body
- 6-103 Terms, elections and appointment to fill vacant Council member positions
- 6-104 General election
- 6-105 Mayor=s appointments
- 6-106 Candidacy for office in accordance with K.S.A. 25-205

#### ' 6-101 CONDUCT OF ELECTION.

The City of Burlington, Kansas, a municipal corporation of the second class, by virtue of the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to and does exempt itself and make inapplicable to it the provisions of K.S.A. 14-103, K.S.A. 14-201, K.S.A. 14-204, and K.S.A. 25-205 that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

(Charter Ord. 9, adopted 7-20-2016)

#### ' 6-102 ELECTION OF CITY GOVERNING BODY.

The governing body of city:

(a) Shall consist of a Mayor and six Council members, to be elected to terms as set forth herein. The Mayor and Council members shall be residents and qualified electors of the city.

(b) Has by ordinance, divided the city into three wards, establish the boundaries thereof, and numbered the same.

(1) No ordinance redefining wards and precincts shall become effective less than 30 days prior to the next regular city election.

(2) Each of Burlington=s three wards shall be represented by a Council member position #1 and a Council member position #2, required to reside in the ward elected to represent (exceptions, see ' 6-103(d); and with position #1 and position #2 expiring in different years.

(1997 Code, ' 6-201) (Ord. 473, adopted 12-8-1989; Charter Ord. 9, adopted 7-20-2016)

**' 6-103 TERMS, ELECTIONS AND APPOINTMENT TO FILL VACANT COUNCIL MEMBER POSITIONS.**

(a) Council members shall have four-year terms. The Mayor shall have a four-year term.

(b) Terms of Council member ward position #2, expiring in April 2017, shall be extended to expire on the second Monday in January of 2018, when the city officials elected in the November 2017 general election take office. Thereafter, terms will expire four years later on the second Monday in January.

(c) Terms of the Mayor and the Council member ward position #1 with terms expiring in April 2019, shall be extended to expire on the second Monday in January of 2020, when the city officials elected in November 2019 general election take office. Thereafter, terms will expire four years later on the second Monday in January.

(d) Vacancies between elections: Appointment approved by majority vote of the Council:

(1) Positions that become vacant during the course of the four-year term shall be filled by an eligible resident of the ward in which the vacancy exists, following a majority vote of approval of the appointment by the governing body unless;

(2) After 30 days of the position becoming vacant, no eligible person in that ward has expressed interest, then the governing body may appoint a person from one of the other wards, with the understanding the interim Council member shall not be eligible to be a candidate in the next election for that seat unless having obtained residency in that ward.

(Charter Ord. 9, adopted 7-20-2016)

***Cross-reference:***

*Vacancies in governing body; how filled, see ' 1-208*

**' 6-104 GENERAL ELECTION.**

(a) All elections for city shall be nonpartisan.

(b) A general election of city officers takes place on the Tuesday succeeding the first Monday in November.

(c) Succeeding elections will be held every two years, in odd numbered years, for all such governing body positions will expire the second Monday in January of the following year.

(d) One Council member from each ward shall be elected at one election, and the other Council member from that ward shall be elected in the succeeding election.

(Charter Ord. 9, adopted 7-20-2016)

**' 6-105 MAYOR=S APPOINTMENTS.**

The Mayor shall appoint, by and with the consent of the Council: Municipal Judge of the Municipal Court, Chief of Police, City Clerk, City Attorney and any other officials deemed necessary.

(a) Any officer appointed and confirmed shall serve in that position for the remainder of the its term and until his or her successors are appointed and qualified.

(b) The Council shall by ordinance specify the duties and compensation of the office holders, and by ordinance may abolish any office created by the Council whenever deemed expedient.  
(Charter Ord. 9, adopted 7-20-2016)

**' 6-106 CANDIDACY FOR OFFICE IN ACCORDANCE WITH K.S.A. 25-205.**

Any person may become a candidate for city office elected at large by having had filed on their behalf a nomination petition or a declaration of candidacy, accompanied by any fee required by law. The nomination petition must be signed by 3% of the qualified electors of the city.  
(Charter Ord. 9, adopted 7-20-2016)



## ARTICLE 2: WARDS

### Section

6-201 Wards

#### ' 6-201 WARDS.

The city is hereby divided into three wards, each containing the territory hereinafter specified.

(a) *Ward One.* All that part of the city lying north of a line described as follows: commencing at the west city limits and the centerline of Kennebec Street; thence east on the centerline of Kennebec Street to the center of the intersection of Kennebec Street and Fourth Street (Highway No. 75); thence south on the centerline of Fourth Street to the center of the intersection of Fourth Street and Miami Street; thence east on the centerline of Miami Street to its intersection with Second Street; thence south on the centerline of Second Street to its intersection with Neosho Street; thence east on the centerline of Neosho Street to its intersection with the Neosho River (being the east city limits).

(b) *Ward Two.* All that part of the city lying south of the above described First Ward and north of a line described as follows: commencing at the west city limits and the centerline of Niagara Street; thence east on the centerline of Niagara Street to its intersection with Ninth Street; thence south on the centerline of Ninth Street to its intersection with St. Lawrence Street; thence east on the centerline of St. Lawrence Street to its intersection with the centerline of Third Street; thence north on the centerline of Third Street to the center of Rock Creek; thence down the center of Rock Creek in a southeasterly direction to its intersection with the Neosho River (being the east city limits).

(c) *Ward Three.* All that part of the city lying south of the south line of the above described Ward Two.

(1997 Code, ' 6-201) (Ord. 473, adopted 12-8-1989)

